

THE PATH TO COMPLIANCE



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Commencing a New Decade

Primary Responsibility...

After many years of my writing (and hopefully – you reading) “The Path to Compliance” articles for the **Board’s Bulletin**, I am sure you have noticed a pattern of topics relating to in-depth studies of board laws or rules or the details and resolution of a particularly interesting enforcement case. In both circumstances, we need to be aware and fully understand details which are instructive in how NOT to conduct yourself and your practice and what rules and regulations must be followed. However, as we begin a new decade it is a good time to evaluate our commitment to our own ethical behavior and ask ourselves if we are holding it in as high importance as in prior times. Let’s focus our full attention on our primary responsibility as licensees that we all should know by heart.

It’s more important than ever to read and truly understand the aforementioned inspirational first sentence in the statute: ***“In order to safeguard life, health and property, and to promote the public welfare, the practice of engineering and the practice of land surveying in this state are hereby declared to be subject to regulation in the public interest.”***

Except for the addition of “practice of land surveying” in 1968, this first sentence of the statute remains exactly as it was in the original version passed by the Oklahoma legislature and signed into law by Governor William “Alfalfa Bill” Murray in 1935. This clear and concise statement of the purpose of licensure of these professions has stood strong for 85 years and is a testament to the commitment of the scribes to public protection.

Primarily, we learned (or should have learned) about this responsibility early on in our professional careers. When we Baby Boomers were originally licensed, we were all required to sign a Code of Ethics that committed us to demonstrate proper regard for the health, safety and welfare of the public in the performance of our professional duties. Even today, licensees are required to certify online when we obtain or renew our licenses, that we have read and understand the board laws and rules. This required certification underscores the importance for licensees to know the board laws and rules and stay current with any changes that are made.

Rules Are Important...

The Board Rules of Professional Conduct were first promulgated into the administrative rules and effective on June 11, 1993. These rules help give clarity to the language in the statute, give guidance for some the ethical situations that are faced in everyday practice, and support those licensees who are dedicated to practice ethically. Further, they continue to emphasize the principle found in the purpose clause of the statute and currently read (in part) as follows: **245:15-9-3. Responsibility to the public:** *Licensees shall at all times recognize their primary responsibility is to safeguard the health, property, safety, and public welfare when performing services for clients and employers.*

Maintaining the public trust ...

Since 1935, the public has held our professions in high regard and exhibits trust for these professions. The public believes and trusts that because we are licensed by the state, we accept this responsibility as guardians of the public health, safety, property and general welfare. They believe that licensees will thoroughly assess all the factors involved in a project and will faithfully act in accordance with the all applicable codes, ordinances and recognized standards. They believe that engineers and surveyors will be objective, thorough and truthful in the documents they produce, the statements they make, and the testimony they give. They believe that licensees will stand behind their work, will correct their errors, and at all times act as honorable and ethical professionals. With the beginning of this new decade, professionals should re-commit to these principles and be accountable to the public at all times in our practice.