Plumbing and Mechanical Systems Examining Board
Rules Committee Meeting Minutes
July 17, 2008

Committee Members Present:
Sue Salsman, Chairperson
Ronald Masters
Dennis Molden
Stuart Crine
Ken Sharp

Staff Attending:
Susan Van Horn, Program Planner

Chairperson Sue Salsman called the meeting to order at 1:07 am.

Rule 27 Review and discussion

- Committee approval needed so it can appear at next meeting.
- Items discussed included:
  - 27.2 page 2 developing CEU program.
  - Retaining services for testing, National Exam for testing.
  - Definitions and whether definitions need to be included in rules.
  - Chapter sets up board only not rules.
  - Electing officers set in April; does it need to be July? Board members were appointed April 25, 08.

  Ken Sharp will follow up with Barb Nervig for stipulations on board terms. Makes sense to change if possible.

  - Closed sessions, can board request and does attorney need to be present.
  - Public comment can be set at 2 minutes, maximum 10 minutes, Etiquette is expected.
  - Board will meet 4 times per year, wondering where this came from.
- Before moving ahead Barb needs to be contacted.

Administrative Rule Schedule and Routing Slip

- Passed out and explained this is an internal document, used for routing developed rules.
- Try to have on agenda 2 weeks prior to 8/19 so public gets notice of intended action.
- 8/6 date is incorrect, doe is have impact.
  - Not much, bigs one is Notice of Intended Action – would put 1 month behind.
  - After Notice of Intended Action it goes to Administrative Rules committee of Legislative committee from Senate and House.
  - Once rule notice goes into Administrative Rules bulletin, there is a public hearing.
  - Anticipate more hearing for rules on fees.

    - Then received public comment, there is no response.
    - Then present rules to Board for adoption (Sept/Oct).
    - Board will adopt/vote to move back to Administrative Rules Committee.
- There is emergency process and makes rules effective immediately. Need to confirm with Barb Nervig to see if necessary.
- Need to decide how many hearings to hold. Can be regional.
- Because of 1/1/09 date, will have to have emergency rules and "double barrel" rules. Emergency rules forgo public comment period. Rules committee does not like, so IDPH runs identical rules through the standard process. Use emergency rules as interim.
- Emergency rule process can go to licensing board and they can adopt to become effective.
- Rules are conveyed through list serve, but difficult to get work out.
- Weekly Administrative Rules bulletins are available. Also use word of mouth to get word out.
- Public hearings can use ICN especially if regional hearings not ideal. It allows for statewide participation.
- Can take written comments rather than public hearing, recommend public hearing.
- Big challenge is people want answers.

Moving to Chapter 105, new Iowa Code will be Chapter 105 of the State's Statutes

- This is a combined document of HF908 and HF2390. Strike through is language from 2007 legislation that is being deleted and new language from HF2390 is underlined.
- Service Technician's process too long.
- Legislative Deadline is near, must file changes soon. Can profile bills. Date will need to be confirmed with liaison.

Ken will check on date with Lynh Patterson.

New section of rules, other committees will feed information into specific sections.

- Application and Fees = 1 rule, Disciplinary = 1 rule, etc.
- Identified highlighted rule notations in 105 document
    - 1. Application rules #3
    - 2. Evaluation #3
    - 3. Refining exam #3
    - 4. Examination rules #3
    - 5. Fee Structure for exam #2
    - 6. License and Renewal fees #2
    - 7. Define Routine Maintenance #3
    - 8. Define licensing qualifications #3
    - 9. Set Amounts of liability insurance and bond amounts #3
    - 10. Renewal requirements #3
    - 11. Penalties for late renewal (29 days) #3
    - 12. Reinstatement and penalty for late renewal (30 days) #3
    - 13. Reciprocity #3
    - 14. CEUs #4
    - 15. Catch All

Barb Nervig joined the meeting. And the committee broke from rules to discuss questions with Barb.

Ken needs to take Section 11 #5 to Heather Adams for clarification.

- Q. Chapter 27 date of 4/30 for 27.3 election of chair person, can it be set for any date? A. Language came from existing rules. Could be based on dates by governor appointments. Our dates are not set in code. Don't have to keep anything, can break down.
- Q. What are typical groupings for rules? A. General Chapters: Fee Chapter, Administrative Authority Chapter, Licenses of, Practice of, Continuing Education for, Discipline for. There is no fixed plan but it should be developed for ease of user. Also, other committees will provide input for chapters.
- Timeline was shared. Whole board has to approve rules. To have rules filed regularly, have to be filed by 8/20. So – will have to file emergency rules and double barrel. As late as October, can have adopted.
- 3 dates to keep in mind. 7/1/08 Statute became effective, regulations for licensing and requirements for renewal.
- Legislation gave until 1/1/09 when enforcement provisions take effect and 6/30.09 end of local licensing.
- Licensing needs to be in effect 1/1/09.
- To meet goals, first need licensure requirements and fee rules.
- Second enforcement and disciplinary rules
- Third, CEUs and renewal rules. It is expecte4d there will be comment about CEU immediately.
- Goal to receive apps by Jan 1 09.
- There were some concerns shared about Iowa Interactive.

Need to have additional meeting.

- Need to cluster rules and ask Cindy to pull information together
- Rough draft needs to be ready for committee to review prior to next meeting.

- Next Board meeting Committee will have input.
- Intention to have something for emergency rule by 10/21
- If Heather Adams signs off on Chapter 27 could make regular process.
- Other items, 272 in code, Chapters re: impaired/child support etc. Need to meet with Heather. These exist and could be current to apply, but will need to add.
- Clusters identified as
    - Administration
    - Fees
    - Licensure/Application/Examination
    - CEU
    - Disciplinary
- Question about fee for examination, lowest bid wins.

- Specific question about master plumber and cost to license. Would person have to pay as contractor? Problem for non-practicing masters to have liability, etc.
- Questions also about fees accessed for reciprocity and recognizing education.

Ken Sharp made a motion: this committee recommends to the board that they approve Chapter 27 for intended action.
Ron Masters seconded.
The motion passed unanimously.

Next meeting will be by teleconference. 9:00 a.m. Wed 8/6/08.

Meeting adjourned.

Respectfully submitted,
Cindy Houlson