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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE ARCHITECTS LICENSURE BOARD

TIME: 10:35 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2601 North Third Street

One Penn Center, Board Room C

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

September 14, 2023

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State Architects Licensure Board
September 14, 2023

BOARD MEMBERS:

Jerry K. Roller, RA, President
Arion R. Claggett, Acting Commissioner, Bureau of
Professional and Occupational Affairs
William J. Bates, RA, Secretary
Jonathan Burns, Esquire, Deputy Attorney General,
Office of Attorney General
Michael Johns, RA
Mary E. McClenaghan, RA, Vice President
Aram Piligian Jr., RA

BUREAU PERSONNEL:

Ray Michalowski, Esquire, Senior Board Prosecutor and
Board Prosecution Liaison
Shana M. Walter, Esquire, Board Counsel
Ashley Goshert, Esquire, Board Counsel
Angela L. Solomon, Esquire, Board Prosecution Liaison
Jessica Harris, Board Administrator
Marc Farrell, Esquire, Regulatory Counsel,
Office of Chief Counsel, Department of State
Andrew LaFratte, MPA, Deputy Policy Director,
Department of State

ALSO PRESENT:

Amal Mahrouki, Director of Legislative Affairs,
American Institute of Architects of Pennsylvania
Jennifer Smeltz, Republican Executive Director, Senate
Consumer Protection & Professional Licensure
Stephen M. Swarney, JD, Executive Director, American
Institute of Architects Pennsylvania
Charles (Chachi) Angelo, Director of External Affairs,
Pennie
Devin Nunemaker

1 ***

2 State Architects Licensure Board

3 September 14, 2023

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,
6 at 9:30 a.m. the Board entered into Executive Session
7 with Ashley B. Goshert, Esquire, Board Counsel, for
8 the purpose of conducting quasi-judicial
9 deliberations and to receive the advice of counsel.
10 The Board returned to open session at 10:30 a.m.]

11 ***

12 The regularly scheduled meeting of the State
13 Architects Licensure Board was held on Thursday,
14 September 14, 2023. Jerry K. Roller, RA, President,
15 called the meeting to order at 10:35 a.m.

16 ***

17 Roll Call

18 [President Roller requested a roll call of Board
19 members.]

20 ***

21 [Ashley B. Goshert, Esquire, Board Counsel, noted
22 the Board met in Executive Session with counsel for
23 the purpose of conducting quasi-judicial
24 deliberations and to receive advice of counsel.

25 Ms. Goshert also noted that the meeting was being

1 recorded and voluntary participation constituted
2 consent to be recorded.]

3 ***

4 Introduction of Attendees

5 [President Roller requested an introduction of
6 attendees.]

7 ***

8 Approval of minutes of the July 13, 2023 meeting

9 PRESIDENT ROLLER:

10 The first item of business is approval
11 of minutes from the July 13 meeting.

12 Do I have a motion to approve the
13 minutes?

14 MS. MCCLENAGHAN:

15 I'll make a motion to approve.

16 PRESIDENT ROLLER:

17 Second?

18 ACTING COMMISSIONER CLAGGETT:

19 Second.

20 PRESIDENT ROLLER:

21 Ms. McClenaghan, would you please call
22 the roll?

23

24 Mr. Roller, yes; Mr. Claggett, aye; Mr.
25 Bates, abstain; Mr. Burns, yes; Mr.

1 in Executive Session in the matter of
2 Robert Fryer, Case No. 23-41-005108.

3 PRESIDENT ROLLER:

4 Do we have a motion?

5 MS. MCCLLENAGHAN:

6 I'll make a motion.

7 ACTING COMMISSIONER CLAGGETT:

8 Second.

9 PRESIDENT ROLLER:

10 Please call the roll, Ms. McClenaghan.

11

12 Mr. Roller, yes; Mr. Claggett, aye; Mr.

13 Bates, abstain; Mr. Burns, yes; Mr.

14 Johns, aye; Ms. McClenaghan, yes; Mr.

15 Piligian, yes.

16 [The motion carried. Mr. Bates abstained from voting
17 on the motion.]

18 ***

19 Report of Acting Commissioner - No Report

20 ***

21 Report of Board President - NCARB's Accommodation
22 Process

23 [Jerry K. Roller, RA, President, addressed the
24 National Council of Architectural Registration Boards
25 (NCARB) Accommodation Process. He noted prior Board

1 discussion concerning accommodations for the
2 Architect Registration Examination (ARE) for
3 individuals who need accommodations in their testing
4 process due to medical requirements. He noted the
5 Board decided to continue to run the applications
6 through NCARB to later be submitted to the Board
7 administrator for review and approval. He mentioned
8 that any applications raising questions on the Board
9 administrator's part would be brought to the Board.

10 President Roller noted NCARB Region 2 is having
11 an Education Symposium September 21-22, 2023, in
12 Washington.

13 Ms. McClenaghan further explained that Howard
14 University is hosting the symposium in Washington,
15 D.C. She noted that all Region 2 architecture
16 schools have been contacted via email or phone call
17 extending an invitation to an educator and a student
18 from each one of those schools to attend the event.
19 She mentioned that Mr. Johns would be attending
20 representing the Board and she would be attending as
21 a representative of Region 2.

22 President Roller noted NCARB correspondence for
23 the Board's review.]

24 ***

25 Report of Board Administrator - No Report

1 ***

2 Applications - ARE Testing Accommodation Requests

3 MS. GOSHERT:

4 Agenda items 6 through 9. Based on
5 Executive Session deliberations, I
6 believe the Board would entertain a
7 motion to approve the ARE Testing
8 Accommodation Requests in their
9 entirety for the following individuals:
10 Lauren Marion, Anne LeTourneau, Rachel
11 Harley Haynes, Tyler Buchinski.

12 PRESIDENT ROLLER:

13 Do we have a motion?

14 MS. MCCLLENAGHAN:

15 I'll make a motion to approve.

16 PRESIDENT ROLLER:

17 Do we have a second?

18 ACTING COMMISSIONER CLAGGETT:

19 Second.

20 PRESIDENT ROLLER:

21 Ms. McClenaghan, would you please call
22 the roll.

23

24 Mr. Roller, yes; Mr. Claggett, aye; Mr.
25 Bates, yes; Mr. Burns, yes; Mr. Johns,

1 aye; Ms. McClenaghan, yes; Mr.
2 Piligian, yes.

3 [The motion carried unanimously.]

4 ***

5 Applications - ARE Approval Applications

6 MS. GOSHERT:

7 At item 10 on the agenda, I believe in
8 accordance with the discussions in
9 Executive Session, the Board would
10 entertain a motion to approve the
11 Application of Caitlin Laskey.

12 PRESIDENT ROLLER:

13 Do we have a motion?

14 MS. MCCLENAGHAN:

15 I'll make a motion to approve.

16 PRESIDENT ROLLER:

17 Do we have a second?

18 ACTING COMMISSIONER CLAGGETT:

19 Second.

20 PRESIDENT ROLLER:

21 Ms. McClenaghan, would you please call
22 the roll.

23

24 Mr. Roller, yes; Mr. Claggett, aye; Mr.
25 Bates, yes; Mr. Burns, yes; Mr. Johns,

1 aye; Ms. McClenaghan, yes; Mr.
2 Piligian, yes.

3 [The motion carried unanimously.]

4 ***

5 Miscellaneous - Appointment - American Institute of
6 Architects (AIA) Pennsylvania Update

7 [Stephen M. Swarney, JD, Executive Director, American
8 Institute of Architects Pennsylvania, informed Board
9 members that AIA National is hosting the Women in
10 Leadership in Architecture Conference in Boston. He
11 reported that AIA Pennsylvania has provided six full
12 scholarships for women architect leaders in
13 Pennsylvania to attend that conference and plans on
14 continuing to send more and more women. He also
15 noted

16 Pennsylvania has a strong showing with 18 attendees.

17 Mr. Swarney mentioned AIA would be attending
18 a large states virtual meeting, noting the topic is
19 practice and the future of architecture. He informed
20 Board members that a lot of young leaders
21 participated in crafting the agenda and Pennsylvania
22 would be reporting on its Emerging Professionals
23 Community (EPiC) Firm Recognition Program that lists
24 a bunch of criteria for firms to apply and then get
25 recognized for all the things that they do for their

1 young associates and emerging professionals. He
2 offered to provide the link to anyone interested in
3 the conference.

4 Mr. Swarney stated AIA would be bringing a
5 Tri-States Design Conference to Pennsylvania next
6 year in the fall in Hershey, Pennsylvania and
7 welcomed Board member attendance.

8 Mr. Swarney reported that the resolution
9 Pennsylvania was able to pass at the National
10 Conference a few years ago has really taken roots to
11 help underserved communities throughout the country.

12 He noted AIA National has expanded their reporting
13 and was happy Pennsylvania was part of that important
14 program.

15 Mr. Swarney stated the AIA Board would be hosting
16 training at its next meeting in October. He
17 mentioned they are bringing in a professional
18 facilitator from Pittsburgh on equity, diversity, and
19 inclusivity in boards and firms. He explained that
20 the AIA Board would experience the training and then
21 package something and send that out as another
22 resource for firms around the state.

23 Mr. Swarney noted being on the school board at a
24 local school that had a facility breakdown, where the
25 school had to go virtual for a week. He suggested

1 they hire an architect from AIA to do preventive
2 maintenance schedules on their major systems and
3 referred an architect from a local parish to
4 hopefully get an architect some work locally.

5 Amal Mahrouki, Director of Legislative Affairs,
6 American Institute of Architects Pennsylvania, noted
7 the Senate would be coming into session next week and
8 the House following them the week after and also
9 being filled with a number of session weeks in
10 October.

11 Ms. Mahrouki noted AIA hosted District Days over
12 the summer, noting many architects signed up to meet
13 with their legislators at home in the district. He
14 noted discussion regarding the statute of repose,
15 building codes, high performance buildings, mandatory
16 continuing education for architects, and affordable
17 housing.

18 Ms. Mahrouki mentioned that the event is about
19 architects getting to know the legislators who
20 represent them and to continue to develop those
21 relationships and talk about the community.

22 Ms. Mahrouki addressed the Separations Act,
23 noting two cosponsor memos have been introduced in
24 the Senate looking at modernizing the Separations
25 Act, noting one would be for local municipalities and

1 the other within the procurement code. She also
2 noted a Design Best Build Bill has been introduced in
3 the House primarily for PennDOT and for any of the
4 vertical construction that happens within PennDOT.

5 Ms. Mahrouki explained that the bill would form a
6 Design Build Committee and would like to see an
7 architect be added to that. She mentioned that there
8 are provisions within their law that outline the
9 definitions of what a design build entity looks like
10 and wants to ensure the bill has consistent
11 definitions with their act.

12 Ms. Mahrouki mentioned also hearing a lot about
13 building codes with the 2021 Code Adoption Cycle
14 happening within the Uniform Construction Code (UCC)
15 Review and Advisory Council and questions about
16 building codes and variances as they relate to
17 housing and affordable housing and ensuring that they
18 are continuing to build housing stock, especially in
19 urban areas where they need more housing and density
20 is a concern.

21 Ms. Mahrouki reported AIA is fielding some of
22 those questions and testified at a Housing and
23 Community Development Committee Meeting in
24 Philadelphia on August 30. She noted AIA
25 Pennsylvania was represented by Daryn Edwards, the

1 chair of the Housing and Community Development
2 Committee for AIA Pennsylvania on a residential
3 construction package of bills. She stated AIA was
4 able to submit testimony and testify at City Hall in
5 Philadelphia.

6 Ms. Mahrouki noted some movement and momentum
7 with the discussions AIA Pennsylvania has been having
8 with the Interior Design Legislative Coalition of
9 Pennsylvania (IDLCPA). She mentioned having several
10 meetings since the beginning of the year, noting a
11 tentative agreement has been sent to the Senate.

12 Ms. Mahrouki highlighted the four bullet points
13 of the tentative agreement. She stated interior
14 designers who have passed the Council for Interior
15 Design Qualification's (CIDQ) examination and hold an
16 active National Council for Interior Design
17 Qualification (NCIDQ) certificate may obtain the
18 title of certified interior designer and be governed
19 by the Board of Architecture and the architecture
20 statute.

21 Ms. Mahrouki noted they have agreed to amend
22 provisions in the law that would prohibit interior
23 designers from receiving compensation for space
24 planning to ensure that certified interior designers
25 may be paid for their drawings or their plans and

1 could be found in section 15 of the Architects
2 Licensure Law.

3 Ms. Mahrouki noted they would add a seat on the
4 Pennsylvania Board of Architecture or be occupied by
5 a certified interior designer and the inclusion of a
6 group under the Board of Architecture that addresses
7 concerns relating to certified interior designers.

8 Ms. Mahrouki informed Board members that drafting
9 discussions commenced, and a draft bill was proposed
10 to IDLCPA that would soon be reviewed by their
11 Executive Committee.

12 Ms. Mahrouki also noted AIA was proposing
13 mandatory continuing education for architects and
14 would be 24 credit hours of health, safety, and
15 welfare.

16 Mr. Swarney informed Board members that
17 everything is a group effort and is being reviewed by
18 a board coalition and a group of their members from
19 all around the state from all different points in
20 their career and their profession, along with their
21 legal counsel.

22 Mr. Swarney noted Ms. Mahrouki is doing a
23 wonderful job and received another award in the
24 Central Penn Business Journal's Forty Under 40.

25 President Roller congratulated Ms. Mahrouki and

1 asked whether there is language defining practice of
2 interior design as opposed to the practice of
3 architecture in what is being proposed.

4 Ms. Mahrouki explained that there is not a
5 definition of practice, but the draft defines
6 interior design services, and since the tentative
7 agreement is for a title only, not necessarily for
8 interior design practice or restriction of that, a
9 certified interior designer would be able to perform
10 interior design services as a certified interior
11 designer, noting that nobody else can hold themselves
12 out to be a certified interior designer.

13 Ms. Mahrouki further explained that anybody could
14 still perform interior design services but cannot
15 perform them as a certified interior designer (CID).

16 Ms. Mahrouki addressed the Separations Act,
17 noting there has not been movement but that there has
18 been a lot of discussion and is in the information
19 gathering phase. She mentioned that the Separations
20 Act is burdensome not only to architects but also to
21 public projects but depends on the details of how the
22 Separations Act is modernized. She offered to
23 provide an update as soon as those bills are
24 introduced.

25 Mr. Piligian asked whether there has been any

1 movement on the statute of repose.

2 Ms. Mahrouki noted that she would be meeting with
3 Chairwoman Baker to discuss the movement of the
4 statute of repose and whether additional data may be
5 needed from them and their Legal Reform Subcommittee.

6 President Roller thanked AIA PA for their update
7 and what they do on behalf of the profession of
8 architecture.]

9

10 Miscellaneous - Appointment - Pennie and the
11 Unwinding

12 of Medicaid Presentation

13 [Charles (Chachi) Angelo, Director of External
14 Affairs, Pennie, presented to the Board to provide
15 information regarding Pennie and the unwinding of
16 Medicaid. He explained that Pennie started in 2019
17 as a unanimous bipartisan effort to transition
18 Pennsylvania away from the federal exchange at
19 Healthcare.gov and to use that \$98 million received
20 in 2018 to get two programs for the cost of one.

21 Mr. Angelo stated a state-based marketplace was
22 set up and took local control of the operations,
23 along with setting up a reinsurance program to
24 increase savings for middle income families
25 purchasing health coverage through the individual

1 market. He noted their mission is to maximize the
2 number of Pennsylvanians with affordable, quality
3 health coverage and help them make the right decision
4 for them and their families.

5 Mr. Angelo explained that Pennie is the official
6 health insurance marketplace and only source of
7 financial savings to help lower the cost of coverage
8 and care based on income, also known as a tax credit.
9 He explained that the health insurance plans are from
10 insurers available outside of the marketplace and is
11 not a Pennie plan.

12 Mr. Angelo stated Pennie helps individuals and
13 families who do not have coverage through their
14 employer, the uninsured, and Medicaid and Children's
15 Health Insurance Program (CHIP) population. He
16 explained that they work with the Department of Human
17 Services (DHS) and CHIP to operate a no wrong door
18 policy for everyone to receive the right coverage.
19 He mentioned that small business owners and sole
20 proprietors, along with many others, may also qualify
21 for Pennie based on income and household makeup.

22 Mr. Angelo noted over 371,000 Pennsylvanians
23 enrolled in Pennie during the last enrollment and 90
24 percent of those individuals were eligible to receive
25 the subsidy.

1 Mr. Angelo addressed two types of financial
2 savings, noting the advanced premium tax credit is
3 the on-the-spot tax credits to reduce the monthly
4 insurance payment. He explained that plans are based
5 on metal levels that include bronze, silver, and
6 gold, where an individual may have a lower monthly
7 payment but a higher deductible or higher monthly
8 payment and lower deductible.

9 Mr. Angelo addressed cost-sharing reductions,
10 which is additional financial assistance to folks who
11 enroll through a silver plan and helps with copays,
12 deductibles, and other cost-sharing reductions. He
13 mentioned that 1 out of 4 customers pay less than \$1
14 a day, 15 percent pay less than \$1 a month, and
15 nearly 40 percent pay less than \$75 a month.

16 Mr. Angelo announced Pennie's fourth open
17 enrollment is starting November 1 through January 15
18 every year. He reported a special extension for the
19 upcoming enrollment until January 19 because the
20 January 15 deadline falls on Martin Luther King Jr.
21 Day.

22 Mr. Angelo addressed coverage outside of open
23 enrollment, including a qualifying life event or a
24 special enrollment period and provided examples. He
25 noted building out a qualifying life event in

1 anticipation of going back to pre-pandemic protocols
2 for Medicaid for Pennsylvanians at or below 150
3 percent of the federal poverty scale.

4 Mr. Angelo addressed the Path to Pennie, which is
5 a new special enrollment period created for uninsured
6 Pennsylvanians who missed open enrollment and now
7 have an opportunity to enroll during tax season,
8 where the Department of Revenue sends the information
9 to Pennie, and Pennie provides an estimate of their
10 cost per month and options.

11 Mr. Angelo addressed the unwinding of Medicaid,
12 where the continuous coverage requirement has ended
13 and redeterminations are taking place over a 12-month
14 period. He noted the importance of individuals
15 returning their renewal packet to keep Medicaid
16 coverage and DHS would automatically send Pennie
17 information on anyone who may no longer be eligible.

18 Mr. Angelo stated Medicaid unwinding is affecting
19 roughly 3 million Pennsylvanians who were enrolled
20 through Medicaid. He wanted to remind everyone that
21 Pennie is not Healthcare.gov, the amount of subsidy
22 that somebody can receive has increased, and
23 affordability levels are at a place they have never
24 been before.

25 Mr. Angelo emphasized the importance of spreading

1 the word that Pennie is the Pennsylvania marketplace
2 and offered to provide the PowerPoint for links to
3 toolkits and information.

4 Mr. Angelo stated health literacy and equity is
5 one of their main missions. He reported great
6 customer service feedback, along with having a vast
7 network of Pennie-certified assistors and brokers.
8 He addressed online tools at pennie.com and how
9 organizations could help with referrals. He informed
10 everyone of a Pennie Community Workgroup that is held
11 monthly and open to anyone.

12 President Roller thanked Mr. Angelo for the
13 presentation and offered to make it available to
14 anyone who could use the information.]

15

16 Applications - Reciprocal Licensing Applications

17 MS. GOSHERT:

18 At items 11 and 12 on the agenda, I
19 believe in accordance with the
20 discussions in executive that the Board
21 would entertain a motion to approve the
22 Application of both John Jarrad and
23 David Niemotko.

24 PRESIDENT ROLLER:

25 Do we have a motion?

1 MS. MCCLLENAGHAN:

2 Motion to approve.

3 PRESIDENT ROLLER:

4 Do we have a second?

5 ACTING COMMISSIONER CLAGGETT:

6 Second.

7 PRESIDENT ROLLER:

8 Would you please call the roll?

9

10 Mr. Roller, yes; Mr. Claggett, aye; Mr.
11 Bates, yes; Mr. Burns, yes; Mr. Johns,
12 aye; Ms. McClenaghan, yes; Mr.
13 Piligian, yes.

14 [The motion carried unanimously.]

15 ***

16 Next Meeting Dates

17 [Jerry K. Roller, RA, President, noted the only
18 remaining meeting for 2023 is November 9. He also
19 noted 2024 meeting dates are January 11, March 20,
20 May 14, July 11, September 11, and November 12.]

21 ***

22 Adjournment

23 PRESIDENT ROLLER:

24 We are adjourned. Thank you very much.

25 ***

1 [There being no further business, the State
2 Architects Licensure Board Meeting adjourned at 11:26
3 a.m.]

4 ***

5
6 CERTIFICATE

7
8 I hereby certify that the foregoing summary
9 minutes of the State Architects Licensure Board
10 meeting, was reduced to writing by me or under my
11 supervision, and that the minutes accurately
12 summarize the substance of the State Architects
13 Licensure Board meeting.

14
15
16 

17 _____
Devin Nunemaker,

18 Minute Clerk

19 Sargent's Court Reporting
20 Service, Inc.

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STATE ARCHITECTS LICENSURE BOARD
REFERENCE INDEX

September 14, 2023

	TIME	AGENDA
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8		
9	9:30	Executive Session
10	10:30	Return to Open Session
11		
12	10:35	Official Call to Order
13		
14	10:35	Roll Call/Introduction of Attendees
15		
16	10:36	Approval of Minutes
17		
18	10:37	Report of Prosecutorial Division
19		
20	10:38	Report of Board Counsel
21		
22	10:40	Report of Board President
23		
24	10:44	Applications
25		
26	10:46	Miscellaneous - Appointment - American
27		Institute of Architects Pennsylvania
28		Update
29		
30	11:02	Miscellaneous - Appointment - Charles
31		Angelo, Director of External Affairs,
32		Pennie
33		
34	11:24	Applications (cont.)
35		
36	11:25	Next Meeting Dates
37		
38	11:26	Adjournment
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