

**Plumbing and Mechanical Systems Board Meeting
Tuesday, January 19, 2010 at 9:00 a.m.**

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Board Members Present: Stuart Crine, Dennis Molden, Brita Van Horne, Susan Salsman, Thomas Day, Mick Gage, Chuck Thomas, Jane Hagedorn, Ron Masters and Ken Sharp.

Board Members Absent: Carol Crane

Staff Attending: Cindy Houlson, Susan Van Horn, Wendy Zimmerline, Matt Oetker and Mary Swinehart

Call to Order: Ron Masters called meeting to order at 9:00 a.m.

Approval of Minutes

The minutes from December 15, 2009 were reviewed and approved.

Motion: Jane Hagedorn made motion to approve minutes.

Seconded: Tom Day

Discussion: No further discussion was held.

Vote: All ayes

Motion: Carried

Committee Reports and Recommendations for Actions

Administrative Rules Committee Sue Salsman, committee chair

641 IAC Chapter 27 Plumbing and Mechanical Systems Board – Administrative and Regulatory Authority

Cindy Houlson reported there were no public comments.

Motion: Jane Hagedorn made motion to adopt emergency after public notice and file action for Chapter 27.

Seconded: Tom Day

Discussion: No further discussion was held.

Vote: All ayes

Motion: Carried

641 IAC Chapter 29 Plumbing and Mechanical Systems Board – Application, Licensure, and Examination

Cindy Houlson reported there were twelve public comments. Six of the twelve are in regard to language in geothermal.

Following a lengthy discussion, several options were presented: Chapter 29 can be removed completely at this time for modifications; the geothermal language as well as the two specialty licenses (Service technician HVAC specialty license and Disconnect/reconnect plumbing technician specialty license) can be removed and submit the remainder of Chapter 29; the geothermal language could be removed and leave two specialty licenses as is; and leave Chapter 29 as is and proceed. By a majority vote members decided to move Chapter 29 forward without geothermal language.

Motion: Brita Van Horne made a motion to adopt emergency after public notice and file action Chapter 29 Plumbing and Mechanical Systems Professionals Application, Licensure and Examination, removing all references to geothermal from the chapter and correcting the word “technical” to “technician” in the North American Technician Excellence reference.

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Seconded: Tom Day

Discussion: No further discussion was held.

Vote: 8 ayes 2 nays

Motion: Carried

641 IAC Chapter 28 Plumbing and Mechanical Systems Licensure Fees

Cindy Houlson reported there were two public comments. One comment was general in nature and the other referenced the geothermal installer license. The board elected to remove all references to the geothermal license in Chapter 29, which would also apply to this chapter.

Motion: Jane Hagedorn made motion to adopt emergency after public notice and file action Chapter 28 removing references to geothermal.

Seconded: Ron Masters

Discussion: No further discussion was held.

Vote: All ayes

Motion: Carried

641 IAC Chapter 32 Plumbing and Mechanical Systems Board – Licensee Discipline

Cindy Houlson reported that one comment was received and it was not substantive in nature.

Motion: Jane Hagedorn made motion to adopt emergency after public notice and file action Chapter 32.

Seconded: Chuck Thomas

Discussion: No further discussion was held.

Vote: All ayes

Motion: Carried

641 IAC Chapter 34 Plumbing and Mechanical Systems Board – Complaints and Investigations

Cindy Houlson reported there were no public comments.

Motion: Ken Sharp made motion to adopt emergency after public notice and file action Chapter 34

Seconded: Chuck Thomas

Discussion: No further discussion was held.

Vote: All ayes

Motion: Carried

641 IAC Chapter 35 Plumbing and Mechanical Systems Board –Licensure of Nonresident Applicant

Cindy Houlson reported there were no public comments.

Motion: Ron Masters made motion to adopt emergency after public notice and file action Chapter 35

Seconded: Mick Gage

Discussion: No further discussion was held.

Vote: All ayes

Motion: Carried

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641 IAC Chapter 36 Plumbing and Mechanical Systems Board – Petitions for Rule Making

Cindy Houlson reported there were no public comments.

Motion: Chuck Thomas made motion to adopt emergency after public notice and file action Chapter 36

Seconded: Tom Day

Discussion: No further discussion was held.

Vote: All ayes

Motion: Carried

Application and Fees Committee Jane Hagedorn, committee chair
Chapter 28 was discussed previously.

CEU Committee Jane Hagedorn, committee chair

Jane reported this committee continues reviewing courses and instructors. This committee will begin revisions of Chapter 30, including requirements for specialty licenses. There was a discussion regarding courses presented on the learning calendar on the website. Each applicant is asked if they wish their course listed on the website.

The committee brought a question before the board for input on an instructor who wanted to bring other instructors, (not approved) to present specialty parts of a course. The committee felt as long as the instructor is approved and will take responsibility and is onsite during the class it would be alright.

Jane reported that the part of the next meeting will be spent on looking at qualifications and making sure we are processing consistently and moving in the correct direction.

The CEU Committee has met twice and continuing to review instructors and courses. There have been a total of 93 applications approved.

Chapter 29 Committee Ron Master, committee chair
Ron reported that Chapter 29 was presented earlier.

Plumbing Code Committee Tom Day, committee chair

Tom reported the committee will start putting together a roadmap to proceed with Chapter 25 at the committee meeting following this board meeting.

Testing and Credentials Committee Chuck Thomas, committee chair

Architectural Sheet Metal Manual is identified as a reference in information section on the Prometric website, the reference should be HVAC Duct Construction Manual. The exam is based on the HVAC Duct Construction Manual with no reference to the Architectural Sheet Metal Manual. Can this be corrected? Cindy Houlson will contact Prometric to set up a meeting with this committee as soon as possible. The exam application will be unavailable until this is ironed out.

Backflow Rules – Mike Magnant

Mike presented to the board proposed updates to Chapter 26, Backflow Prevention Assembly Tester Registration. When the 1991 version of the Uniform Plumbing Code was released the cross-connection/backflow prevention section was rewritten. One of the new provisions in that section required the owner of a facility with a backflow device to have that device tested annually by a certified

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person. At that time in Iowa Law, there was no provision for identifying a certified person. Legislation was passed and the rules were effective in March of 1993 to have training and licensing in the field. The rules were amended in 2003 to raise fees and change the time of registration. The current revisions are primarily to add felony and other reasons for discipline similar to the plumbing and mechanical licensing; a fee increase and a requirement for periodic review of training are also proposed. As of July 1, 2009, approximately 1100 persons were licensed.

Consideration for retiree license – Ken Sharp

Ken reported that we have had a number of individuals contact the department, through the governor's office, representative, etc. that they are a retiree, have worked in the business for ten or fifteen years but did not meet the waiver provisions but would still like to have a license. Presently, we do not have any provisions in our rules to accommodate these individuals. Ken is bringing to the board for guidance regarding how much time and investment we should put into this issue. At this point, we don't know how many retirees are out there or how many would be requesting this type of legacy license. This would take time away from staff from fee generating activities that support the cost of running this program. Issues are what it these folks want, how can we accomplish it and is it reasonable given the expectations placed on this board and the capacity we have within the office.

In Cedar Rapids, following the flood, there were a group of retired electricians and plumbers who donated their time to help those folks rebuild. There were close to 200 homeowners helped. Would hate to think that this board, that is here for life, safety and health, would stop something like that. The plumbers I know that were involved with that effort have no desire to go back and work with the tools, unless something like this came up. I would like those individuals to be able to donate their time for people in need.

Another comment is: It's a pride thing and is important. There are a lot of individuals that donate their time for Habitat for Humanity, etc. The board felt it was important to the trade to explore options to accommodate these individuals. Options will be explored and recommendations will be presented to the board consideration.

Licensing Program Statistics - Wendy Zimmerline

Wendy reported the following statistics:

A total of 15,071 licensees, with 26,130 licenses approved	
Master License	13,129 issued
Journeyman License	12,103 issued
Apprentice	634 issued

Felony Report – Cindy Houlson

Cindy provided Felony Report from Oct. thru Dec. There were a total of 191 reported felonies, nine of those received letter requesting more information. Currently, twelve individuals have not responded to the letters that they have received. They do have ninety days to respond, if there has been no response by March they will be considered incomplete.

Other Business

Ken Sharp reported that legislatively we have at least two bills with assigned bill numbers and a bill number has not been presented for the geothermal issue as yet. There is a subcommittee meeting on House File 2014, a bill that, if the legislature repealed a licensing requirement, would require the board to offer and issue a refund prorated to every licensee that held that license. In terms of the cost for

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example refunding 20% of our licensees equals about \$560,000. It is concerning, because our fee structure was not based upon issuing refunds, it was based upon issuing a license.

Senate File 2022 that would basically strip all requirements for the apprenticeship being the DOL approved apprenticeship program and stripping all the continuing education requirements.

We have not seen an official bill form on the geothermal licensing as yet.

Office Move – Ken Sharp

At this point, plans are that we will be moving into the old Mercy campus, 2nd floor. This will impact, not only this board and staff but also all of the professional licensing boards in our licensing bureau and the bureau of emergency medical services. Timeframe is March or as late as June. The cost is a big plus and this should be a good move for us. There will be more control of individuals coming and going from the licensing area, a much more accommodating set up than we have right now.

Ken reported we have received approval to hire an investigator and a clerk specialist for CEUs. That paperwork was sent up early last week so should be with the Department of Management. Assuming we get a quick turnaround time the positions could be posted by the end of January or mid February and would take six to eight weeks to actually have that person on board

Public Comments

Chuck Thomas reviewed an email received asking for guidance on inactive licensing based upon the definition of an inactive license.

We don't have enough information to provide an accurate response to this concern.

Brian Millard expounded on the issue. Once a person basically is not actively in the trade as a service manager, service tech, etc., but is still within the company can their license go inactive? Under the definition, was not sure if can.

Our licensure requirement is that a person shall not operate as a contractor or an installer as a plumber, HVAC, refrigeration or Hydronic systems without obtaining a license issued by the board. For the four disciplines, those are the individuals that need a license. Brian was referred to 105(10) for the group that needs an inactive license.

Mike Machula

How can you be an inactive apprentice?

Individual may have gone to service or could have been a mistake on the application.

Is Chapter 26 one of the chapters for this board? They have increased the price of backflow.

This chapter is covered under the Department of Public Health.

Has Chapter 30 been adopted?

Chapter 30 has been emergency adopted. That chapter will be revisited.

Mike would like to align the geothermal language with the language that is in the 2009 International Mechanical Code and feels it should be titled Geothermal Ground Heat Pump Loop System.

The IGSMMA is not certification it is accreditation.

IGSMMA is working on aligning themselves with NATE then could be a certification.

As an OSHA 500 instructor can a rep to demonstrate a piece of equipment be brought in.

The CEU Committee has no objection as long as the OSHA instructor is onsite. That is consistent with how it has been reviewed thus far.

When I submit an application to teach a plumbing code update – which code (2003, 2006) should be specified? Once the code is in passed and in place it will be the 2009. At this time testing refers to the 2003 code. We have been working on getting 2009 UPC Code and amendments in place as soon as possible.

Reference material for testing is listed as 2003.

That is correct.

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Mike Minnick

Can anyone who has not gone thru an apprenticeship program test for a journey?

Currently, if a person is licensed as a master he/she can get a journey license or they can take a master test. We do not have an option for a person who has not completed an apprentice program. 105.18 reads: In order to be licensed by the board as an apprentice, a person shall do all of the following:

- (1) File an application, which application shall establish that the person meets the minimum requirements adopted by the board.
- (2) Certify that the person will work under the supervision of a licensed journeyman or master in the applicable discipline.
- (3) Be enrolled in an applicable apprentice program which is registered with the United States department of labor office of apprenticeship.

How many questions on journey person and master exam, is there a time limit?

The journeyman exam has 100 questions and allows three hours for testing and the master exam has 200 questions with a six hour time limit with one break.

When is the next adoption of the mechanical code update? Will contractors be notified?

The mechanical code falls under the department of safety. January 1, 2013 is the next mechanical code update. Contractors can send name and email address and they can be added to the email list. Process starts six to nine months before the adoption. Early in 2012 would be good time to contact department of safety.

Do inactive license holders need to maintain CEUs?

Yes

John Oats

Is there any way to allow apprentice to use 2006 Plumbing code as that is the resource that has been used for training?

At this point the state plumbing code is the 2000 with amendments. At this point we were required to use the present code for testing. Our goal is to get the new plumbing code in place as soon as possible. We have an opportunity once a year to update the exam, that would be in June.

Mike Machula

Is someone going to take care of the HVAC issue in regard to the exam?

Chuck will be working with Prometrics to correct. Notice will be distributed via list serve and website.

Don Hanson

On the exam for the uniform plumbing code during this transition period it would be helpful to allow individuals to take in additional versions of the code books.

The proctors are instructed that there is a list of books that are approved to be taken into the exam. Chuck will follow up with Prometric.

Next meeting scheduled February 16, 2010 at 9:00 a.m. at Iowa Department of Public Safety Building (Conference Room 125), 215 East 7th Street, Des Moines, IA

Adjournment

Motion: Jane Hagedorn made a motion to adjourn

Seconded: Chuck Thomas

Discussion: No further discussion was held.

Vote: All ayes

Motion: Carried