

**The Board of Licensure Report  
January 2023  
Kyle Elliott, Executive Director**

**Board of Licensure Officers for 2023**

Officer elections were held at the January 27, 2023, Board of Licensure meeting. The following slate of officers was elected unanimously:

Chris Gephart, PLS – Chair  
Ryan Griffith, PE – Vice Chair  
Nicole Galavotti, PE – Secretary/Treasurer

The following will serve as committee chairs for 2023:

J.C. Pyles, PE – Chair of the Engineering Committee  
Don Pedigo, PLS – Chair of the Surveying Committee  
Josh Calico, PLS – Chair of the Continuing Professional Development Committee  
Greg Meredith, PE, and Josh Calico, PLS as co-chairs of the CPD Task Force Committee\*

\* The Board of Licensure is currently reviewing the CPD regulations, 201 KAR 18:192 and 196 in an attempt to make the two regulations more consistent with each other. To that end, a Task Force Committee including board of licensure members and representatives from NSPE-KY, ACEC-KY and KAPS are working together to review and possibly rewrite the two regulations.

**Firm Renewals**

All unrenewed Firm Permits expired on December 31, 2022. Businesses with expired firm permits are prohibited from offering or providing engineering or land surveying services. The online firm renewal system is still open, and firm permits can be renewed online at: <https://kyboels.ky.gov/Renewals/Pages/default.aspx>. Please be sure to select **Online Firm Renewal** for firm permit renewal and not Online Individual Renewal. The firm will be assessed a late renewal penalty. You may check to see the permit status of any firm by using the Board's online searchable roster: <http://elsweb.kyboels.ky.gov/kboels-web/SearchableRoster.aspx>.

**Individual Renewals**

Beginning on April 1, 2023, individual license renewals will open up on the Board's website. On June 30, 2023, all licenses will expire for individuals whose last name begins with the letter A – K. On or around April 1, all individuals whose license expires this year will receive an email reminder from the General Government Cabinet (the Board of Licensure is part of the General Government Cabinet) through GovDelivery. Paper renewal notices will be mailed out in late May.

## Calendar of Events 2023

April 13 – 14	NCEES Exam Administration (Structural)*	Regional locations only
April 20	Board of Licensure Committee Meetings	Frankfort
April 21	Board of Licensure Meeting	Frankfort
April 27 – 29	NCEES Zone Meetings	Houston, TX
July 27	Board Committee Meetings	Frankfort
July 28	Board of Licensure Meeting	Frankfort
August 15 – 18	NCEES Annual Meeting	Boston, MA
October 26 – 27	NCEES Exam Administration (Structural)*	Regional locations only
October 26	Board Committee Meetings	Frankfort
October 27	Board of Licensure Meeting	Frankfort

\* These are the last times the Structural exams will be offered as pencil and paper exams.

## Contract Board Investigator Position

The Kentucky Board of Licensure will be seeking licensed individuals to serve on a contract basis as a Board investigator. Anyone interested in any of these positions may contact Heather Baldwin, Director of Enforcement, at the Board offices.

**Board of Licensure  
Enforcement Report  
For The Period  
October 1, 2022 – December 31, 2022  
Heather L. Baldwin, PE, PLS, Director of Enforcement**

## Unlicensed Practice

Ron Miller

Though an anonymous complaint, the Board discovered that Ron Miller of Grayson, Kentucky had offered and provided land surveying services to the public, in violation of KRS 322.020. Specifically, Miller responded to a Facebook post, stating that he was a land surveyor, and then located and marked property boundaries, provided a drawing of those boundaries to his client, and accepted compensation for his services. To resolve the Board's investigation, Miller entered into an Agreed Order of Settlement and Injunction with the Board in which he is enjoined from practicing or offering to practice land surveying in Kentucky, or advertising or using any title or descriptive term that would convey the impression that he is qualified to offer or perform land surveying services in Kentucky unless and until he becomes licensed as a professional land surveyor by the Board. Furthermore, he is enjoined from offering or engaging in the practice of land surveying in Kentucky by or through any business entity or advertising

that any such business entity is authorized to offer land surveying services in Kentucky, unless or until that business entity obtains a valid business entity permit from the Board. Future violations may be subject to fines and/or periods of incarceration as provided in KRS 322.990. The Agreed Injunction was entered by Franklin Circuit Court on January 19, 2023.

## **Disciplinary Actions**

**James William Rush, III, PE #23727**

On January 11, 2019, James William Rush, III entered into a Consent Decree with the Board for failure to obtain at least thirty (30) Professional Development Hours (PDH) for the 2016/2017 reporting period, and for representing on his 2018 online renewal application that he had complied with the Continuing Professional Development (CPD) requirements, when he had not so complied. To resolve the violation, Rush agreed to (1) receive a Letter of Reprimand; (2) pay an administrative fine of \$1,000; (3) provide proof of his 2016/2017 CPD obligation by February 15, 2019; and (4) provide proof of his 2018/2019 CPD obligation by January 10, 2020. Rush met the terms of the Consent Decree. On September 7, 2022, Rush was selected for a random audit of CPD compliance for the 2020/2021 reporting period. In response, Rush provided evidence of 12.5 PDH completed during the 2020/2021 reporting period and 19 PDH completed in 2022, after the end of the reporting period. In addition, during his June 29, 2022 PE license renewal, he indicated that he had complied with the CPD regulations, when he had not so complied. To resolve the second investigation, Rush entered into a Consent Decree with the Board wherein he acknowledged the violations of 201 KAR 18:196 and KRS 322.180(1) and agreed to place his license in “retired” status in lieu of the imposition of penalties pursuant to KRS 322.180. The Board of Licensure approved this Consent Decree on January 27, 2023.

## **Non-Disciplinary Actions**

### **Cases Closed with a Written Admonishment – 39**

PE - admonishments for CPD violations – 32 (24 random audits, 8 late renewal audits)

PLS - admonishment for CPD violations – 5 (random audits)

PE – admonishment for violations in another jurisdiction – 1

Firm (both engineering and land surveying) – admonishment for falsely answering questions on business entity permit application – 1

### **Cases Closed with Educational Letter - 1**

Unlicensed practice (land surveying)

### **Case Closed with No Action – 1**

PE – no violation