

Design LINES

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2015 MEETING SCHEDULE

February 11-13Committee/Board Meetings/Hearings
 April 8-10.....Committee/Board Meetings/Hearings
 June 3-5.....Committee/Board Meetings/Hearings
 August 12-14.....Committee/Board Meetings/Hearings
 October 7-9Planning Session/Board Meeting (location to be determined)
 December 2-4Committee/Board Meetings/Hearings

Unless otherwise indicated, all meetings are held in Nashville, Tennessee, in the Davy Crockett Tower, 500 James Robertson Parkway. Please contact the Board office at 615-741-3221 or 800-256-5758 to verify times and locations, as the meeting schedule is subject to change. Meeting agendas and minutes are available on the Board's website (www.tn.gov/regboards/ae).

REVISED FREQUENTLY ASKED QUESTIONS ABOUT QUALIFICATIONS-BASED SELECTION (QBS)

The following revised questions regarding QBS were adopted by the Board at the June and October 2014 Board meetings, and supersede all previously published versions of the FAQs. These responses reflect the Board of Architectural and Engineering Examiners' interpretation of T.C.A. § 12-4-107, as necessary to enforce Rule 0120-02-.02(6), which prohibits registrants from competitively bidding professional services on public projects. The Board continues to discuss QBS-related issues, and registrants are welcome to submit feedback and questions for the Board's consideration.

1. To what projects does T.C.A. § 12-4-107(a) apply?

T.C.A. § 12-4-107 applies to all contracts for architectural, engineering and construction services procured by any municipal corporation, county, state, development district, utility district, human resource agency, or other political subdivision created by statute. Some communications from the Board refer to "public works projects," which should not be understood in the narrow sense of projects typically associated with public works departments. The term "public works" is used in the general sense of any project paid for by government funds for public use. The statute does not actually use the term "public works."

2. What has changed? Is the Board of Architectural and Engineering Examiners imposing a new requirement?

The requirement to select design professionals for public projects through qualifications-based selection is not a new requirement. This requirement has been in the law for many years, and the Board of Architectural and Engineering Examiners is not imposing any additional requirements on the state or local jurisdictions. The only change is that, effective March 11, 2013, the Board may now discipline registered architects, engineers, and

landscape architects for failing to comply with T.C.A. § 12-4-107(a) and Rule 0120-02-.02(6).

3. Does T.C.A. § 12-4-107(a) encompass studies and other services that do not involve the preparation of sealed plans?

In the event that any study or service, such as Property Condition Assessments (PCAs), planning studies, or other documents, requires professional services and expertise, or if these professional services are offered by the proposer, it would fall under the scope of the statute.

4. Does T.C.A. § 12-4-107(a) apply to public school systems and public building authorities?

Yes. T.C.A. § 12-4-107 applies to all contracts for professional services by any municipal corporation, county, state, development district, utility district, human resource agency, or other political subdivision created by statute.

5. Does T.C.A. § 12-4-107(a) apply to non-profit organizations that receive public funds, such as charter schools?

No. T.C.A. § 12-4-107 applies only to contracts for professional services by any municipal corporation, county, state, development district, utility district, human resource agency, or other political subdivision created by statute. It does not apply to private non-profit organizations, regardless of the source of funding. However, although T.C.A. § 12-4-107(a) does not require qualifications-based selection in these instances, the conditions of the source of funding, such as a governmental grant, may still require qualifications-based selection.

6. Does T.C.A. § 12-4-107(a) apply to landscape architectural services?

Although the statute does not specifically reference landscape architectural services, it may be safely assumed that such services are included due to the overlap among the architectural, engineering, and landscape architectural professions, and the fact that similar qualifications and standards apply to all three design professions. Additionally, Rule 0120-02-.02(6) does reference landscape architectural services.

7. Does T.C.A. § 12-4-107(a) apply to interior design services?

No. The statute does not reference interior design services, and the Board of Architectural and Engineering Examiners does not regulate the practice of interior design—only use of the title “registered interior designer.”

8. Is it permissible for a registrant to provide a description of intended compensation (i.e., whether you charge a fixed fee, percentage, etc.) in response to a RFQ/RFP for a public project?

Yes, provided that a specific monetary amount or percentage is not included in the response.

9. Is it permissible for a registrant to submit hourly rates and an estimate of man-hours required to complete a design project in response to a RFQ/RFP for a public project?

No. T.C.A. § 12-4-107(a) and Rule 0120-02-.02(6) preclude a registrant from submitting any information that could be used to determine compensation in response to a RFQ/RFP for a public project.

10. Is it permissible for a registrant to submit a price in a sealed envelope in response to a RFQ/RFP for a public project?

No. Registrants may only state compensation to a prospective client in direct negotiation following selection based on qualifications.

11. Does the following procedure comply with T.C.A. § 12-4-107 and Rule 0120-02-.02(6)?

A jurisdiction requests responses to a RFQ. Responses are evaluated to prequalify firms for participation in the RFP process. Prequalified proposers then submit formal proposals (RFPs)—including fees—for consideration and final selection.

No. The prequalification procedure outlined above would not comply. In accordance with T.C.A. § 12-4-107(a), once the public body (client) has selected the most qualified design professional/firm, it may request a fee

proposal from that firm. The agency may then negotiate a satisfactory contract with the selected firm. If an agreement cannot be reached and the negotiations are formally terminated, the agency may then proceed to select the next most qualified design professional/firm on the list and continue negotiations until an agreement is reached.

12. What alternate methods are available for determining possible architectural, engineering, or landscape architectural costs?

- Enlist the aid of a professional or agency such as a Development District in determining the scope of the project for a RFQ. This should allow a realistic budget for the entire project, including construction, so that price surprises are minimized.
- State the budget range for professional services in the RFQ. The budgeted amount allows the design professional to determine if they can meet the stated requirements within the budget range and minimizes review time for the municipality.
- Use standard cost basis schedules such as used by the State Building Commission or Rural Development to determine expected design costs. These schedules have been used for many years by both governments and design professionals to establish reasonable compensation for projects of various sizes.

13. Is it unethical for one firm/registrant to sit in on a proposal interview for another firm/registrant (a competitor)? Would this be a violation of the Rules of Professional Conduct?

Although such conduct is unprofessional, it does not violate the Rules of Professional Conduct.

14. Does Rule 0120-02-.02(6) apply only to individual design professionals, or does it also apply to corporations, partnerships, and firms?

The rule applies to both individual design professionals and corporations, partnerships, and firms registered in the State of Tennessee (see Rule 0120-02-.01 Applicability).

USE OF ELECTRONIC SEALS

By Robert G. Campbell, Jr., P.E.

The use of the seal is a validation that a professional has prepared, reviewed and ultimately approves of the document to which it is affixed. The Board of Architectural and Engineering Examiners recently adopted new rules for stamping, adding another method for this validation. The rule is stated as follows:

Rule 0120-02-.08(8)

- (a) Subject to the requirements of this rule, rubber-stamp, embossed, transparent self-adhesive or electronically generated seals may be used. Such stamps or seals shall not include the registrant's signature or date of signature.
- (b) Subject to the requirements of this rule, the registrant may affix an electronically generated signature and date of signature to documents. Electronic signatures and dates of signature are not required to be placed across the face and beyond the circumference of the seal, but must be placed adjacent to the seal. Documents that are signed using a digital signature must have an electronic authentication process attached to or logically associated with the electronic document. The digital signature must be:
- Unique to the individual using it;
 - Capable of verification;
 - Under the sole control of the individual using it; and
 - Linked to a document in such a manner that the digital signature is invalidated if any data in the document is changed.

For many years, the staple method of affixing the seal was to use an ink pad, apply the stamp and then manually signing the individual sheets. Some clever engineers came up with using adhesive stamps instead of rubber stamps eliminating the ink pad. This method is commonly referred to as "wet stamping".

The advent of computers and CAD programs brought another method into the engineer's toolbox. This involved affixing an electronic image of the seal to a plan sheet. This image was inserted as a cell, JPEG or other type and became part of the drawing. Once this was done the registrant signed and dated the stamp. Both of these methods are covered in sub-section (a) above.

Improvements in technology, ease of document transfer, and lack of storage for 24 x 36 Mylar or vellum sheets became the catalyst for the latest signature option spelled out in subsection (b). The overriding benefit for the registrant is improved security for the sealed document. The electronic image of the registrant's seal is inserted into the CAD drawing directly in a pre-determined location. The registrant then "signs" the seal using an add-on software package which is activated through a unique user name and password. Some programs also have pre-coded thumb drives, which allow unique access to that computer only.

The "signature" can be a unique identifier added to the stamp block or an electronic signature from the registrant. There are a variety of certification programs and each one has a unique method of certifying or sealing the sheet or set of plans. The key components of an effective electronic seal program are from sub-section (b):

- Unique to the individual using it;

- Capable of verification;
- Under the sole control of the individual using it; and
- Linked to a document in such a manner that the digital signature is invalidated if any data in the document is changed.

Most of the electronic seal packages allow the integrity of a set of plans to be maintained at a higher level than the other approved methods. Any changes to the electronic set invalidate the signature and become readily apparent.

Digitally sharing information is routine between clients and peers. The new rules allow this to happen while maintaining the integrity of the seal, and decrease the likelihood of malfeasance by those who want to circumvent the rules.

Other information can be found at the following:

A beginning point for looking at the various packages can be found at the following website:

<https://www.sslshopper.com/certificate-authority-reviews.html>. This site lists the major SSL certificate providers.

Another excellent source detailing the process flow of digitally stamping a set of plans is available from the Tennessee Department of Transportation at the link below:

http://www.tdot.state.tn.us/chief_engineer/assistant_engineer_design/design/v8/Digital%20Signature%20Certification%20Workflow.pdf

New Board Policy Regarding Sealing Manufactured Product Details, Review letters, and Shop Drawings

The following provides the Board's policies regarding when a registrant may or may not seal a product detail, shop drawing, or review letter.

The design professional . . .

- Shall not seal a detail of a manufactured product designed by others.
- May seal a detail of a manufactured product if the design professional performs calculations to confirm design and re-draws detail.
- May incorporate a manufacturer's detail from a trusted source into a larger drawing as allowed by Rule 0120-02-.08(6)(a)(5) Seals.
- May seal a review letter of a manufactured product if the letter can be considered a report and includes language to define the responsibilities and limitations of the reviewing engineer.
- Shall not seal a shop drawing prepared by others; may only add a shop drawing review stamp to address conformance with design intent.
- May not be required by the authority having jurisdiction to seal the design of a manufactured product if the design is exempted by applicable law.

Adopted October 10, 2014

GOVERNOR HASLAM SIGNS NOAH DEAN AND NATE ACT



Tuesday, June 3, 2014

NASHVILLE – Tennessee Gov. Bill Haslam today held a ceremonial signing of the Noah Dean and Nate Act, named in honor of Noah Winstead and Nate Lynam, two Morristown fifth-graders who were electrocuted on July 4, 2012 while swimming at a Tennessee marina.

Sponsored by Rep. Tilman Goins (R-Morristown) and Sen. Steve Southerland (R-Morristown), the legislation is aimed at preventing electric shock drowning at Tennessee boat docks and marinas.

“This legislation creates infrastructure to better protect public safety in and around marinas,” Commissioner and State Fire Marshal Julie Mix McPeak said. “We are looking forward to working with professionals from across the state to keep our marinas safe for all.”

Specifically, the legislation outlines requirements for the installation of ground fault circuit interrupters in and around boat docks and marinas, authorizes the State Fire Marshal’s Office to conduct safety inspections of boat docks and marinas to ensure

compliance with applicable codes, and requires marinas to post safety signage notifying individuals of the potential for electric shock if swimming within 100 yards of the boat dock.

“This is a tremendous public safety bill that will help prevent serious electric shock injuries and drowning deaths in Tennessee,” Sen. Southerland said. “No parent should have to suffer this kind of tragedy. I applaud the courage of the parents of Noah Dean and Nate in working toward passage of this legislation.”

“The Noah Dean and Nate Act is a big step forward for safety in and around Tennessee’s lakes and waterways,” Rep. Goins said. “Our citizens, as well as tourists who come to Tennessee to enjoy the recreation these lakes offer, need to know that their safety is our utmost priority.”

Editor’s Note: Although not directly involved in the legislation, the Board of Architectural and Engineering Examiners has met with representatives from the State Fire Marshal’s Office regarding this matter and has supported efforts to ensure the safety of marinas in the state.

Revised Frequently Asked Questions about QBS

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15. What disciplinary action may result from a violation of Rule 0120-02-.02(6)?

Formal discipline could range from a civil penalty (\$100-\$1,000 per violation) to suspension or even revocation for repeated, grave offenses. The Board considers mitigating and aggravating factors when determining discipline.

16. Can price be considered when selecting a design professional for a public project?

The law does not prevent jurisdictions from negotiating price on projects requiring professional services. Upon selecting the most qualified design professional, the jurisdiction may then negotiate compensation with the registrant/firm. If the contracting agency and most highly qualified firm are unable to negotiate a fair and reasonable contract, the agency may formally terminate negotiations and undertake negotiations with the next most qualified firm, continuing the process until an agreement is reached. The initial selection, however, must be based upon qualifications.

17. Does T.C.A. § 12-4-107(a) and Rule 0120-02-.02(6) apply to transportation planning services for Metropolitan Planning Organizations?

See response to question #3.

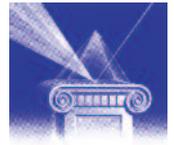
18. Does T.C.A. § 12-4-107(a) and Rule 0120-02-.02(6) apply to subconsultants who do not contract directly with a government agency?

No, based on the Board’s current interpretation of the statute. If a registrant is not entering into a contract with a governmental entity, then they may include a fee in their proposal for a public project. However, in keeping with the spirit of the law, the Board urges registrants to select subconsultants on the basis of their qualifications.

Please visit the Board website (www.tn.gov/regboards/ae) for the most up-to-date version of the QBS FAQs, as the FAQs are subject to change.



NCEES APPROVES REVISED APPROACH TO EDUCATION INITIATIVE



The U.S. engineering and surveying licensing boards that make up NCEES have voted to modify the approach to requiring additional education for initial engineering licensure by removing specific language in the NCEES *Model Law* and *Model Rules*, originally intended to be effective in 2020.

The decision was made during the 2014 NCEES annual meeting, held August 20–23 in Seattle, Washington. As part of the vote, annual meeting delegates decided to instead develop an official NCEES position statement that supports additional engineering education beyond a bachelor’s degree.

“NCEES remains committed to improving education standards to better prepare engineers to enter the profession and will work with other engineering organizations, educators, and the professional engineering community to reach that goal,” said NCEES Chief Executive Officer Jerry Carter. “NCEES voted to remove these requirements to avoid confusion and unintended comity licensure barriers while it works on the specifics of the requirement.”

The additional education requirement in the *Model Law* and *Model Rules*—the NCEES best-practice models for state licensure laws and rules—called for an engineering licensure candidate to obtain a master’s degree or its equivalent before initial licensure. The requirement was first added to the model documents by Council vote in 2006. In subsequent years, NCEES annual meeting delegates approved several additions and modifications to the language to adjust and clarify the requirement.

The Council’s latest decision means that in 2020 the NCEES *Model Law* and *Model Rules* will continue to require an engineering bachelor’s degree from an EAC/ABET-accredited program to fulfill the education

requirement for engineering licensure.

Carter explained that having the additional education requirement in the model documents was creating uncertainty about what would be required for licensure in the future and impacting students entering engineering programs.

“The language about requiring additional education beyond the bachelor’s degree was inserted in the NCEES model governance documents to reflect the belief of the Council that significant revisions are needed in the education of engineers to ensure that they are prepared to enter the professional practice of engineering. Because the language had been incorporated into the NCEES *Model Law* and *Model Rules* but had not yet been adopted by any individual licensing board, it was causing confusion among students, educators, and professional engineers,” he said.

Another key issue was the effect on the NCEES Records program, which is used by professional engineers across the country to facilitate comity licensure, the process by which a professional engineer licensed in one state gets licensed in another.

Carter explained, “For those who meet the *Model Law* Engineer or *Model Law* Structural Engineer standard, many states [including Tennessee] expedite a comity licensure application. In 2020, the MLE and MLSE standards would have required a master’s degree or the equivalent. If no state requires a master’s, most licensees would no longer meet the MLE and MLSE standards, which would have slowed comity licensure. NCEES is dedicated to facilitating licensure among states, so it wants to avoid this impediment.”

The NCEES Advisory Committee on Council Activities has been charged to develop the position statement supporting additional

education for initial engineering licensure and will present it for adoption by the Council at the 2015 annual meeting.

Removing prerequisite in licensure requirements

Among other actions taken at the annual meeting, NCEES member boards voted to remove its *Model Law* prerequisite that four years of progressive engineering experience be earned before a licensure candidate can take the final licensing exam, the Principles and Practice of Engineering exam.

Delegates voted in 2013 to remove the prerequisite, and the NCEES Committee on Uniform Procedures and Legislative Guidelines was charged this year with proposing specific amendments to the language to effect the change. The Council voted to approve the proposed amendments.

Carter said that the change does not alter the requirements themselves. “The *Model Law* still requires four years of engineering experience for licensure. You don’t have to meet the experience requirement before you can take the PE exam, but you do have to earn this experience, along with meeting the education and exam requirements, before you can become licensed as a professional engineer.”

This change to the *Model Law* is subject to implementation at the state level. “Each jurisdiction will decide whether to remove the prerequisite aspect of the experience requirement from its laws or policies, and some have already done so,” Carter explained.

The Tennessee Board held an open forum in February to solicit input on the proposal to decouple the experience and examination requirements and continues to discuss the issue.

- A N N O U N C E M E N T S -

At the June 12, 2014, Board meeting, Richard D. Thompson, R.A., was elected to serve as Board Chair; Robert G. Campbell, Jr., P.E., was elected to serve as Vice Chair; and Susan K. Ballard, ASID, R.I.D., NCIDQ, was elected to serve as Secretary. All officers will serve

from July 1, 2014, to June 30, 2015.

The Board signed the Letter of Undertaking in respect of the Mutual Recognition Agreement between the National Council of Architectural Registration Boards (NCARB)

and the Canadian Architectural Licensing Authorities (CALA) in June 2014. This agreement, which was adopted at the 2013 NCARB Annual Meeting and took effect on January 1, 2014, facilitates licensure between U.S. and Canadian jurisdictions.

NCARB UPDATE

The National Council of Architectural Registration Boards (NCARB) has been very busy over the last few months. Following is a summary of recent NCARB news items:

- **NCARB announces transition plan for ARE 5.0**

NCARB has announced a transition plan to guide the implementation of major improvements and changes to the Architect Registration Examination® (ARE®), the test that all prospective architects must take to get their licenses. Architect candidates taking the current ARE 4.0 exam when ARE 5.0 launches will have the opportunity to receive credit for divisions passed in the current ARE 4.0 version.

The new ARE 5.0 will launch in late 2016, while ARE 4.0 will remain available for at least 18 months after the launch (until June 30, 2018). The extension of the old exam will allow candidates the option of either finishing all exam divisions in the familiar current format, ARE 4.0, or transitioning to the new exam.

the following months.

- **NCARB announces IDP credit for hours completed beyond six months**

NCARB has approved a significant modification to its reporting requirement known as the “six-month rule” for credit in the Intern Development Program (IDP). The modified rule went into effect on July 1, 2014.

This new adjustment allows credit for intern experience that occurred up to five years previous to the current reporting requirements of six months. Credit for experience older than eight months will be valued at 50 percent for up to five years, after which any experience would be ineligible for credit.

The goal of this and other recently implemented improvements, which include the launch of online and mobile app tools and



ARE 5.0 will include six standalone divisions, compared to the seven in ARE 4.0, that align to commonly defined professional architect activities of practice management, project management, and project design. The current “graphic vignette” software, which has been in use since the exam was computerized in 1997, will be replaced with new question types.

To help candidates understand how they will receive credit for ARE 4.0 divisions in ARE 5.0, NCARB has created the above graphic credit model.

With a strategic testing approach, interns testing during the transition can complete the ARE in five (5) divisions rather than six or seven. The most important divisions for interns to pass in ARE 4.0 are Construction Documents & Services; Programming, Planning & Practice; and Site Planning & Design. In early 2015, NCARB will be creating more interactive tools to help interns plan for the transition, with additional details regarding ARE 5.0 to be released in

adjustments to the academic credit eligibility, is to better facilitate and acknowledge the value of experience in the path to licensure.

- **NCARB endorses new path to becoming an architect: architect license upon graduation**

The NCARB Board of Directors has announced their endorsement of the concept of an additional, structured path that leads to licensure in a U.S. jurisdiction. The new path—licensure upon graduation from an accredited program—would integrate the rigorous internship and examination requirements that aspiring architects must fulfill into the years spent completing a professional degree in architecture.

The concept was designed by a distinguished group of volunteers convened by NCARB, which recommends national architect

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NEWS FROM CIDQ:

U.S. CENSUS BUREAU SHOWS CREDENTIALLED PROFESSIONALS EARN HIGHER INCOMES

A recently released U.S. Census Bureau report (available at <http://www.census.gov/prod/2014pubs/p70-138.pdf>) shows that professional certification provides a path to higher earnings. According to the Bureau's first-ever study of this kind, individuals who have obtained a professional certification, such as the NCIDQ Certification, apart from a post-secondary degree awarded by colleges and universities, earn 21.38% higher pay than those with only an educational certificate and 33.9% more than those people without any alternative credential or educational certificate.

"This empirical data provides more support for what we have seen regarding the important role the NCIDQ Certification plays in differentiating the most competent and qualified interior designers from their non-certified counterparts," says Dr. Carol Williams-Nickelson, Executive Director for the Council for Interior Design Qualification, Inc. (CIDQ) which oversees the development and administration of the NCIDQ Examination. "Our mission of protecting the public by identifying and then testing an appropriately educated and experienced interior designer's competencies in health, safety and public welfare is at the forefront in all of our test development and certification activities. There are strong, longstanding trends suggesting that people who hire interior designers seek out those who are NCIDQ

Certified and are willing to pay more for that quality assurance."

There are countless other benefits to the NCIDQ Certification. "Interior Designers spend many years earning their degrees, engaging in intensive supervised experience, and preparing for the rigorous three-part NCIDQ Examination, which tests their knowledge in design fundamentals, professional practice, and a wide range of competencies in code-based practices" adds Victoria Horobin, ARIDO, IDC, NCIDQ, President of CIDQ and the NCIDQ Examination Board of Directors. "Passing the NCIDQ Examination is a monumental accomplishment. For the interior designer, it confirms that she or he has what it takes to deliver high quality services and identifies them as a practitioner who has the competencies to create interior spaces that are not only aesthetically pleasing, but also functional and safe, therefore protecting public health, safety and welfare."

The NCIDQ Certification is not only a source of pride, recognition and competency. Now, thanks to the results of the U.S. Census Bureau's study, there is a growing body of evidence lending support for what we have seen over the past forty-years since the NCIDQ Examination has existed. That is, as a whole, interior designers who hold the NCIDQ Certification have set their careers on a course that can result in earning more money.

The 108th General Assembly's session produced the following bills impacting the Board and its registrants:

- Senate Bill (SB) 0148/House Bill (HB) 0142, which amended Tennessee Code Annotated, Title 62, Chapter 2, to remove references to a "minimum eight-hour written" engineering exam in preparation for the computerization of the Fundamentals of Engineering (FE) exam in January 2014. The FE exam is now six hours in length. This bill passed and became Public Chapter 180.
- SB 0149/HB 0143, which prohibits the issuance or renewal of a license issued by a program assigned to the Division of Regulatory Boards unless civil penalties assessed by the program have been paid and authorizes the implementation of an electronic system for submitting complaints and applications. This bill passed and became Public Chapter 138.
- SB 0493/HB 0422, which requires expedited issuance of licenses for veterans and their spouses, waiver of renewal requirements for those on



- active duty, and the granting of certain credit for certain service members. This bill passed and became Public Chapter 122. The Board is currently considering a rule change to implement the provisions of this law.
- SB 1504/HB 1517, which sought to clarify statutory requirements for licensure to ensure that a duly licensed architect or engineer who is performing normal architectural and engineering services within the architect's or engineer's area of competence is not required to obtain additional licensure, certification, or registration to perform

such services. This bill did not become law.

SB 1636/HB 1432, which revises provisions governing the failure to pay the professional privilege tax. This legislation requires the Commissioner of the Department of Revenue to provide certain licensing agencies a monthly list of licensees who are more than ninety (90) days late paying their professional privilege tax. Upon receipt of such delinquencies, the Department of Commerce and Insurance, Division of Regulatory Boards cannot issue or renew a licensee's license until the delinquency with the Department of Revenue has been resolved and the Department of Revenue has provided a letter notifying the agency of the licensee's tax clearance. This will eliminate the need to hold formal hearings to suspend or revoke the license for failure to pay the tax. This bill passed and became Public Chapter 763.

Legislation may be viewed and tracked on the General Assembly's website (www.capitol.tn.gov). Public Acts are available on the Secretary of State's website (www.tn.gov/sos/acts).

Formal Disciplinary Actions Taken by the Board

*M. Nasser Amiri, Non-registrant
Huntsville, Alabama*

VIOLATION: Unlicensed practice of engineering. T.C.A. § 62-2-101.

PENALTY: \$500 civil penalty.

CONSENT ORDER: April 23, 2014

*Herbert M. Edens, Jr., P.E. #15520
Collierville, Tennessee*

VIOLATION: Practiced engineering on an expired certificate of registration. Tenn. Code Ann. §§ 62-2-101 and 62-2-105.

PENALTY: \$500 civil penalty; must take and pass the Board's law and rules exam.

CONSENT ORDER: September 5, 2014

*David N. Hauseman, R.A. #101174
Atlanta, Georgia*

VIOLATION: Failed to pay the professional privilege tax for two (2) years or more. Tenn. Code Ann. §§ 62-2-308(a)(1)(B) and 67-4-1704.

PENALTY: \$250 civil penalty; pay hearing costs of \$200 (respondent had paid all privilege taxes due).

AGREED ORDER: June 16, 2014

*Everett A. Horton, P.E. #112978
Cornelius, North Carolina*

VIOLATION: Failed to disclose a felony conviction upon making application to the Board for registration. Tenn. Code Ann. § 62-2-308(a)(1)(A).

PENALTY: \$500 civil penalty; must take and pass the Board's law and rules exam.

CONSENT ORDER: January 27, 2014

*Roy A. Hunt, P.E. #21694
Sacramento, California*

VIOLATION: Disciplined in another jurisdiction; failure to report disciplinary action to the Board. Tenn. Code Ann. §

62-2-308(a)(1)(E) and (F) and rule 0120-02-.07(5)(b).

PENALTY: Indefinite suspension until such time as respondent provides proof of release from suspension in the other jurisdiction; \$1,000 civil penalty; must take and pass the Board's law and rules exam.

CONSENT ORDER: March 25, 2014

The registrant's license was not placed on suspension because he provided proof of release from suspension in the other jurisdiction at the time he signed the consent order.

*Walter Kulash, Non-registrant
Little Switzerland, North Carolina*

VIOLATION: Unlicensed practice of engineering. T.C.A. § 62-2-101.

PENALTY: \$500 civil penalty.

CONSENT ORDER: July 14, 2014

*Jayant S. Patel, P.E. #115402
East Lyme, Connecticut*

VIOLATION: Practiced engineering on an expired certificate of registration. Tenn. Code Ann. §§ 62-2-101 and 62-2-105.

PENALTY: \$500 civil penalty; must take and pass the Board's law and rules exam.

CONSENT ORDER: May 21, 2014

*Robert D. Warren, P.E. #16706
Murfreesboro, Tennessee*

VIOLATION: Practiced engineering on an expired certificate of registration. Tenn. Code Ann. §§ 62-2-101 and 62-2-105.

PENALTY: \$500 civil penalty; must take and pass the Board's law and rules exam.

CONSENT ORDER: June 26, 2014

IN MEMORIAM

**William H. ("Bill") Beaty, Sr., R.A., FAIA
(1931-2014)**

The Board was saddened to hear that former Board member William H. Beaty, Sr., of Red Banks, Mississippi, passed away on Thursday, May 22, 2014. He served on the Board of Architectural and Engineering Examiners as an architect member representing West Tennessee for 16 years, ending in 1999, and served as Chair of the Board.

Mr. Beaty received a B.S. degree in Architectural Engineering from LSU, and became a registered architect in Tennessee in 1963. He served in the U.S. Army during the Korean War and was a lifelong member of Temple Baptist Church. Mr. Beaty was a Fellow in the American Institute of Architects, past president of the Memphis Chapter of the American Institute of Architects, Chair of the Southern Conference (Region 3) of the National Council of Architectural Registration Boards (NCARB) in 1993, and Regional Director for the NCARB Southern Conference from 1993-96. He also served on numerous NCARB committees. Many buildings in the mid-south region were designed by, consulted on or bear the handprint of Bill Beaty. Mr. Beaty was also an instructor in the Architectural Engineering program at the University of Memphis.

Vance Travis, former Board member and Chair, had the following to say about Bill Beaty:

Bill is remembered by those who knew him as a good family man, model airplane builder, remote control aviator, joker, magician, and fun loving architect. I had the privilege of serving with Bill on the AIA Tennessee Board, NCARB Board, Region 3 Board, and the Tennessee State Board of Architectural & Engineering Examiners. In many ways he served as a mentor to me and others. He often created elaborate abstract design sketches during lengthy Board meetings and hearings. Bill was the consummate schmoozer who often used coin tricks and sleight of hand to get his point across. As a Fellow AIA member, he will always be remembered for being honorable, fair, and committed to the amelioration of the architecture profession!

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The Board and Staff extend our sympathies to the family and friends of Mr. Beaty.

Daniel Farrell Burton, Sr., FASID (1923-2014)

The interior design profession lost an honored member, leader and elected Fellow when Daniel Farrell Burton Sr., FASID, passed away in August. In the early 1970s, he helped convene the first meeting between delegates of the American Institute of Interior Designers and the National Society of Interior Designers, which eventually led to the formation of ASID. He served in many leadership capacities nationally and in Tennessee. Named one of Town & Country magazine's "Top 55 Designers in the United States," Burton's work has been widely published in national and regional shelter magazines. Gifted with color discernment and an imaginative spatial sense, his room designs were unfailingly original. Among his many clients were Minnie Pearl, Jim Nabors and Al Gore.

The Board and Staff extend our sympathies to the families and friends of these individuals who have honored their professions.

ARCHITECTS

Howard L. Arthur, #7351, Carrollton, GA

Benjamin Bradley Barnert, #100604, Denver, CO

Claude F. Braganza, #5225, Memphis, TN

Catharine G. Broemel, #15984, Nashville, TN

Ronald G. Cannon, #9898, Gadsden, AL

John Paul Chovan, #104571, Louisville, KY

Bruce I. Crabtree, Jr., #2330, Nashville, TN

Samuel R. McCartha, Jr., #9632, Knoxville, TN

James Mark Moorkamp, #104326, St. Louis, MO

G. Gregory Richards, #22703, Atlanta, GA

Randall P. Stout, #16443, Los Angeles, CA

James S. Touton, #22475, Crossville, TN

ENGINEERS

William C. Abbott, Jr., #12612, Nashville, TN

Dr. Igor Alexeff, #11915, Oak Ridge, TN

John E. Atchley, #8993, Knoxville, TN

William S. Bennett, #113990, Tulsa, OK

Robert Aaron Bianchi, #109609, Middlesboro, KY

Cyrus H. Bond, Jr., #4002, Marion, AR

Pat L. Clemens, #3636, Tullahoma, TN

Charles P. Clinard, #9465, Nashville, TN

Daniel H. Cunningham, #6618, Tullahoma, TN

William J. Elliston, Jr., #4965, Nashville, TN

James E. Geiger, Sr., #4230, Knoxville, TN

Ronald Ugee Harris, #103164, Birmingham, AL

H. Leroy Henderson, #4521, Cooper City, FL

Zachary A. Henry, #5020, Corryton, TN

Robin H. Hines, #7005, Tullahoma, TN

Edward R. Ingraham, #23402, Jonesborough, TN

Gordon Michael Jacobs, #113575, Green Bay, WI

R. Patrick Jenkins, #7386, Greer, SC

John R. Kirkpatrick, #13120, Knoxville, TN

Fred W. Lupton, II, #5194, Chattanooga, TN

David Wesley Marshall, Jr., #110897, Montgomery, TX

Aloysius T. McLaughlin, Jr., #9315, Pittsburgh, PA

John T. Miller, #14506, Manchester, TN

Warren T. Miller, #16212, Bellevue, WA

Michael Edward Noyes, #115656, Golden, CO

Joseph R. Rhea, #5638, Memphis, TN

John G. St. Clair, #16828, Delmar, NY

Jennifer H. Schaftlein, #100831, Gray, TN

Theodore Shapiro, #5301, Oak Ridge, TN

Truman C. Sherrill, #16322, Chattanooga, TN

Walter R. Siler, #11616, Houston, TX

J. Gary Skeen, #7112, Talking Rock, GA

Troy F. Stroud, #8009, Wilsonville, AL

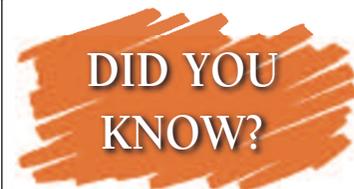
Jack R. Taylor, #5905, Norman, OK

Wade D. Thomson, #1913, Jackson, TN

Donald E. Todd, #14232, Chattanooga, TN

Joseph B. Walkup, Jr., #106195, Greensboro, NC

If you have a name that should be recognized in this section, please contact the Board office.



The Board recently awarded grants totaling \$300,000 to eleven (11) universities throughout the state. This was the first year that private colleges and universities were eligible for grant funds. These grant funds allow Tennessee universities to purchase essential and modern instructional, computer and laboratory equipment to enhance education for students in accredited architectural, engineering, landscape architectural, and interior design programs. Grant funding is provided from the Board's revenues or reserve funds. The Board has awarded over \$2.6 million in grant funds since the inception of the program in 2002.

Registrants may now sign up to receive an e-mail notification of their renewal at <http://www.tn.gov/regboards/renewal-notify.shtml>.



Information On Examinations



The Board would appreciate your sharing information about these professional examinations with interns in your office.

ARCHITECTURE

Interns wishing to sit for the ARE before completing the Intern Development Program (IDP) must file an application with the Board and request that NCARB transmit a record summary to the Board office confirming that they have enrolled in IDP. Upon completion of IDP, a complete NCARB record must be transmitted to the Board and references must be submitted before registration may be granted.

Exam Results (1/1/14-8/31/14)

	Total	Pass	%Pass
Constr. Doc. & Services	39	29	74%
Prog., Planning & Practice	37	23	62%
Structural Systems	31	30	97%
Bldg. Design & Const. Sys.	35	22	63%
Schematic Design	30	19	63%
Site Planning & Design	33	26	79%
Building Systems	39	23	59%

ENGINEERING

- Fundamentals of Engineering Examination (FE) —

The FE exam is now offered in a computer-based format. The exam is given during assigned windows of time at Pearson VUE test centers rather than on specific April and October dates. Also, the FE exam is now delivered as seven freestanding, discipline-specific exams (Chemical, Civil, Electrical and Computer, Environmental, Industrial, Mechanical, and Other Disciplines), and exam fees are paid directly to NCEES.

Examinees continue to apply to the Board for authorization to sit, although application deadlines no longer exist since the exam is offered throughout the year. The FE Reference Handbook and exam preparation materials are available at www.ncees.org.

- Principles and Practice of Engineering (PE) and Structural Engineering Examinations —

The application deadline for new applicants for the spring Principles and Practice of Engineering/Structural Engineering exams is December 1. The fall deadline is June 15. All supporting documents (references, transcripts, etc.) are due in the Board office within thirty (30) days after the application deadline. The exams will be given in Nashville, Knoxville, and Memphis on:

April 17-18, 2015
October 30-31, 2015

To facilitate scheduling of the exams, retake requests should be received by the Board office by February 1 for the spring exam and by August 15 for the fall exam. Registrants wishing to take other exam disciplines must submit an application to add an exam discipline (available at the Board's website) by January 1 for the spring exam and by August 1 for the fall exam. All exam fees are now paid directly to NCEES when reserving a seat for the exam.

Following approval by the Tennessee Board to sit for an exam, applicants must register with NCEES at www.ncees.org to pay the exam fee and reserve a seat for the exam. For information regarding exam study materials, which calculators are permitted in the examination room and exam specifications, please visit the NCEES website.

Exam Results (January-August 2014)

	Total	Pass	% Pass
Fundamentals of Engineering	249	178	71%

Principles and Practice of Engineering (April 2014)

	Total	Pass	% Pass
Architectural	1	0	0%
Chemical	4	1	25%
Civil	94	36	38%
Electrical & Computer	34	22	65%
Environmental	10	3	30%
Industrial	7	4	57%
Mechanical	31	17	55%
All Disciplines	181	83	46%

Structural Engineering (16-hour)

	Total	Acceptable Result	% Pass
Vertical Component	5	1	20%
Lateral Component	6	1	17%

Note: To pass the Structural exam, an acceptable result must be obtained on both the vertical and lateral components. Two (2) candidates passed the Structural exam this administration.

National pass rates are available on the NCEES website (www.ncees.org).

LANDSCAPE ARCHITECTURE

The Landscape Architect Registration

Examination (LARE) is now completely computerized, and candidates register directly with the Council of Landscape Architectural Registration Boards (CLARB) for all exam sections following approval by the Board to sit for the exam. The LARE is divided into four sections:

- Section 1—Project and Construction Administration
- Section 2—Inventory and Analysis
- Section 3—Design
- Section 4—Grading, Drainage and Construction Documentation

Additional information regarding the LARE, including current fees and exam dates, is available at CLARB's website (www.clarb.org).

Exam Results (4/14)

	Total	Pass	% Pass
Section 1	1	0	0%
Section 2	1	0	0%
Section 3	4	3	75%
Section 4	4	2	50%

Exam Results (8/14)

	Total	Pass	% Pass
Section 1	3	1	33%
Section 2	2	2	100%
Section 3	2	2	100%
Section 4	3	1	33%

INTERIOR DESIGN

The National Interior Design Qualification exam will be given on:

March 28, 2015 - Practicum Exam
April 16-25, 2015 - Interior Design Fundamentals Exam (IDFX) and Interior Design Professional Exam (IDPX)
October 3, 2015 - Practicum Exam
October 15-24, 2015 - IDFX and IDPX Exams

To obtain an application for the exam, call the Council for Interior Design Qualification (CIDQ) at 202-721-0220, or visit www.ncidq.org.

Exam Results (Spring 2014)

	Total	Pass	% Pass
IDFX	22	14	64%
IDPX	14	4	29%
Practicum	12	4	33%

NEW REGISTRANTS

The Board and staff congratulate the following registrants who passed their respective professional examinations and were registered between July 1, 2013, and June 30, 2014:

ARCHITECTS

(Architect Registration Exam)

Melissa Sue Alexander
Richard William Alexander, Jr.
David Warner Anderson
Jessica Adeline Aubert
James Gregory Bachert
Lisa Conley Bengston
Daniel Jason Binkley
Ernest Dale Brackeen II
Jeffrey Michael Castor
Adrienne Miles Ciuba
James Benjamin Davis
Shannon W. Debenport
Julie Diana Debow-Davis
Jessalyn Young Friske
Angela Norris Gafford
Matthew S. Hall
Kelley Lee Ogilvie Hicks
Jason Christopher Hutcherson
Jason Paul Jackson
Drew Reid Kinney
Katherine Elizabeth Kirkham
Brendan Patrick Lawton
Jennie McGinnis Lenoue
Stephen Colin McDoniel
Benjamin Charles Metz
Helen Marie Ochoa
Dianna Rhea Osickey
Laura Tarpy Padgett
Natalie Christine Parker
Gregory Scott Terry
Gabriel Thomas Wheeler
James Floyd Wilkins, Jr.
Brian Everett Willer
Matthew Todd Winget
Douglas Michael Wirth

ENGINEERS

(Principles and Practice of Engineering Examinations)

Ryan Keith Adamson
Zaheeruddin Ahmed
Justin M. Anderson
Paige Ashe-Mclean
William B. Barnes
John William Barrett
James Mark Baskin
Joshua Hobson Best
Michael Patrick Best
Howard Glen Blankenship, Jr.
David Reeds Bobbitt
Edward Lee Bond, Jr.
James W. Boyd
William Chester Boyd
Derrick Melvin Brasher
Roy Travis Breeden
Matthew Kristian Brown
Ray Carl Burch

Barney B. Burks IV
John Dennis Bush
Andrew Stephen Caldwell
Benjamin Lucas Campbell
Thomas Robert Campbell
Scott Bradley Carroll
Adam Wayman Casteel
Arthur Alexander Cate
Dennis G. Ceres
Jonathan Jason Chandler
Min Chen
Christopher Ryan Claude
Michael Dominic Coradini
Richard Duane Crick
Cheryl Elizabeth Crisco
Brian Joseph Daniels
Jon David Danielson
Javier De La Rosa
Mitchell Shay Deason
Caitlin Dillon
Anthony Todd Dougherty
Randolph William Drake, Jr.
L. Jordan Draper
Matthew David Elfstrom
Eric Christopher Faulkner
Nathan Thomas Felosi
Justin Adam Fields
Brian Phillip Fitzgerald
Joshua A. Fortman
Christopher A. Fox
Nathan Todd Franklin
Joseph Fulwood
James Tate Geren
Frederick Charles Gibson III
Tyler Preston Givens
Scott Kent Gladney
David Stanley Graham
Benjamin Evan Graves
Dylan Brant Grissom
Ryan Christopher Groves
Kenneth Ray Guess
John Thomas Hall
Albert Dwayne Hardaway
Tyler Lynggard Hardee
William Stuart Hartley
Drew Christopher Hatton
Buford Taylor Hayes
Benjamin Thomas Heath
Donald Edward Hicks
Daniel Richard Hochstein
Robert Lee Hope
Cheryl Horn
William Lee Horn
Carrie Horne
Kevin Michael Horne
Ronny Lee Howard, Jr.
Aaron Blake Hudson
Philip Huntley
Tiffany Lynne Ibido
James Ian Inglis
Jeffrey Scot Inman

Christopher Andrew Johnson
Don Joshua Johnson
Alexandra K. Jordan
Stephen Charles Kerekoglow
Cameron Scumaci Keyes
Scott Lorn Kibby
Robert Douglas Kiesler
William Matthews Kirkland
Stephanie Nicole Kissell
Justin Hudson Kleinfeld
James Michael Lamport
Veda Laohom
Joshua Raymond Lauderman
Aaron Thomas Lawson
William Scott Lawson
Hyung Seok Lee
Samuel Timothy Lettiere
Kenneth Bryan Liner
Curtis Matthew Long
Steven Richard Matheny
Danny Eugene Maxwell
George Alexander McGrew III
Melissa Elyse McKenzie
Daniel R McNeely
Jeremy Kyle McNutt
Michael Edwards Mecredy
Simone Silvestri Metzger
Christopher Iverson Michie
Michell Lynne Miller
Stephen Edward Millsaps
Robert Anthony Mineo
James C. Mitchell
Benjamin J. Mohr
Brian Keith Moore II
Christopher Michael Morales
Matthew Stephen Murphy
James David Nabakowski II
Luke John Paul Nemuras
Marshall Alexander Norris
Daniel Trent Owens
William Christopher Pannell
Jubal Robert Parris
Jarrod Joseppi Parrotta
Ujval Gajendra Patel
Tyler M. Patton
Steven Taylor Paulson
Otis P. Pierson
Martha Ashley Player
Winthrop Emerson Polk
Anthony James Ponzio
Alison Genevieve Skala Powers
Christopher Aaron Powers
Ronald Lynn Prater
Gregory Houston Presnell
Manuel Curtis Privette
Matthew David Pulliam
Brandon Shuler Quesinberry
Brian Douglas Reagan
James Andrew Reed
Kevin David Reynolds
Kerry Daniel Rice, Jr.

Cody Wade Roberts
Zachary Roberts
Patricia Loewer Robertson
Palmer Clinton Robinette II
Erin Carminati Robinson
Rebecca Cline Rogers
Bryan Ernesto Ruiz
Richard William Russell
Preston Gale Ryans
Caleb John Sanders
Christopher Shea
Benjamin Alan Shepard
Jonathan Brent Shoulders
Aaron Edward Smith
Todd L. Spade
Joshua David Spradlin
Jeremiah Matthew Stache
Jacob Dion Standifer
Daniel Lee Stooksbury
Jacob Daniel Storz
Lucas Reed Sullivan
Phillip E. Sutherland
Jonathan Breton Swanks
Douglas Glenn Tarwater
Jeffrey Ted Taylor
Nathaniel Vincent Taylor
Jordan Gregory Terry
Lacey Marie Thomason
Luke Anthony Thomason
Robert Edward Turnage
Weston Tyler Turner
Daniel Alfred Vallelian
Tien Toan Vu
Dustin Jack Walkenhorst
Michael J. Walker, Jr.
Jack C. Wallace
Jamie Lynn Waller
Richard Wayne Weakley
Michael Gordon Welch
Thomas Jerome Wenning
David A. Wetherald
Carol Elaine Dodge Whelchel
Matthew Allen White
Harry Stephen Wild, Jr.
Joy Miriam Williams
Stephen Curt Williams
Stephen Ray Williams
Robert Joseph Wise
James E. Wiseman
Phillip Edward Wiseman
David Lewis Witt
David Michael Woods
Ethan James Wright

LANDSCAPE ARCHITECTS

(Landscape Architect Registration Exam)

Christopher Wayne Barkley

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New Registrants continued from page 11

William Hallmark Marth
Bethany Margaret Morris

REGISTERED INTERIOR DESIGNERS

(National Council for Interior Design Qualification Exam)

Erin Walton Bethea
Martha Tate Fox
Lina Michaela Goldberg
Shannon R. Mikula
Kathlena Jill Rider
Mary Condon Schmidt
Jennifer Elisebeth Smith
Jennifer Rupp Spahn
Cynthia Erin Steinbrecher

NCARB Update continued from page 6

registration standards, called the Licensure Task Force. This group includes former and current leaders of NCARB, the National Architectural Accrediting Board (NAAB), the American Institute of Architects (AIA), the Association of Colleges and Schools of Architecture (ACSA), and the American Institute of Architecture Students (AIAS), as well as interns, recently licensed architects, program deans and instructors, and jurisdictional licensing board representatives.

The Licensure Task Force has now begun the process of identifying schools interested in participating in the program. NCARB issued a Request for Interest and Information to schools in September, which will be followed by a Request for Proposal process in 2015.

- **NCARB Board approves streamlining and overhauling of the IDP**

The NCARB Board of Directors has voted to approve significant changes that will streamline and overhaul the Intern Development Program (IDP), which most states, including Tennessee, require to satisfy experience requirements for initial licensure as an architect.

The changes will be implemented in two phases. The first will streamline the program by focusing on the IDP's core requirements (3,740 hours) and removing its elective requirements. The second phase will condense the 17 current experience areas into six practice-based categories that will also correspond with the divisions tested in ARE 5.0.

NCARB expects to implement the first phase on or before June 2015. The second phase may be implemented in mid-2016, before the launch of ARE 5.0 in late 2016. The Tennessee Board has endorsed these changes and will accept candidates meeting the new requirements when they are implemented by NCARB.

- **ARE improvements**

Effective October 1, 2014, the ARE retesting window has been reduced from 6 months to 60 days. Candidates are allowed to retake one division up to 3 times a year. Candidates are now receiving exam results within a few days of testing, and can reschedule exams immediately after receiving their exam results. New *ARE Guidelines* and *Exam Guides* are available.

For additional information on any of these announcements, see the NCARB website (www.ncarb.org).

ADDRESS CHANGES

It's the rule...if you move, you need to give the Board your new mailing address within 30 days (Rule 0120-01-.27). We would also appreciate knowing when you change employers. This is your personal responsibility and not your employer's. We know you want to receive your license renewal notices and other important communications promptly. Address changes may be submitted by e-mail to Frances Smith at frances.p.smith@tn.gov, or made through the online renewal system at <https://apps.tn.gov/cirens/> (you do not have to complete the renewal process to update your address). Please provide us with your e-mail address, as well, since most of our communications are now electronic.

Tennessee Board of Architectural and Engineering Examiners

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Robert G. Campbell, Jr., PE, Vice Chair
Susan K. Ballard, ASID, RID, NCIDQ, Secretary
Harold (Hal) P. Balthrop, Jr., PE
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