



TEXAS BOARD OF PROFESSIONAL ENGINEERS

Statistical Analysis of Complaints

Addendum to FY 2008 Annual Financial Report



TEXAS BOARD OF PROFESSIONAL ENGINEERS

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EXECUTIVE DIRECTOR

April 2, 2009

The Honorable Rick Perry, Governor
The Honorable Susan Combs, Texas Comptroller
Mr. John S. O'Brien, Director, Legislative Budget Board
Mr. John Keel, CPA, State Auditor

Lady and Gentlemen:

As required by Texas Occupations Code §1001.254(b), the Texas Board of Professional Engineers submits the following statistical analysis of complaints for Fiscal Year 2008.

If you have any questions, please contact Lance Kinney at (512) 440-3080.

Sincerely,

Dale Beebe Farrow, P.E.
Executive Director

Addendum to FY 2008 Annual Financial Report

As required by §1001.254(b), the Texas Board of Professional Engineers submits the following statistical analysis of complaints filed with the Board during the preceding year. The statistics indicated below are for the reporting period of Fiscal Year 2008: September 1, 2007, through August 31, 2008.

1. Number of complaints filed: **746**
2. Categorization of complaints filed according to the basis of the complaint and the number of complaints in each category:

Type	Category	Number of Cases Opened
A	Applicant Matter	0
B	Unlicensed Practice	196
C	Illegal Use-Seal or Certificate	0
D	Inquiries Involving P.E. Registrants	99
E	Illegal Use-Engineering Title or Term	28
F	Corporate Name Inquiry	201
G	Neglect by Public Official	4
H	Miscellaneous Inquiry	193
P	Preliminary Complaint Reviews	25
Z	Failures	0

3. Number of complaints filed by Board staff: **303**
4. Number of complaints filed by persons other than Board staff: **443**
5. Average length of time required to resolve a complaint: **132 days**
6. Number of complaints resolved and the manner in which they were resolved: **693**, of which **403** were closed as voluntary compliance.
 - a. The number of complaints dismissed and the reasons for dismissal: **84**
These cases were dismissed for insufficient evidence to indicate a violation or were not under the agency's jurisdiction.
 - b. The number of complaints resulting in disciplinary action: **55**

The following table shows the distribution of the actions taken by how they were imposed. Defaults and Final Orders are results from formal hearings at the State Office of Administrative Hearings.

Action Taken	Number of Cases Closed By:			
	Consent Order	Agreed Board Order	Default	Final Order
Cease & Desist	8	1	0	0
Informal Reprimand	11	5	0	0
Formal Reprimand	9	4	0	0
Probated Suspension	7	1	0	0
Suspension	0	1	0	0
Refuse to Renew License	1	0	0	0
Revocation	2	0	0	0
Ethics Course	4	2	0	0
Administrative Penalty	39	7	0	0

7. Number of complaints filed that were unresolved (remain open) is: **222**
 The number of those complaints filed by Board staff is: **57**
 The number of those complaints filed by persons other than Board staff is: **165**
 The average length of time the unresolved complaints have been on file is: **141 days**