

Murdo, Patricia

From: Jennie Meinershagen <jennie@rockingmdesign.com>
Sent: Thursday, January 12, 2006 7:01 PM
To: Murdo, Patricia
Subject: SJR 35-Meeting Licensing Boards

Patrica, thank you for keeping everyone posted on the progress and the opportunities to provide input to the subcommittee.

I am submitting comments relative to the Agenda for the January 19th meeting. From my perspective, the items that will be covered are at the core of the issues that the Landscape Architecture Board has experienced.

SHOULD A BOARD EXIST

Those providing professional services that impact the public health and safety need to be qualified, maintain qualifications and have a method whereby their practice can be monitored. Most professional organizations can provide information that verifies the applicability of the practice to the public health and safety. A 'Board' has been the traditional tool to accomplish this protection of the public. If there is an alternate tool, then it should be carefully considered with respect to it's effectiveness and benefits.

BOARD COSTS

The State should have a standard financial reporting method that is prepared for public review. This reporting should include tasks and time spent by staff on the various functions associated with managing the board activities.

The question of whether or not the licensed individuals should be required to cover 100% of all State expenses required to protect the health and safety of it's citizens is a legal and philisophical debate that needs to take place. Are State Boards a government service provided for the citizens or a business? If it is a business, then perhaps it would be more cost effective in the private, competitive realm of operation?

As a business person, I am not allowed, by State law, to directly charge costs for special, State required accounting proceedures to the particular State project that requires the proceedures. (I am referring to MDOT.) Rather, I must spread that cost throughout my overhead charges to all my clients. The method of accounting for 'Board' costs seems to both evenly spread some overhead costs and directly charge for services that might typically fall under the 'overhead' category of expense. For instance, in the explanation of expenses for the Board of Landscape Architecture there is a line item called 'accounting' which appears to be charges for setting up the new accounting method in 2004 that has worked against the licensees.

The professional 'Board' members should be advised of proposed changes in advance and they should have the authority to engage in the decisions related to the administration of the Board, especially as it affects the ability to maintain the licensing of that particular profession. There are types of work that are required to have certain licensed professionals provide the required services. If there is not licensing in the State, then that work will be performed by out-of-state, licensed, practioners.

It would appear, that the layers and levels of managerial staff associated with Board services should be relative to the size, need or demand of that particular Board. In the case of the LA Board there are 5 levels of staff managing an area with a 25-60,000 dollar annual budget, 4 of those staff levels with annual salaries greater than the budget of the board. Is this really necessary?

ORGANIZATIONAL STRUCTURE & STAFFING

The layers of organization should be reduced when feasible.

The staff need to be accountable to some entity other than themselves. At this time, the State Code seems to grant all authority to the staff to figure out how to administer a bill/law that the legislature passes. The staff is far more knowledgable about State law than citizens, so initially this is reasonable. In addition, it permits the department to then return to the legislature and further request/lobby for more legislation to further empower the department. The Code also empowers the department staff to determine

all costs associated with it's operation. There is no requirement to involve the professional board members. At this time the professional members of a board have no authority in the administration.

The current situation with the LA Board illustrates that the department's role is to tell the professional board members what the cost will be and professional board members duty is to approve what the department staff present. There must be a middle ground where information is provided in a timely manner and discussions can occur, alternatives analyzed and agreeable solutions provided.

I hope you find these comments useful to the discussion. I will try to attend the meeting. Thank you for the opportunity to comment.

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