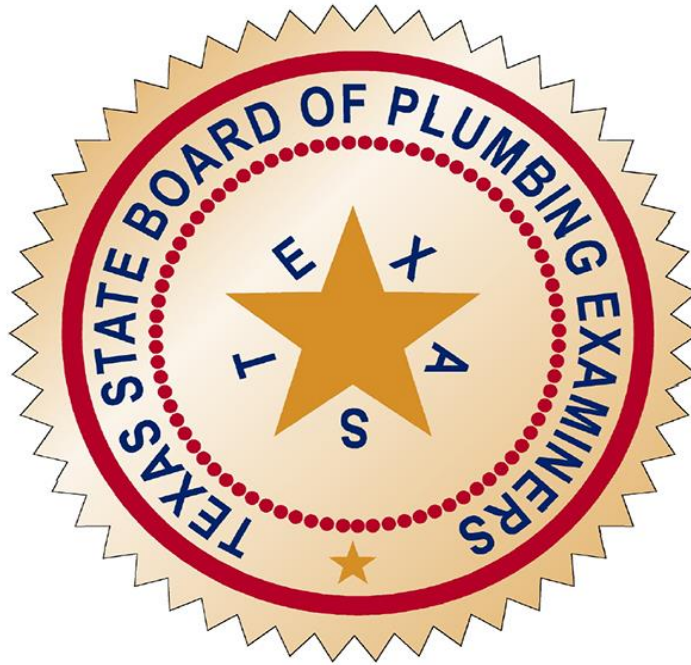


## AGENCY STRATEGIC PLAN



# TEXAS STATE BOARD OF PLUMBING EXAMINERS



Lisa G Hill Executive Director

Julio Cerda Board Chair

# AGENCY STRATEGIC PLAN

For the Fiscal Years 2019 - 2023 Period

## Texas State Board of Plumbing Examiners

<u>BOARD MEMBER</u>	<u>DATES OF TERM</u>	<u>HOMETOWN</u>
Julio Cerda Chair, Public Member Position	Appointment expires 09/05/2019	Mission
Ricardo J. Guerra, P.E. Secretary, Licensed Engineer Position	Appointment expires 09/05/2017 *	Austin
Enrique Castro Master Plumber Position	Appointment expires 09/05/2017 *	El Paso
Ben Friedman Journeyman Plumber Position	Appointment expires 09/05/2021	Dallas
Janet L. Gallagher Plumbing Inspector Position	Appointment expires 09/05/2017 *	Pflugerville
David Anthony Garza Commercial Builder Position	Appointment expires 09/05/2019	San Benito
Milton Gutierrez Public Position	Appointment expires 09/05/2021	Fort Worth
Robert Jalnos Plumbing Contractor Position	Appointment expires 09/05/2021	San Antonio
Edward Thompson Home Builder Position	Appointment expires 09/05/2019	Tyler

\* Will serve until reappointment

Submitted June 8, 2018

Signed:

  
Julio Cerda, Board Chair

Signed:

  
Lisa G Hill, Executive Director

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## AGENCY MISSION

The fundamental mission of the Texas State Board of Plumbing Examiners is to help protect the health and safety of the citizens of the State of Texas by ensuring that our drinking water, air, and medical gases are free from contaminants so that we may live and work in the safe conditions that properly designed and installed plumbing systems are meant to provide. Our primary influence in fulfilling this mission is ensuring that individuals entrusted with a license issued by the Board and endowed with the inherent credibility it provides, are competent and exhibit the requisite fitness to perform plumbing work in this state. Another cornerstone in fulfilling the Board's mission is through community outreach and education, ensuring that the public is aware of the crucial role plumbing plays in guaranteeing sanitation and health, and the sometimes unheralded role of the licensed plumbing professionals who safeguard the public's health. The Board steadfastly believes that an informed public will demand the reliability, accountability and sound judgment of a licensed plumbing professional, ensuring that plumbing services are only provided by such proven professionals, and not left to unqualified and sometimes unscrupulous individuals who might undermine the Board's mission through unlicensed plumbing work. Community outreach and education also serves the dual purpose of promoting the plumbing profession as a rewarding career option; an important task after years of flat growth in the workforce while the population of Texas has been, and is expected to continue to grow. The Board also takes seriously its statutory charge to investigate consumer complaints alleging threats to the public's health and safety and to take enforcement and disciplinary action against persons who have violated the Plumbing License Law; thus preventing potentially dangerous unlicensed plumbing work and ensuring that licensed plumbers continue to exhibit fitness and uphold the high standards of licensure in the field. Through equitable and consistent regulation of the plumbing industry, and by examining, licensing and registering plumbing professionals, the Board ensures that qualified individuals following clear standards are able to protect the health and safety of the citizens of the State of Texas.

## AGENCY PHILOSOPHY

The Texas State Board of Plumbing Examiners affects every citizen who utilizes plumbing in the State of Texas; relies on uncontaminated drinking water, air, and medical gases; and, desires to live and work in the safe conditions that properly designed and installed plumbing systems are meant to provide.

The Texas State Board of Plumbing Examiners will fulfill the expectations of the citizens by acting in an ethical manner that is accountable, responsible, efficient and open. The Board recognizes that protection of the health and safety of the citizens is foremost in its decision-making process. The Board performs its responsibilities with honesty, integrity, diligence and respectful courtesy. Adherence to these standards continually brings the Board ever closer to its goal of achieving excellence as an organization and in the customer service it provides.

## AGENCY PLANNING PROCESS

The members of the Texas State Board of Plumbing Examiners view strategic planning as a perpetual process, and provide input and direction to staff as necessary throughout the year. Agency staff also provides valuable feedback in the strategic planning process. Several staff suggestions are incorporated in this published plan. On May 31, 2018, the Board held a public meeting to discuss this plan in a community forum or “workshop” environment, to solicit valuable feedback directly from the public. Strategic plans are also posted on the Agency website for the public’s benefit and any comments received from the public are considered during the preparation of the subsequent Strategic Plan. Agency management staff participates extensively in the preparation of the plan, considering input provided from all sources including Agency staff, the public, and interested parties in the industry.

## AGENCY STATUTORY BASIS

The Board’s enabling statute is Chapter 1301 of the Texas Occupations and, specifically, Section 1301.251, formally charges the Board with administration of the Plumbing License Law. In 1897 the legislature passed the first state plumbing license law, requiring cities to adopt their own plumbing installation regulations and to establish local examining boards for the purpose of examining and licensing Master Plumbers, Journeyman Plumbers and Plumbing Inspectors.

Prior to that, a license was valid only within the city that issued it; and, reciprocity between cities was rare. As a result, applicable regulations and examination requirements varied widely from city to city.

In 1947, the Texas Legislature passed the Plumbing License Law of 1947, which created the Texas State Board of Plumbing Examiners to provide for uniform statewide examination and licensing of Master Plumbers, Journeyman Plumbers and Plumbing Inspectors.

The Texas State Board of Plumbing Examiners is subject to Chapter 325 of the Government Code, the Texas Sunset Act. Pursuant to Section 1301.003 of the Plumbing License Law, the Texas State Board of Plumbing Examiners (TSBPE) will be abolished effective September 1, 2019, unless continued in existence by the Legislature as provided by the Act. If abolished, TSBPE may continue until September 1, 2020, to close out its operations.

The Texas State Board of Plumbing Examiners has generated significantly more revenues than it is given to expend in its annual budget and to carry out its statutory duties. The agency has not received any funds from any other state or federal source other than the fees collected from its licensees and registrants. All fees for examinations; initial and renewal of licenses, duplicate licenses, endorsements, registrations; and administrative penalties collected are deposited directly into General Revenue Fund 0001. The Board is required to collect fees at least equal to the Agency’s appropriations and other un-appropriated indirect costs. On the average, the Agency collects more than \$1.8 million each year over and above its total appropriated and unappropriated expenditures. These additional funds are deposited directly into the

General Revenue Fund 0001 to be used as needed by the State for other State functions and expenses.

The Board also collects other revenues as appropriated receipts, such as sales of Plumbing License Law and Board Rule publications, fees for fulfilling Open Records requests and Conference and Seminar fees.

## **PRIMARY AGENCY GOALS**

### **A. Goal**

**ENSURE PUBLIC HEALTH THROUGH SAFE PLUMBING BY LICENSING AND REGULATION OF PLUMBERS** – The Board seeks to protect the health and safety of Texas citizens by ensuring that each person has access to uncontaminated drinking water, air and medical gases through quality plumbing systems installed and maintained by competent plumbing professionals licensed by the Board, and those training to become a licensed professional through registration with the Board. By designing and administering examinations and determining fitness for licensure, the Board ensures that all individuals involved in the installation, maintenance and inspection of plumbing systems in each city and of each public water system in the state are regulated by fair and responsive enforcement of clear standards, in order that the public may live and work in the safe environment that properly designed and installed plumbing systems are meant to provide. This task also entails oversight and administration of annual continuing education of licensees to ensure they are prepared for and able to respond to the continually-evolving demands of, and technological changes in, the industry.

### **B. Goal**

**INCREASE COMMUNITY OUTREACH AND PUBLIC AWARENESS** – Through outreach to citizens in the form of presentations at community events, industry and trade association seminars and public service announcements, the Board seeks to further educate the public of the importance of securing a plumbing professional when the need arises and the potentially dangerous and costly consequences resulting from unqualified persons performing this work. Community outreach also serves the dual purpose of promoting the plumbing profession as a career; thereby recruiting bright and eager young minds to carry on the profession and take it to new modern heights in a rapidly-developing state with a sharply-growing population.

### **C. Goal**

**INCREASE ENFORCEMENT OF THE PLUMBING LICENSE LAW** – The Board, along with authorities for local jurisdictions, is charged with enforcement of the Plumbing License Law. The Board seeks to review and investigate complaints, including those of consumers, which allege a violation of the Plumbing License Law and/or Board Rules. This enforcement includes taking action against both unlicensed individuals engaging in plumbing and the persons promoting these activities; and, licensed individuals who may not be upholding the standards required of the Plumbing License Law and/or Board Rules. The Board in particular seeks to increase enforcement against unlicensed individuals illegally practicing plumbing including through increased use of undercover “sting” operations designed to detect and deter violations of the Plumbing License Law that might otherwise go unenforced in the era of anonymity arising from the modern digital marketplace. The Board also seeks to effectuate additional random “compliance

checks” using its Investigators as contemplated by statute, on persons in the field on plumbing jobsites, thereby ensuring that said individuals are compliant with all licensing and registration requirements, and before a dangerous or costly condition threatening the health and safety of the public occurs. The Board’s enforcement activities also entail oversight of individuals approved by the Board to provide continuing education for licensees and registrants and ensuring compliance both from Providers and Instructors. In a state experiencing rapid development and sharp population growth, the Board seeks to step up its enforcement efforts to ensure compliance with the Plumbing License Law and, thereby safeguarding the public’s health and safety.

#### **D. Goal**

INCREASE USE OF HISTORICALLY UNDERUTILIZED BUSINESSES (HUBs) - Establish and implement policies governing purchasing and public works contracting that will foster meaningful and substantive inclusion of HUBs. (Government Code, Chapter 2161)

### **AGENCY ACTION PLAN**

The Texas State Board of Plumbing Examiners affects every citizen who utilizes plumbing in the State of Texas as they rely on uncontaminated drinking water, air, medical gases, sanitary drain, waste and vent systems (DWV) within homes, building and workplaces. Properly installed plumbing systems provide and enhance the safe conditions where Texans live and work.

#### **Discreet Functions of the Board Include:**

- administering written and hands-on practical examinations for prospective licensees, and those licensees seeking specialized license endorsements (Tradesman Plumber-Limited Licensees, Journeyman Plumbers, Master Plumbers, Plumbing Inspectors, and Specialty endorsements for Water Supply Protection Specialists, Medical Gas Piping Installers and Multipurpose Residential Fire Protection Sprinkler Specialists)
- issuing registrations for those working in the field and training to become a licensee (Plumber’s Apprentices, Drain Cleaners, Drain Cleaner-Restricted, and Residential Utilities Installers)
- renewing the foregoing licenses, registrations and endorsements issued by and/or administered by the Board
- manufacturing and printing identification cards for all licensees and registrants for display in the field
- reviewing criminal histories of applicants for all license and registration types for fitness
- verifying license status of licensees for the public as well as local jurisdictions
- investigating complaints alleging violations of the Plumbing License Law and Board Rules, including those of consumers
- investigating and monitoring of plumbing jobsites for compliance with the Plumbing License Law and/or Board Rules to further ensure compliance and added consumer protection
- investigating alleged violations of the Plumbing License Law and/or Board rules through formal discovery including the issuance of subpoenas and conducting

sworn depositions

- taking disciplinary action for violations of the Plumbing License Law and Board Rules, including, but not limited to: (i) revocation, suspension, denial and non-renewal of a license or registration; (ii) imposition of administrative penalties; (iii) issuance of cease and desist orders; (iv) seeking civil penalties; (v) seeking injunctive relief; and (vi) seeking criminal penalties
- Retesting of licensees to re-assess fitness and competency in the field
- approving Providers and Instructors of Continuing Professional Education classes and monitoring them for compliance
- monitoring the material presented in Continuing Professional Education classes and other board required training classes
- assisting local authorities with enforcement of the Plumbing License Law and Board Rules
- provide community outreach and public awareness through education and demonstrations at community events, industry and trade association seminars and through public services announcements with topics including (i) the importance of utilizing a licensed plumbing professional; (ii) the role of the Board in regulating licensees and enforcing the Plumbing License Law; (iii) dangerous trends or other items of public concern in the industry; (iv) avoidance of “cross contaminations” threatening safe potable water; and, (v) water conservation and the proper use of rain water collection systems
- provide transparent accessible Board and Committee meetings to the public and licensees
- Respond to Public Information Act “open records” requests and provide an open and transparent agency environment
- serve the public by providing knowledge and professional industry resources through our website and at meetings
- provide a veterans liaison to be responsive to and accommodate the needs of veterans or their spouses returning to civilian life and wishing to enter or rejoin the plumbing industry
- ensure an equitable and efficient regulatory environment
- ensure that, in a rapidly developing state with a sharply increasing population, that adequate resources for the agency are properly planned and requested

### **Examination and Licensure:**

Section 1301.202 of the Plumbing License Law states, in part, that it is one of the Board’s duties to employ Examiners to “. . . examine the fitness and qualifications of a person applying to the Board for a license . . .” The Board takes this charge seriously.

This process begins with the review of applications, including applicants with criminal histories and individuals coming from another state or a foreign country.

The Board’s examinations and Examination Center are recognized across the United States as setting a high standard in the plumbing industry. Currently, separate examinations are given for Journeyman Plumber, Master Plumber, Tradesman Plumber-Limited, Medical Gas Piping Installation, Water Supply Protection Specialist, Multipurpose Residential Fire Protection Sprinkler Specialist and Plumbing Inspector.



All of these examinations, with the exception of the Water Supply Protection Specialist examination, consist of thorough written and hands-on-practical sessions that ensure licensed plumbers and plumbing inspectors who work with public water supplies, sewage disposal, natural gases and medical gases have the qualifications, knowledge, skills, and competencies to do their jobs properly. The Board's Examination Center allows the Board to conduct practical examinations.

The life of any plumbing system, large or small, is directly related to the preparation and assembly of the materials that go into the making of a plumbing system. It is difficult to detect improper preparation of materials once the materials are assembled and installed in the plumbing system, until the system fails. The failure of a plumbing system can result in considerable expense to the consumer, fires, explosions, serious health problems and even death. For this reason, the practical portion of a plumbing examination is critical to ensure the applicant can demonstrate their ability to properly prepare and assemble plumbing materials used in plumbing systems. After an applicant assembles materials during the examination, the materials are disassembled and the applicant is graded on how well the materials were prepared prior to assembly.

Examinations are provided in English and Spanish languages. The written portions of the Tradesman Plumber-Limited and Journeyman examinations are provided in three areas of the state: Austin, the Rio Grande Valley and El Paso. In addition, specialty endorsements for Plumbing Inspectors are also offered for groups of 10 or more in Houston and the Dallas/Fort Worth area.

Once a person successfully receives a registration or license, it must be renewed annually by meeting all renewal requirements, including continuing professional education. Licensees and registrants who have received criminal convictions since their last renewal are reviewed for eligibility prior to renewal. Reviews are performed on a case by case basis. Informal face to face conferences are offered as necessary to determine the fitness of the applicant.

### **Community Outreach and Public Awareness:**

The Board believes that to properly carry out its mission, it must endeavor to educate the industry and consumers of the requirements of the Plumbing License Law and the hazards of improperly-installed plumbing. In this public awareness effort, the Board utilizes its website, gives presentations at community events, and also conducts awareness seminars for plumbing trade schools, high schools, universities, municipal inspection departments and associations, plumbing companies and plumbing trade associations.

Included in many of the seminars and outreach efforts is the Board's unique cross-connection prevention demonstration unit that houses a display of see-through fixtures and piping which demonstrates, viscerally and in an approachable manner for the lay person, how easily our drinking water can be inadvertently contaminated by improperly-installed plumbing systems.

These seminars additionally serve to provide information to individuals who are making career decisions and may be encouraged to consider the plumbing industry as a career path.

These seminars and outreach efforts also serve to disrupt and prevent the practice of plumbing by unlicensed individuals by persuading the public to think not solely with their “pocketbook” when searching for an individual to provide plumbing services (which may lead them to an unlicensed individual) and, specifically, to verify the licensure of persons they are considering hiring for plumbing work, and to feel comfortable and empowered to do so even with individuals believed to be licensed.

The Board asserts these education efforts are all the more important given the modern digital age and the ubiquity of the internet where, as discussed below in connection with enforcement, unlicensed individuals, with anonymity and practically free marketing efforts, can easily connect with unsuspecting consumers to perform illegal plumbing work.

However, these education efforts are also important in the digital age, where property owners themselves, encouraged and emboldened by the widespread availability of reference materials, “self-help” forums, and tutorial videos on the internet, are performing plumbing work on their homestead which by statute may constitute legal plumbing work exempt from regulation but is nonetheless potentially dangerous.

An educated consumer is able to make better decisions when choosing a plumber when the consumer knows what is expected of a plumber and understands the health and safety hazards associated with improperly installed plumbing. Additionally, when the plumber knows the consumer possesses such knowledge, the plumber is more likely to deliver better service.

The Board’s website includes a feature that allows citizens to search license and registration status, scope of work permitted for each type of license and registration and to verify a responsible master plumber’s association with a particular plumbing company and whether said plumber has a certificate of insurance on file as required by statute. For these reasons, the Board’s community outreach and public awareness efforts are important to both the plumbing industry and the consumer.

### **Enforcement of the Plumbing License Law:**

Rigorous and pro-active enforcement of the Plumbing License Law and Board Rules is critical to the health and safety of the citizens of Texas. This enforcement includes taking action against both unlicensed individuals engaging in plumbing, and licensed individuals who may not be upholding the standards required of the Plumbing License Law and Board Rules.

Unlicensed plumbing contractors are of particular concern to the Board. Due to the importance of the examination process, the Board strives to identify unlicensed activity, taking action against unlicensed individuals practicing plumbing in violation of the Plumbing License Law and Board Rules.

In the modern digital age, where individuals enjoy digital anonymity and where digital advertising is largely cost-free and misrepresentations can proliferate, it is more difficult than ever to track down individuals engaging in or promoting unlicensed plumbing, and to collect the evidence required to provide due process to the alleged perpetrator and to overcome the Agency’s burden of proof to prosecute such violations.

As a result, the Board, among other enforcement remedies, seeks to place a greater emphasis on the use of undercover “sting” operations to detect and deter violations concerning unlicensed plumbing work, and to “intercept” these individuals before they are able to harm the public.

The Board seeks voluntary compliance and informal resolution to complaints and violations whenever possible. The Board also utilizes informal conferences when appropriate to interact with violators and, potentially, the person making the complaint, in order to work towards an informal resolution. When informal resolution or settlement is not possible, the Board pursues contested cases through the administrative hearings process at the State Office of Administrative Hearings (SOAH).

Additionally, the Board monitors Continuing Professional Education courses that are required for license renewal, on a random basis, to ensure all courses meet the minimum requirements of the Plumbing License Law and Board Rules.

The Board has found that most licensed plumbers desire to do the right thing, by complying with the laws and rules that regulate their industry. However, enforcement of the Plumbing License Law and Board Rules is still required even against licensees to correct violations by unwitting licensees, particularly when legal requirements have changed, and to uphold the continuing fitness and integrity of license holders in the field, long after they were evaluated for fitness when initially receiving their license.

The regulation of plumbing system installations by qualified plumbers and inspecting of those plumbing systems by qualified plumbing inspectors is critical to the health and safety of the citizens of Texas. Improperly installed plumbing systems can cause and actually has caused injury and death through explosions, fires, hospital medical gas contamination, noxious fumes. Improperly installed plumbing systems can transmit diseases that include typhoid fever, diarrhea, cholera, and amoebic and bacterial dysentery. Sickness or death can occur when noxious fumes such as carbon monoxide, methane gas and fuel gas are not properly ventilated by properly designed and installed plumbing system. Improperly installed medical gas systems can deliver contaminated or cross-connected medical gases to hospital patients, causing sickness and death.

The public looks to the Texas State Board of Plumbing Examiners to ensure, the quality of plumbing work that it receives. The public also expects the Board to respond to complaints regarding the plumbing industry in a timely and responsible manner.

Positive feedback from the public is a key indicator of the satisfaction of Board customers. Continued industry support and participation in public meetings related to the plumbing industry is another key indicator of customer satisfaction.

## ORGANIZATIONAL STRUCTURE AND PROCESSES

The Board is composed of nine members, who serve six-year staggered terms. All Board members are appointed by the Governor and confirmed by the Senate. One member of the Board shall have had at least ten years' practical experience and be licensed as a Master Plumber, one member shall have had at least five years' practical experience and be licensed as a Journeyman Plumber, one member shall have had at least five years' practical experience and be licensed as a Plumbing Inspector, one member shall be a Responsible Master Plumber for at least five years with at least 10 years' experience as a licensed Master Plumber and/or Journeyman Plumber, one member shall be a licensed professional engineer practicing in the field of plumbing engineering, and two members shall be building contractors with five years' contracting experience (one of whom shall be principally engaged in home building and one of whom shall be principally engaged in commercial building). Two members must be representatives of the general public. The Governor appoints the presiding officer of the Board.

The Board proposes and adopts rules and sets policy as necessary to carry out the enabling statute. The Board employs an Executive Director to carry out the policies and rules adopted by the Board.

The Board's Executive Director directly supervises two Staff Attorneys; the Director of Financial Operations & Human Resources; the Director of Enforcement; the Director of Examination, a Staff Services Officer and the Executive Assistant to the Director and Board. The Director of Enforcement supervises three Administrative Assistants at the Board's Austin facility and ten Investigators located throughout the state. The Director of Examination supervises three Examiners and one Administrative Examination Assistant, who enters new and returning exam applicant information and maintains applicant qualification history. The Executive Assistant to the Director and Board supervises one Licensing Coordinator who processes renewals and initial licenses, one Customer Service Representative who assists licensees and registrants with the renewal process, one Customer Service Representative who serves as the Agency's Receptionist and enters and maintains certificates of insurance and proof of education required for Responsible Master Plumbers, and one Customer Service Representative who processes Plumber's Apprentice applications and assists licensees and registrants with the online renewal process. The Agency's Purchaser, supervised primarily by the Executive Director, also assists with the processing of initial registration applications and renewal calls. Management has adopted policies and procedures to place customer service first and to cross train as a necessity to maintain a prompt level of service.

The Examination and Licensing program provides examinations for Master Plumber, Journeyman Plumber, Tradesman Plumber-Limited Licensee, Plumbing Inspector, Medical Gas Endorsements, Multipurpose Residential Fire Protection Sprinkler Specialist Endorsements and Water Supply Protection Specialist Endorsements and issues and renews licenses for successful applicants. The Board also administers the registrations of Plumber's Apprentices, Residential Utilities Installers, Drain Cleaners and Drain Cleaner-Restricted Registrants.

The Master Plumber, Journeyman Plumber, Tradesman Plumber-Limited Licensee and Medical Gas Piping Installation endorsement examinations include a “hands on” practical portion, as well as a written portion. The Plumbing Inspector examination is a written examination with a “hands on” mock inspection of model plumbing systems. The Water Supply Protection Specialist examination is a written examination.

Examinations are administered at the Board’s Examination Center located in Austin. The Board also offers the written portion of many of the examinations in both El Paso and the Valley area as needed. The Agency also works with political subdivisions to offer specialty endorsement examinations in the more heavily populated areas as needed. This ensures the political subdivisions have the ability to provide the required plumbing inspections and can more quickly gain specialized endorsements for their qualified inspectors.

All licenses and registrations renew annually; license endorsements renew every three years. All licensees and registrants are required to obtain six hours of Continuing Professional Education for renewal of the license or registration. All licenses, registrations and endorsements may be renewed online as well as all initial applications for registrations, licenses, endorsements and examinations.

The Enforcement Program provides for enforcement of the Plumbing License Law and Board Rules, including:

- the intake and investigation of consumer complaints
- performing compliance checks and monitoring of plumbing jobs
- monitoring of Continuing Professional Education programs
- cooperative enforcement with local municipalities and their Plumbing Inspectors
- review of potential violations and certain applications for licensure and registrations from persons with past criminal convictions by the Enforcement Committee, comprised of Board staff
- revocation, suspension, denial and non-renewal of a license or registration
- imposition of administrative penalties
- issuance of cease and desist orders
- seeking civil penalties
- seeking injunction relief
- seeking criminal penalties

The Indirect Administration function provides for supervision of all Agency staff. Indirect Administration performs all accounting, payroll, performance, purchasing, reporting, human resource, information resource and other administrative tasks required by the state to operate properly and efficiently.

The Board’s Investigators conduct investigations in the field across the State of Texas, investigating complaints, detecting other violations of the Plumbing License Law and Board Rules; and, conducting compliance checks at jobsites. The Investigators, aided by technological solutions, are able to efficiently accomplish many administrative tasks while out in the field. When not in the field, Investigators primarily utilize their own residences as their office. The foregoing notwithstanding, Investigators are in the Board’s Austin office with some regularity (particularly those located in the greater Austin area), and assist in the Examination Center and perform other duties as needed.

The following map reflects the areas in which the Investigators are located:

# TEXAS STATE BOARD of PLUMBING EXAMINERS

*Field Representative/Investigators*

Dallas/Statewide- Chief  
Investigator

Dallas/NE

Fort Worth/North Central

Austin/Central

San Antonio/South

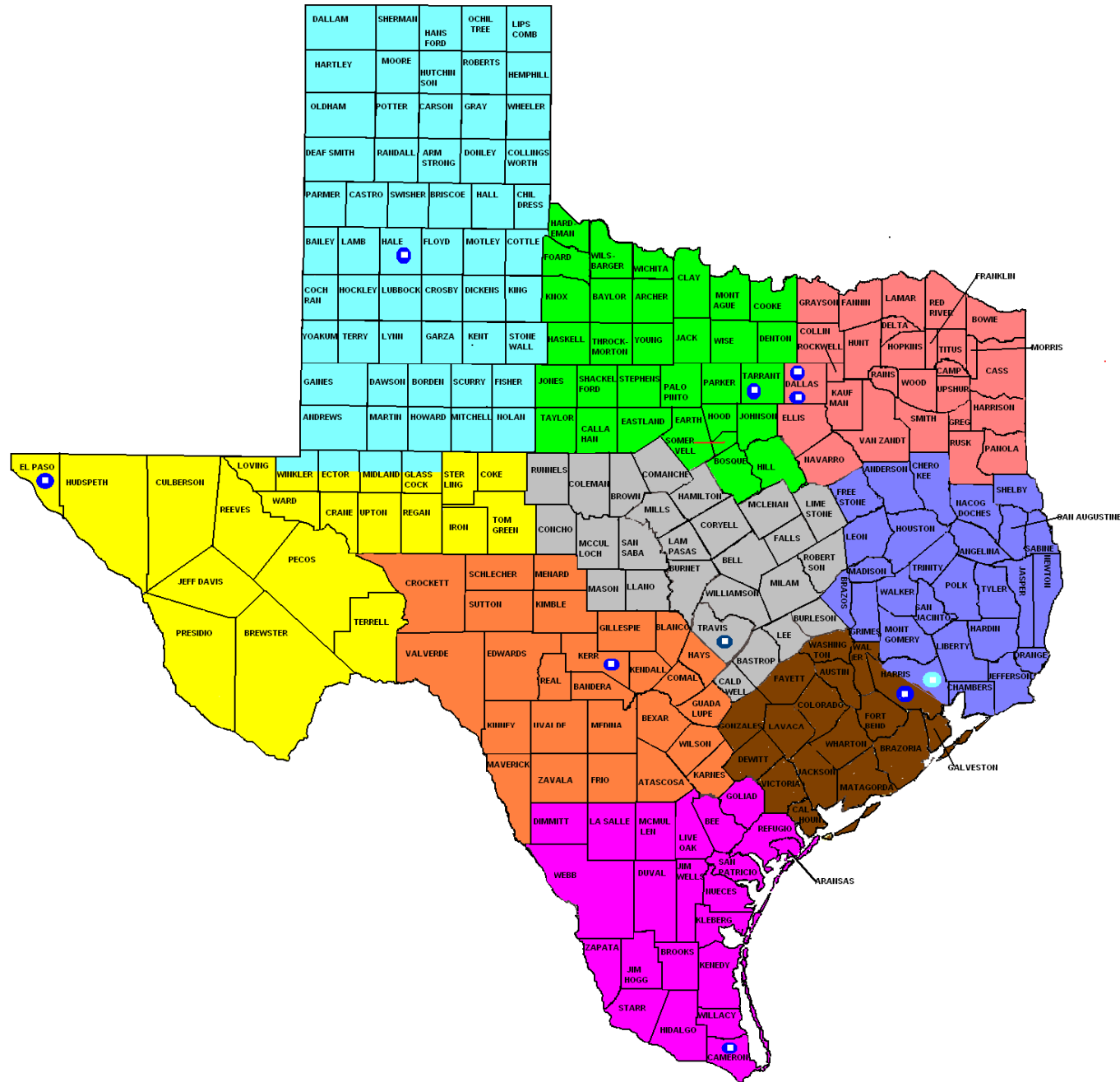
El Paso/West

Houston/Northeast

Houston/Southwest

Harlingen/South

Lubbock/Panhandle



## GEOGRAPHIC LOCATION OF THE AGENCY

Since 1981, the Board's administrative offices and Examination Center have been located at 929 East 41<sup>st</sup> Street, Austin, Texas, 78751. The office is centrally located for both consumers and examinees. The building is leased under a contract negotiated and administered by the Texas Facilities Commission.

## LOCATION OF SERVICE POPULATION

The Texas State Board of Plumbing Examiners serves the entire population of Texas in all regions of the state. The estimated population of Texas in 2018 is 28.7 million. The agency's licensee and registrant population is approximately 71,200. The agency has experienced an increase in its licensee population of over 5,000 individuals since FY 2015. The Board has approximately 7,250 Master Plumbers who have current records on file indicating they are serving as Responsible Master Plumber and allowed by law to advertise and market plumbing services directly to the public, thereby serving as an analogue for the number of plumbing companies operating across the State of Texas.

## HUMAN RESOURCE STRENGTHS AND WEAKNESSES

The greatest strength of the Board's human resources are the number of employees who possess experience and expertise in the plumbing industry. Thirteen (13) of the Board's employees, including the Executive Director, Director of Enforcement, Director of Examination, Investigators and Examiners, are licensed plumbers. Another strength is the cross training between the Examination and Enforcement departments. The Executive Director, Director of Enforcement and all investigators obtain certification by the Council on Licensure, Enforcement, and Regulation (CLEAR) as Investigators. As of the submission date of this report, 5 employees (Full Time Equivalents or FTEs), or 18.5% have been with the Agency more than 10 years. Additionally, 15 employees (FTEs), or 55.6% have been with the Agency for more than five years.

During fiscal years 2016, 2017 and 2018, the Agency experienced a significant number of retirements and agency transfers. Budget and employee cuts directly affect the Board's ability to retain qualified staff.

Agency turnover rates are as follows:

### Agency Turnover Rates

<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018 (to date)</b>
3.9%	3.7%	7.3%	29.1%	21.6%	19.3%
1 FTE	1 FTE	2 FTEs	8 FTEs	6 FTEs	6 FTEs
	Includes 1 agency transfer	includes 1 retirement and 1 agency transfer	includes 2 retirements and 2 agency transfers	includes 3 retirements and 1 agency transfer	includes 2 retirements and 3 agency transfers

Employee performance is achieved by assuring that each employee is made aware of the important role they have in the function of the Agency. Each employee carries a sense of pride knowing that he or she plays an important role in the protection of the public's health, safety and welfare.

## REDUNDANCIES AND IMPEDIMENTS

The Agency has determined that the following redundancies and impediments should be addressed within its planning process.

1. The review and possible elimination of the Annual Report of Non – Financial Data required by TEX. GOV'T CODE ANN §2101.0155

The Agency works to meet all financial reporting requirements in a timely manner, however, the elimination of the annual requirement to prepare this report would free staff to service its growing customer population. Information contained in this annual report is duplicative and can easily be found in other financial reports.

2. The review and possible elimination of the ABEST/USAS reconciliation in ABEST.
3. Investigate the possibility of streamlining of the Board Rules (22 TEX.ADMIN CODE §§363.4 – 363.8) in relation to individuals licensed in other states wishing to enter the plumbing trade in Texas.

An increase in the construction industry and a sharply growing population has compounded the need for more qualified licensed plumbers. The industry as a whole appears understaffed. While there is no substitute for demonstrable fitness through examination, TSBPE staff continues to develop ways to expedite licensing individuals who are already licensed in another state with similar licensing requirements that wish to practice in Texas.

## Natural Disaster Response

With its sole offices in Austin, the Board was fortunate not to have suffered any significant losses in connection with Hurricane Harvey in 2017. The events of Hurricane Harvey however, brought into stark relief the impediments the Board might face in the event of a natural disaster or other catastrophic event.

In the wake of Hurricane Harvey, the Board heeded Governor Abbott's declaration of disaster and successfully petitioned the governor for temporary suspension, in the affected area, of the Board's enforcement of certain provisions of the Plumbing License Law and associated rules deemed by the Board to be an impediment to disaster relief and recovery efforts.

Specifically, Sections 1301.404 (pertaining to annual mandatory continuing professional education), 1301.3576(2) (pertaining to required education coursework for Master Plumbers seeking Responsible Master Plumber status) and 1301.403(d) (pertaining to examination and



re-application requirements for persons seeking to reinstate an expired license after two years) of the Plumbing License Law were suspended in the affected areas.

The Board targeted these provisions after determining, and confirming with Investigators in the field, that there was a critical shortage of licensed plumbing professionals able to tackle the colossal task of rebuilding. Suspending these legal requirements prevented then current license holders from expiring who were unable to attend required continuing education classes in the affected area, allowed Master Plumbers who had previously not wanted to operate their own plumbing company to quickly gain RMP status and have the legal authority to enter into legal plumbing contracts, without the necessity of taking the required coursework pertaining to basic business management, and allowed persons with a previous history of licensure to rejoin the workforce in a time a dire need, when desperate citizens were already in some cases turning to unlicensed individuals to provide plumbing work. Additionally, the Board was also able to issue licenses on a probationary basis to certain individuals, allowing them to complete the remainder of the normal license requirements later in the probationary period.

While relaxing legal requirements in the affected area, the Board simultaneously stepped up enforcement in the region by quickly dispatching additional Investigators to join Investigators who were already in position, including the Board's Director of Enforcement.

The events of Hurricane Harvey, while tragic and devastating, served as a valuable and instructive exercise in natural disaster response planning, and preparedness. With Investigators around the state, the enforcement functions of the Board are naturally able to withstand the stresses posed by a natural disaster. The Board's digital licensure records system is shared with other state agencies in a decentralized location offsite. The Board's digital storage is also backed up off premises and is easily retrieved in the event of a natural disaster.

While the Board believes it is well-positioned to deal with impediments posed by a natural disaster or other catastrophic event, the Board will continue to develop strategies and make recommendations to bolster our response measures and contingency plans in the event of a natural disaster.

## CAPITAL ASSETS AND STRENGTHS

One of the Board's greatest assets is its Examination Center. The Board's examinations and Examination Center are recognized across the United States as setting a high standard in the plumbing industry. The Examination Center is frequently toured by representatives from regulatory agencies from other states and foreign countries considering implementing a similar practical examination approach.

Currently, separate examinations are given for Journeyman Plumber, Master Plumber, Tradesman Plumber - Limited, and Medical Gas Piping Installation, Water Supply Protection Specialist, Multipurpose Residential Fire Protection Sprinkler Specialist and Plumbing Inspector. All of these examinations, with the exception of the Water Supply Protection Specialist examination, consist of thorough written and hands-on-practical sessions that ensure that licensed plumbers and plumbing inspectors who work with public water supplies, sewage disposal, natural gases and medical gases have the qualifications, knowledge, skills, and competencies to do their jobs properly.

The practical examination portion of the TSBPE Examination Center is essentially a proving ground for applicants to establish they not only have the theoretical knowledge, but are able to apply said knowledge in practical situations they might encounter in the field, and determines their level of competency and fitness.

For example, the practical examination requires Journeyman Plumber applicants to complete a “shop” component (measuring, cutting, preparation, assembly and fitting of pipe in various applications) and the design and rough-in of a sanitary waste and vent system using a scaled down two-story mock-up building.

All examinees must review various water heater setups and correctly identify potential code violations. Meanwhile, a qualified applicant seeking a Medical Gas Installation Endorsement must demonstrate proper assembly, purging, and brazing of both a horizontal and a vertical joint.

To accommodate these testing environments, the Examination Center is equipped with various tools, materials, fixtures, and fittings as well as workstations to conduct the exam. The mock-buildings are permanent fixtures and may be raised and lowered onto the workspace using a hoist and pulley system. The Examination Center also includes complete mock-ups of water heaters, and a brazing station with fuel gas supply lines, burners, and an industrial vent hood. Safety in this environment is crucial, and the Examination Center is therefore also equipped with first aid stations, fire extinguishers, an emergency eye wash, and other safety features to accommodate the examination environment. To ensure overall safety, the building is inspected by the State Office of Risk Management (SORM) and the Austin Fire Department.

Few other states conduct a practical “hands-on” examination period, let alone in the robust and rigorous fashion done by the Board. The Board’s Examination Center allows the Board to conduct these needed practical examinations.

The Board’s unique cross-connection prevention demonstration unit is another noteworthy asset of the Agency. It houses a display of see-through fixtures and piping which demonstrates, viscerally and in an approachable manner for the lay person, how easily our drinking water can be inadvertently contaminated by improperly-installed plumbing systems. The Board has two such cross-connection units. One large unit is a permanent fixture located in the Examination Center and is shown to examinees and persons visiting the Board’s offices. A second mobile unit is housed in a trailer and is utilized at community outreach and public awareness events.

The Board also counts its community outreach and public awareness video presentations as capital assets. Specifically, the Board has so far developed three video presentations in its community outreach and public awareness efforts. These video presentations are shown on digital displays during presentations made by the board at community events and industry seminars, and are also posted on the Agency website for viewing by the public. The three videos cover the following topics: (i) an overview of the Board and its role in regulating the industry; (ii) an overview of the Board’s enforcement efforts of the Plumbing License Law and Board Rules and (iii) an advisory presentation warning of the threats cross-connections and improperly-installed plumbing can pose to safe potable water.

## FISCAL ASPECTS OF THE AGENCY

The Texas State Board of Plumbing Examiners has consistently generated sufficient revenues to support its operations, in that it has not received funds from any other state or federal source other than the fees collected from plumbers. All fees for examination, initial and renewal of licenses, duplicate licenses, endorsements, and registrations; and administrative penalties collected are deposited into General Revenue Fund 0001.

The Board is required to collect fees at least equal to the Agency's appropriations and other un-appropriated indirect costs. On the average, the Agency collects more than \$1.8 million each year over and above its total appropriated and unappropriated expenditures. In addition, the Board collects other revenues as appropriated receipts, such as sales of Plumbing License Law and Board Rule publications, fees from fulfilling open records requests, and Conference and Seminar fees.

## BUDGETARY LIMITATIONS

The Texas State Board of Plumbing Examiners' budget is limited by the General Appropriations Act, Article VIII, which limited the Texas State Board of Plumbing Examiners to a maximum of 31.0 FTEs for fiscal years 2018 and 2019, which is a reduction of 2.0 FTEs from fiscal years 2016 and 2017.

## DEGREE CURRENT BUDGET MEETS AGENCY NEEDS

The *Texas Economic and Population Forecast*, prepared by the Texas Comptroller of Public Accounts and the Texas State Data Center, has determined that much of the state's population growth is projected to occur in the large urban counties of Harris, Dallas, Tarrant, Bexar and Travis. These counties alone were projected to increase by 5.6 million people between 2010 and 2050.

This will increase the demand for licensed plumbers, plumbing inspectors and plumber's apprentices. Industry growth will continue to increase the demands on the Agency, especially in the area of issuance and renewal of licenses and registrations, examinations, enforcement, complaint investigation and compliance checks.

As of June 1, 2018, the Agency currently has 27 employees. The Board continues to have difficulty recruiting and hiring qualified plumbers to fill its Examiner and Investigator positions, as the current economic condition of the State continues to prosper. Plumbers are in dire need across Texas and the Agency has difficulty paying equivalent salaries offered by cities, political subdivisions or plumbing companies.

The Agency is in the process of hiring 4 new persons for replacement recent retirees to reach its maximum employee cap of 31 FTEs. The Agency currently has only 16 FTEs to perform the Agency's functions of issuing and renewing licenses, reviewing criminal backgrounds of applicants with criminal convictions, scheduling, administering and grading examinations, assisting consumers with complaints, accounting, purchasing and human resources. As with most small agencies, many of these employees are

assigned to multiple responsibilities, which cross strategies. Apart from these 16 FTEs, the Agency has 9 Investigator positions assigned to the enforcement strategy to investigate complaints, monitor jobsites, and identify violations located across the state.

In addition, the Agency currently has two staff attorneys to investigate and prepare contested cases involving violations of the Plumbing License Law and/or Board Rules and denials of applications of individuals that have past criminal convictions.

## EXPECTATIONS FOR FISCAL YEARS 2019- 2023

As the population of Texas continues to grow, the agency expects the demands on the Agency's various functions and processes will increase, including: issuing and renewing licenses and registrations; reviewing criminal backgrounds of applicants with criminal convictions; imposing administrative penalties on violators; schedule, administer and grade a variety of types of examinations; process consumer and industry complaints; provide public awareness demonstrations; monitor required educational courses; and perform accounting and human resource functions.

The Board considers that it has two basic groups of service populations, one being the general public or citizens of the state, and the other the individuals who are regulated by the Agency.

The Board continues to serve the general public and the citizens of the state and the individuals who are regulated by the agency. These categories include complainants, respondents, licensees, registrants, examination applicants, political subdivisions, persons requesting public information, and persons attending public meetings of the Board.

Education Level and Age Demographics: All licensees, except for the Tradesman Plumber-Limited Licensee, must meet the minimum education requirement of obtaining a high school diploma or general equivalency diploma (GED). There is no minimum education requirement for the Tradesman Plumber-Limited Licensee or any Registrant.

As of May 2018, the current average and median age of the Agency's licensees and registrants are:

<b><u>Type of licensee/registant</u></b>	<b><u>Median age</u></b>	<b><u>Average age</u></b>
Responsible Master Plumber (RMP)	55	54
Master Plumber	56	55
Journeyman Plumber	47	47
Tradesman Plumber-Limited	36	37
Plumbing Inspector	56	55
Plumber's Apprentice	32	35

## **FUTURE TRENDS**

Changes in demographics of the Board's citizen service population will not affect the need for the regulation of the plumbing industry and the need for the Board to service its customers. Regardless of demographic changes, the public will continue to need uncontaminated drinking water, air and medical gases. However, as the citizen service population grows, so too will the demands on Agency personnel and the need for knowledgeable and licensed plumbers.

The *Texas Economic and Population Forecast*, prepared by the Texas Comptroller of Public Accounts and the Texas State Data Center, predicts a 1.5% increase each year in the Texas resident population through fiscal year 2023.

Because of the national, state, local and family focus on our children's completion of at least basic education levels, it is expected that the education level of individuals who become licensed by the Agency will increase over the next five years. Changes in the demographics of the Board's regulated service population will require the Board to provide additional services through increased availability of information technology.

The need for regulation of the plumbing industry will continue to exist in the future. The protection of the health and safety of the citizens who utilize plumbing in the State of Texas and rely on uncontaminated drinking water, air, and medical gases will be as important in the future, as it is today. In fact, this will be even more important as the concern for adequate supplies of drinking water sources increases. For this reason, the Agency, through its educational seminars, and the industry are continually working to encourage young adults to enter the plumbing industry, so the aging population of the licensees and registrants will be reinforced with a younger population of qualified licensed plumbers.

## **ECONOMIC VARIABLES**

Customer demand on the Agency is very closely related to economic conditions, especially in the construction industry. Increases in new construction mean an increase in demand for licensees and registrants, as well as an increase in citizens who require the services of the industry and the Agency. An increased number of licenses and registrations are expected to be issued and renewed, as well as an increase in the complaints that will be filed by Texas citizens. It is expected that the licensee population will also increase. The *Texas Economic and Population Forecast*, prepared by the Texas Comptroller of Public Accounts and the Texas State Data Center, predicts a 1.5% annual increase in the Texas resident population through fiscal year 2023.

The Board continues to receive inquiries from individuals planning to relocate to Texas to work in the plumbing industry. The Agency will respond to this expected increase and demand on Agency personnel by continuing to monitor economic conditions and trends in the industry, striving to maintain a low FTE turnover rate, increasing efficiency, further utilizing technology, and requesting additional FTEs as necessary.

## **IMPACT OF LOCAL GOVERNMENTAL REQUIREMENTS**

The Board's Investigators work with local municipal and other political subdivision authorities in cooperative enforcement of the Plumbing License Law and Board Rules.

Most often, the Board works closely with licensed Plumbing Inspectors in those jurisdictions. Licensed Plumbing Inspectors are employed by political subdivisions for the purpose of inspecting plumbing work to ensure compliance with local ordinances regulating plumbing. Plumbing Inspectors are authorized by the Plumbing License Law to enforce the Plumbing License Law and Board Rules within the jurisdiction by which they are employed. Local government regulations have not impacted the Agency and none are anticipated.

## **EFFECTIVENESS AND EFFICIENCY OF THE AGENCY**

Since its creation in 1947, the Texas State Board of Plumbing Examiners has been continually challenged to meet the needs of the constantly evolving and modernizing industry that it serves. The most significant accomplishment of the Board is that it has been able to meet these changing needs while maintaining focus on its mission to protect the health and safety of the citizens of the state.

The Board believes this is evident when considering that the Board's regulation of the plumbing industry has helped to keep plumbing related accidents to a minimum.

Some examples of the Board's significant accomplishments and evolution are:

- As materials and methods for the installation of plumbing have become more sophisticated, the Board has accepted and fulfilled its responsibility to continually review the examination process and qualifications of applicants ensuring that only qualified applicants receive and maintain a license. The Board continually evaluates and revises all examinations to ensure they meet current codes and standards.
- Changes in the Board's enforcement program since 1993 have been significant. The implementation of the issuance of citations and placement of Investigators around the state had a remarkable effect on enforcement and compliance with not only the Plumbing License Law and Board Rules, but local ordinances regulating plumbing as well.
- The authority to impose administrative penalties granted to the Agency by the 78<sup>th</sup> Legislature has further increased compliance with the Plumbing License Law and Board Rules.
- The efforts of the Board's Enforcement Committee in reviewing the criminal histories of applicants and the effects of administrative actions taken against licensees and registrants who violate the Plumbing License Law and Board Rules are far reaching.

- The law-abiding plumbing community and consumers who have had their complaints thoroughly investigated and fairly resolved appreciate the Board's current reputation for its enforcement practices.
- The implementation of the Continuing Professional Education (CPE) requirement for licensed Plumbers, Plumbing Inspectors and Plumbers Apprentice registrants is one of the more significant accomplishments of the Agency. CPE has proven to be an extremely beneficial program to the licensees, as well as the consumers of the licensee's services. The increase in the licensee's awareness of current issues, changes in plumbing codes, and the laws and rules that regulate the plumbing industry, have been immeasurable.
- While maintaining the high standards of the Board's examination, the Board has been responsive to the plumbing industry by providing the written portion of its Tradesman Plumber-Limited, Journeyman and Master Plumber examinations in both English and Spanish. Applicants whose preferred language is Spanish believe this to be a major accomplishment.
- To further accommodate applicants, the Board provides the written portion of the Journeyman and Tradesman Plumber-Limited examination in El Paso and the Rio Grande Valley area. Inspector specialty endorsement examinations are now offered in the Houston and Dallas/Fort Worth areas to assist political subdivisions in meeting an increased need for qualified Plumbing Inspectors.
- The implementation of the Multipurpose Residential Fire Protection Sprinkler Specialist, Water Supply Protection Specialist and Medical Gas Piping Installation Endorsement training and examinations for Master and Journeyman Plumbers is another example of changes in the plumbing industry that have addressed a vital health and safety need.
- The Board has increased public and industry awareness significantly with the implementation of the Agency website and public awareness seminars conducted by the Board around the state. The Board understands the importance of industry and public outreach, in order to seek input regarding Agency functions.
- The Board strives to go beyond meeting only the minimum requirements of law to inform the industry and public of important matters of the Board.

The Agency continues to see an increase in the demand for public awareness and consumer education programs. In addition to presenting education seminars to individuals who are making career decisions, the Agency also encourages individuals to consider the plumbing industry as a career path.

The fact that the Board has been able to achieve so many milestones, remain current with the progression of the plumbing industry and maintain focus on its mission, while carrying out its daily activities with 31 full time employees, that renew and issue licenses and registrations, examine, and monitor individuals within the plumbing industry is exemplary. The Board maintains over 71,200 licenses and registrations.

## PROCESS FOR DETERMINING EFFECTIVENESS AND EFFICIENCY

Department managers review performance measures of their respective departments on an ongoing basis. Department meetings are held as needed by the department managers and respective staff to discuss performance issues. Performance measures are discussed and evaluated during meetings of the department managers and the Executive Director. The Executive Director reviews and analyzes the information provided and adjusts priorities and activities accordingly. Department performance reports are compiled by department managers and provided to the Executive Director for review.

Prior to each Board Meeting, the statistical data provided regarding each Investigator's activities include the number of notices of non-compliance issued, compliance checks performed, complaints investigated, classes monitored, and seminars conducted. Information regarding Enforcement Committee activities includes the number of applicants for examination and license renewal whose criminal histories were reviewed, the number of complaint cases reviewed and the number of administrative penalties imposed.

The examination and licensing information statistics reviewed by the Board include the number of each type of examination given, pass rates for each type of examination and number of licenses issued and renewed.

A complete report of the Board's financial status is also provided at each Board meeting. The Executive Director reports on all activities and significant matters of the Agency. The Board formally reviews and analyzes the information provided and adjusts priorities and activities accordingly. The Board uses the information provided as a basis for policymaking. Managers meet after each of the Board meetings.

Providers of Continuing Professional Education distribute information on Agency performance to licensees during the Continuing Professional Education courses.

In turn, the industry utilizes the information when determining whether or not to support the Board's legislative budget requests, and in deciding what other legislation to support. The information is also used to make recommendations to the Board for rule and policy amendments.

In furthering its efforts to enhance the effectiveness, efficiency and accountability of the Agency, the Board has implemented a plan to conduct random audits. These audits will assist the Board in maintaining and updating its performance and procedures to ensure best practices in all areas are maintained.

## TECHNOLOGY RESOURCE PLANNING

The Agency continues to research technology solutions that will result in more efficient expenditure of limited resources and more effective delivery of services to Texas citizens and Agency constituents. Below are the current and planned technology initiatives that support Agency objectives.



## **Technology Initiative Assessment and Alignment**

Initiative: Continue to Expand and update the public access portion of the TSBPE website.

Initiative Description: The Agency will continue to expand services offered and update the TSBPE website to give staff the ability to implement features for users and to more quickly update information. The TSBPE now has the ability to quickly update information and services that will eliminate time constraints associated with 3<sup>rd</sup> party efforts. In addition, to meet these goals, a staff position was developed to directly assist renewal and applicant customers who utilize the TSBPE website.

Agency Objectives: Implementation of an expanded and updated website will support many of the Agency's objectives.

Anticipated Benefits: The expanded and updated website will allow the Agency to create better direct contact with the customer base and to support all of the Agency's objectives through technology by providing more information, ease of use, and deliver quicker results for licensees, registrants, and the general public as a whole.

Capabilities or Barriers: The Agency's limited staff has been a barrier to the full implementation of an updated website and customer help programs, due to the amount of staff time needed for development. The addition of staff within the TSBPE Licensing Department and dedication of certain staff to information technology (IT) duties will help expedite this project.

Initiative: Implement an integrated licensing, examination and enforcement database application

Initiative Description: The Agency implemented Versa Regulation, an integrated licensing, examination, and enforcement computer application and regulatory database system on May 30, 2011 as part of a shared software solution with Health Professions Council (HPC) and five other Article VIII agencies. The shared software solution allows for a more efficient and reliable platform to store and use data and keeps Agency software from becoming obsolete while providing flexibility for future needs. Major enhancements to Versa Regulation became available September 1, 2016. Some of the enhancements included a more user friendly online service.

Agency Objectives: Implementation and continued improvements of Versa Regulation supports all of the Agency objectives.

Statewide Technology Priorities: The implementation of Versa Regulation aligns with statewide technology priorities P2 – Data Management, P3 – Data Sharing, P4 – Infrastructure, P5 – Legacy Applications, P7 – Network, P8 – Open Data, and P9 – Security and Privacy.

Guiding Principles: Implementation of Versa Regulation addresses the following statewide guiding principles: Connect, Trust, and Innovate. The public facing component of Versa Regulation allows citizens to access real-time information from the

Agency database and to apply for registration, examination or licensure in real-time. To date, the percentage of licenses and registrations renewed online is approximately 83% and the percentage of new licenses and registrations issued online is approximately 50%. Coming enhancements in the online user system should help increase these percentages even more.

As Versa Regulation is a shared software solution with HPC and other Article VIII regulatory agencies, the Board's data is stored in a Department of Information Resources (DIR) approved data center and supported by HPC, allowing for easier sharing and translating of data by other agencies, should that need arise. In addition, when HPC staff discovers an opportunity to optimize the database application for one of the now seven agencies, HPC staff is able to present the solution to other agencies sharing Versa Regulation, giving the opportunity for the Board to receive a benefit to the database application that may not have been discovered otherwise.

**Anticipated Benefits:** The implementation of Versa Regulation has resulted in quicker turn-around times and more efficient operations, which in turn, increases customer satisfaction. Versa Regulation serves as the primary application for handling secure database information and allows for continued identity management. Security rules for different users of the application in various departments are maintained by the system administrator, requiring each authorized individual to use one set of identification information for access to the Agency database. In addition, the database application keeps a record of changes to data with timestamp and user information and requires secure access to the system's online component to ensure licensees' and registrants' information remains secure.

**Capabilities or Barriers:** The Agency's limited staff continues to be a barrier to the full implementation of some available programs within Versa Regulation, due to the amount of staff time required to test changes and corrections to the database application. Budgetary constraints also play a role in other needed customizations.

**Initiative: Contract with Vintage through DIR contract to manage Agency IT services.**

**Initiative Description:** The Board's contract with Vintage IT Services for managed services provides dependable maintenance of the Agency's IT equipment, including its server, firewall, and office desktop computers, and monitoring of Agency's software and IT security, allowing Agency staff to focus more on other business needs.

**Agency Objectives:** Contracting with Vintage IT Services supports all Agency objectives. **Statewide Technology Priorities:** Contracting with Vintage IT Services aligns with Statewide Technology Priorities P2 – Data Management, P4 – Infrastructure, P7 – Network, and P9 – Security and Privacy.

**Guiding Principles:** Contracting with Vintage IT Services addresses the statewide guiding principle of delivery by managing the Agency's secure network and shared drives and its common e-mail software application, enhancing information asset management.

**Anticipated Benefits:** The Agency continues to see the benefits of contracting with Vintage IT Services. Allowing information to be shared on secure network drives has increased staff efficiency by allowing file documentation to be viewed electronically. Security of Agency data has improved by requiring secure sign on to Agency desktop computers and by the continual monitoring of users and individual access permissions.

**Capabilities or Barriers:** As Agency staff become more familiar with accessing file information through the use of newer electronic programs, the Board will continue to evaluate electronic maintenance of files. Maintaining files in electronic format has provided easier access to file data and greatly reduced physical storage space requirements. Easier access also allows the agency to produce information requested by the public more quickly.

**Initiative: Provide Board meeting documentation electronically**

**Initiative Description:** The Agency has begun providing Board members and staff with electronic documentation for each Board and Committee meeting to eliminate the need for making paper Board books. Each Board member and Agency staff member attending a Board or Committee meeting is provided with a laptop computer for viewing documents for consideration and review during each meeting. Board documents are offered in a cloud based program for prior meeting viewing.

**Agency Objectives:** Providing Board meeting documentation electronically supports all of the Agency objectives.

**Statewide Technology Priorities:** Providing Board and Committee meeting documentation electronically aligns with Statewide Technology Priority P6 - Mobility

**Guiding Principles:** Providing Board and Committee meeting documentation electronically addresses the statewide guiding principles of Deliver and Trust, by allowing meeting documents to be provided to Board members and staff outside of the office prior to the meeting via electronic mail, as well as maintaining Board meeting documentation in an electronic format for any requests from the public for that documentation.

**Anticipated Benefits:** The Agency has seen an increase in efficiency in fulfilling public information requests for Board meeting documentation by storing the information electronically.

The Agency has also been able to accommodate off-site Board members and other Agency staff by sending electronic Board meeting documentation to those off-site Board and staff members via electronic email for review prior to the meeting.

**Capabilities or Barriers:** As more information for review and consideration during Board and Committee meetings is submitted to the Agency electronically, the process for providing meeting documentation to Board members and Agency staff in an electronic format will become more streamlined.

### Initiative: Mobile Broadband Internet Connection for Off-Site Staff

Initiative Description: The Agency has secured services for high speed mobile broadband internet for its Investigators who work from remote offices.

Agency Objectives: Securing mobile broadband internet for off-site staff supports all of the Agency objectives.

Statewide Technology Priorities: Contracting through DIR to obtain mobile broadband internet connections for Agency off-site staff aligns with Statewide Technology Priorities P6 – Mobility and P7 – Network.

Guiding Principles: Contracting through DIR to obtain mobile broadband internet connections for Agency staff who office from remote locations across the state, by allowing Investigators to remotely access the Agency database via laptop computers or cellular telephones. External staff can quickly verify licensing and application information while conducting compliance checks through safe secure connections.

Anticipated Benefits: Allowing Investigators remote access to the Agency database via laptop computers or cellular telephones will benefit the Agency and increase its efficiency and accuracy by eliminating the need for the Investigator to contact the Enforcement Department staff by telephone in order to verify information while the Investigator is working off-site.

Capabilities or Barriers: Some limited availability of mobile broadband internet services from DIR approved vendors in certain remote areas where an Investigator's office has been a barrier to obtaining a high quality mobile broadband internet connection.

### Initiative: Contract with DIR for Security Event and Threat Analysis network security platform services

Initiative Description: The Board contracts with DIR to participate in their Security Event and Threat Analysis (SETA) network security platform in order to increase security of Agency data and its critical infrastructure, to alert the Agency of and prevent any cyber security threats, and to identify any potential IT vulnerabilities and weaknesses.

Agency Objectives: Contracting with DIR for SETA services supports all of the Agency objectives.

Statewide Technology Priorities: Contracting with DIR for SETA services aligns with Statewide Technology Priorities P2 – Data Management, P4 – Infrastructure, and P9 – Security and Privacy.

Guiding Principles: Contracting with DIR for SETA services will address the statewide guiding principles of Deliver by ensuring that Agency workforce can safely continue to access. Agency email remotely when needed, increasing productivity and efficiency, and ensuring safety of the Agency's network and data.

**Anticipated Benefits:** The Agency anticipates increased security and efficiency in contracting with DIR for SETA services by ensuring Agency network and data are secure from cyber-attacks. This will decrease the risk of Agency downtime to recover data or repair damaged equipment due to attempted cyber-attacks.

**Capabilities or Barriers:** The Agency has easily maintained its efforts with DIR's SETA services platform due to contractual support from Vintage IT Services, as well as the Health Professions Council (HPC) staff.

## HOW TSBPE COMPARES TO OTHER STATES

Of the states researched, most require a license for Journeyman and Master Plumbers. However, many require an additional license or certification for fuel gas piping. In certain states that do not regulate plumbers on the state level, plumbers are licensed and regulated by the individual cities or counties where the work is performed.

Of those states that license Journeyman plumbers, some conduct a "hands on" practical examination for the Journeyman license.

Some states that do not currently offer a "hands on" practical examination have indicated they realize the need for it, and are progressing towards the use of a practical examination. Most states base their examinations on a single plumbing code adopted by that state.

Many of the states researched require that a Master Plumber or Plumbing Contractor carry liability insurance. A few of the states researched require Continuing Professional Education in order to renew a license. Most of the states researched do not truly practice reciprocity. Most accept a license from another state to satisfy experience requirements, but require the individual to undergo examination.

Most of the states researched generally have enforcement programs similar to Texas. Some of the other states utilize state Agency employed Investigators, while others rely on local Plumbing Inspectors to provide enforcement.

Throughout the years, the Board and the Board's staff have had opportunities to network with individuals representing other states and countries on issues relating to the development of enforcement and examination strategies. The Texas State Board of Plumbing Examiners is recognized by some states as setting standards that plumbing regulatory boards in other states desire to emulate.

Texas was one of the first states in the nation to administer such a comprehensive practical examination for licensing plumbers and to implement a medical gas piping installation endorsement for licenses. Effective September 1, 2009, Texas became one of the first states to authorize plumbers who meet training and examination requirements to install multipurpose residential fire protection sprinkler systems in one and two family dwellings. On several occasions, representatives from plumbing regulatory boards of other states and one country requested a tour of the Board's facilities and to review the Board's programs in an effort to pattern their programs after Texas. This Agency sets an example to the industry across the nation and in the world.

## **OPPORTUNITIES FOR IMPROVEMENT**

Customer service is an area that always provides opportunity for improvement. During fiscal year 2018, the Agency conducted its bi-annual customer service survey. The Agency relies heavily on the information obtained from this survey to gauge how we are serving the population. In addition, the Agency plans to implement a continuous survey process for its customers through a web service.

The Agency has developed its “Compact with Texans” and appointed a customer service representative in compliance with Sec. 2114.006 of the Government Code. Upon completion of all examinations, applicants are requested to anonymously complete a questionnaire regarding their opinion of the examination and the service they received during the examination. Based on comments received from the plumbing industry and the public, the Agency plans to provide improved availability of electronic data related to licensee and registrant applications, renewals and inquiries.

The Agency has a Veteran’s Liaison that is also a licensee who readily assists Veterans and service member spouses wishing to return to the plumbing industry or enter it as a new career path.

Continuing education, trade association meetings and telephone comments received by Agency staff are brought to the attention of department managers. Comments made to Investigators are also a great source of feedback.

The Board evaluates all comments received and often makes changes to Agency policy based on customer recommendations. The ability to be heard and the responsiveness of the Board are key factors in the widespread support the Board enjoys from the industry.

The Board has made a commitment to pursue the highest level of customer satisfaction in the delivery of each and every service we provide. By promoting accountability, teamwork, honesty, integrity and ethical behavior within the Agency, we have developed a positive atmosphere that is conducive to successful interaction with the people we serve. Through careful research and review, we continually work to identify our complete customer base and to provide services needed. In addition, we continue to strive for excellence in all areas and to improve our performance whenever possible.

The Agency’s resolution time for complaints is a measure that is continuously monitored. The Agency strives to maintain or exceed performance expectations for complaint resolution time. However, the loss of even one more Investigator due to a budget reduction will slow complaint resolution time. The Agency strives to efficiently assist those that file complaints, whether or not budget reductions are implemented.

## APPENDIX A

### TEXAS STATE BOARD OF PLUMBING EXAMINERS

#### BUDGET STRUCTURE – GOALS, OBJECTIVES and OUTCOME MEASURES, STRATEGIES and OUTPUT, EFFICIENCY and EXPLANATORY MEASURES

##### Size of Budget and Method of Finance

The appropriations for the current biennium as provided in the General Appropriations Act are set forth below:

##### **A. Goal: ENSURE PUBLIC HEALTH THROUGH SAFE PLUMBING**

	<u><b>FY 2018</b></u>	<u><b>FY 2019</b></u>
A.1.1. Strategy: Examine and License Plumbers	\$ 1,005,726	\$ 975,674
A.1.2. Strategy: Texas.Gov	155,000	155,000
A.1.3. Strategy: Inspections and Enforcement	1,188,025	1,185,024

##### **B. Goal: INDIRECT ADMINISTRATION**

B.1.1. Strategy: Indirect Admin - Exam & Licensing	121,169	120,070
B.1.2. Strategy: Indirect Admin - Inspections & Enforcement	<u>187,160</u>	<u>193,310</u>

<b>Grand Totals</b>	<u><b>\$ 2,657,080</b></u>	<u><b>\$ 2,629,078</b></u>
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The Methods of Financing for the above appropriations are the General Revenue Fund, Regular Appropriations, and Article IX, Appropriated Receipts.

##### **A. Goal**

ENSURE PUBLIC HEALTH THROUGH SAFE PLUMBING BY LICENSING AND REGULATION OF PLUMBERS - To protect the health and safety of Texas citizens by ensuring that each person has access to uncontaminated drinking water, air and medical gases through quality plumbing systems installed and maintained by competent Master Plumbers, Journeyman Plumbers, Tradesman Plumber-Limited Licensees, Plumber's Apprentices, Residential Utility Installers, Drain Cleaners, Drain Cleaner-Restricted Registrants and that the systems are inspected by competent Plumbing Inspectors; to ensure that all individuals involved in the installation, maintenance and inspection of plumbing systems in each city and public water system in the state are regulated by fair and responsive enforcement of clear standards, in order that the public may live and work in the safe environment that properly installed plumbing systems are designed to provide.

**B. Goal**

INCREASE USE OF HISTORICALLY UNDERUTILIZED BUSINESSES (HUBs) - Establish and implement policies governing purchasing and public works contracting that will foster meaningful and substantive inclusion of HUBs. (Government Code, Chapter 2161)

## OBJECTIVES AND OUTCOME MEASURES

**A.1. Objective:**

Evaluate, license and register applicants and enforce the Plumbing License Law and the Texas State Board of Plumbing Examiners Rules.

**Outcome Measures:**

- percentage of complaints resolved resulting in disciplinary action
- recidivism rate for those receiving disciplinary action
- percentage of licensees and registrants with no recent violations
- percent of documented complaints resolved within six months
- percent of licensees and registrants who renew online
- percent of new individual licenses, registrations and endorsements issued online

**B.1. Objective:**

The Board's objective is to include historically underutilized businesses (HUB) in 85% of Professional Services contracts, at least 25% of Other Services contracts and at least 25% of Commodities contracts for fiscal years 2019 and 2020.

**Outcome Measure:**

Percent of total dollar value of purchasing and public works contracts and subcontracts awarded to HUBs.

## STRATEGIES AND OUTPUT, EFFICIENCY AND EXPLANATORY MEASURES

**A.1.1 Strategy:****EXAMINE AND LICENSE PLUMBERS**

Administer competency examinations and issue and renew licenses for Master Plumbers, Journeyman Plumbers, Tradesman Plumber-Limited Licensees, Plumbing Inspectors, medical gas endorsements, multi-purpose residential fire protection sprinkler specialist endorsements, and water supply protection endorsements; issue and renew registrations for Plumber's Apprentices, Residential Utilities Installers, Drain Cleaners and Drain Cleaner-Restricted Registrants.

**Output Measures:**

- Number of new licenses and registrations issued to individuals
- Number of licenses, registrations and endorsements renewed to individuals



- Number of individuals examined
- Total number of licenses, endorsements, and registrations issued
- Number of new registrations issued to individuals
- Number of registrations renewed to individuals

**Efficiency Measures:**

- Percentage of new individual licenses and registrations issued within 10 days
- Percentage of individual license and registration renewals issued within 7 days
- Average time to issue examination results (in working days)

**Explanatory Measures:**

- Examination pass rate
- Total number of individuals licensed and registered (unduplicated)

**A.1.2 Strategy:**

**INSPECTIONS AND ENFORCEMENT**

Inspect and monitor job sites; conduct continuing education seminars and training sessions; respond to inquiries; investigate and resolve complaints; issue reprimands and revoke or suspend licenses and registrations; impose administrative penalties, issue citations and issue cease and desist orders; monitor providers of instruction in medical gas piping programs, water supply protection specialist programs, and continuing professional education programs; inspect plumbing for compliance with state plumbing codes; and maintain contacts with municipal authorities that comply with the Act through local ordinances.

**Output Measures:**

- Total number of compliance checks performed
- Number of individuals contacted during compliance checks for licenses and registrations
- Number of continuing education seminars and training sessions conducted
- Number of investigations conducted
- Number of complaints resolved
- Number of reprimands issued and licenses or registrations revoked, suspended or denied
- Number of hearings held by the State Office of Administrative Hearings (SOAH)

**Efficiency Measures:**

- Average time for complaint resolution

**Explanatory Measures:**

- Percentage of unlicensed plumbers and unregistered individuals monitored during compliance checks
- Percentage of compliance checks found with violations
- Number of individuals attending education seminars and training sessions
- Number of complaints received
- Percentage of complaints received against licensees and registrants

- Number of jurisdictional complaints received
- Percentage of disciplinary actions taken against unlicensed and unregistered individuals

#### **B.1.1. Strategy**

##### **HUB POLICIES**

Develop and implement a plan for increasing the use of historically underutilized businesses through purchasing and public works contracts and subcontracts.

##### **Output Measure:**

- Number of HUB Contracts and Subcontracts Awarded
- Number of HUB Contractors and Subcontractors Contacted for Bid Proposals
- Dollar Value of HUB Contracts and Subcontracts Awarded

## APPENDIX B

### TEXAS STATE BOARD OF PLUMBING EXAMINERS List of Measure Definitions

**Goal A: Ensure Public Health through Safe Plumbing by Licensing and Regulation of Plumbers**

#### **OUTCOME MEASURES:**

##### **Percentage of Complaints Resolved Resulting in Disciplinary Action (KEY)**

**Definition:** Percent of complaints that were resolved during the reporting period that resulted in disciplinary action.

**Purpose:** The measure is intended to show the extent to which the Board exercises its disciplinary authority in proportion to the number of complaints received. It is important that both the public and licensees/registrants have an expectation that the Board will work to ensure fair and effective enforcement of the law and this measure seeks to indicate Board responsiveness to this expectation.

**Data Source:** The VERSA computer application/Regulatory Database system is used to track complaints received by the Board. At the end of each reporting period the Director of Enforcement generates reports of complaint data and calculates the measure. The Director of Financial Operations verifies the calculations and the reports are maintained by the Director of Financial Operations as part of the backup for the specific performance measure. Disciplinary action includes agreed orders, reprimands, warnings, suspensions, administrative penalties issued, citations issued, probations, revocations, denials and restitutions.

**Methodology:** The total number of complaints resolved during the reporting period that resulted in disciplinary action is divided by the total number of complaints resolved during the reporting period. The result is multiplied by 100 to achieve a percentage. Disciplinary action includes agreed orders, reprimands, warnings, suspensions, administrative penalties issued, citations issued, probations, revocations, denials and restitutions on which the Board has acted.

**Data Limitations:** Complaints filed where the Agency is unable to obtain sufficient evidence or no violation occurred, may affect this measure and is not within the control of the Agency. Additionally, some cases are resolved by voluntary compliance on the part of the respondent, and therefore no disciplinary action is required.

**Calculation Method:** Non-Cumulative

**New Measure:** No

**Percentage Measure:** Yes

**Target Attainment:** The desire is that fewer individuals will choose to violate the Plumbing License Law and Board Rules, resulting in a lower than target measure. However, a higher than target measure indicates the Board is dispensing fair and appropriate disciplinary actions for violations.

## **Recidivism Rate for Those Receiving Disciplinary Action (NON-KEY)**

**Definition:** The number of repeat offenders at the end of the reporting period as a percentage of all offenders during the most recent three-year period.

**Purpose:** The measure is intended to show how effectively the Agency enforces its regulatory requirements and prohibitions. It is important that the Agency enforce its act and rules strictly enough to ensure consumers are protected from unsafe, incompetent and unethical practices by the registered or licensed professional.

**Data Source:** The Director of Enforcement generates a report from the VERSA computer application/Regulatory Database system for the number of repeat offenders and the number of individuals receiving disciplinary action. The reports are verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The number of individuals against whom two or more disciplinary actions were taken by the Board within the current and preceding two fiscal years (numerator) is divided by the total number of individuals receiving disciplinary actions within the current and preceding two fiscal years (denominator). The result is multiplied by 100 to achieve a percentage.

**Data Limitations:** The Board dispenses fair and appropriate disciplinary action for violations of the Plumbing License Law and Board Rules. However, the Board has no control over how many individuals choose to violate the Plumbing License Law and Board Rules.

**Calculation Method:** Non-cumulative

**New Measure:** No

**Percentage Measure:** Yes

**Target Attainment:** Lower than Target

## **Percentage of Licensees and Registrants with No Recent Violations (KEY)**

**Definition:** The percent of the total number of licensed and registered individuals at the end of the reporting period who have not incurred a violation within the current and preceding two years (three years total).

**Purpose:** Licensing and registering individuals helps ensure that practitioners meet legal standards for professional education and practice which is a primary Agency goal. This measure is important because it indicates how effectively the Agency's activities deter violations of professional standards established by statute and rule.

**Data Source:** The Director of Enforcement generates a report for the number of individuals receiving disciplinary action during the reporting period. The Licensing Supervisor generates a report of the number of individuals currently licensed and registered by the Agency. The Director of Enforcement calculates the measure and the reports are verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The total number of individuals currently licensed and registered by the Agency that have *not* incurred a violation within the current and preceding two years, divided by the total number of individuals currently licensed and registered by the Agency, multiplied by 100 to achieve a percentage. The numerator for this measure is calculated by subtracting the total number of licensees and registrants with violations during the three-year period from the total number of licensees and registrants at the end of the reporting period. The denominator is the total number of licensees and registrants at the end of the reporting period.

**Data Limitations:** The Board dispenses fair and appropriate disciplinary action for violations of the Plumbing License Law and Board Rules. However, the Board has no control over how many individuals choose to violate the Plumbing License Law and Board Rules.

**Calculation Method:** Non-cumulative

**New Measure:** No

**Percentage Measure:** Yes

**Target Attainment:** Higher than Target

### **Percentage of Documented Complaints Resolved Within Six Months (NON-KEY)**

**Definition:** The percent of complaints resolved during the reporting period that was resolved within a six month period from the time they were initially received by the Agency.

**Purpose:** The measure is intended to show the percentage of complaints that are resolved within a reasonable period of time. It is important to ensure the swift enforcement of the Plumbing License Law and Board Rules, which is an Agency goal.

**Data Source:** The Director of Enforcement generates a report of the complaints closed within the reporting period and the length of time between when the complaint was received by the Agency and when it was resolved and calculates the percentage. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The number of complaints resolved within a period of six months or less from the date of receipt is divided by the total number of complaints resolved during the reporting period. The result is multiplied by 100 to achieve a percentage.

**Data Limitations:** Unanticipated increase in volume of complaints received or an unexpected lengthy absence (such as a catastrophic illness) of the Director of Enforcement or Complaint Department Assistants.

**Calculation Method:** Non-cumulative

**New Measure:** No

**Percentage Measure:** Yes

**Target Attainment:** Higher than Target

### **Percentage of Licensees and Registrants Who Renew Online (KEY)**

**Definition:** The percent of the total number of licenses, registrations and endorsements renewed online during the reporting period.

**Purpose:** To track the use of online renewal technology by the licensee and registrant population.

**Data Source:** The Licensing Supervisor generates a report using the VERSA computer application/Regulatory Database system to determine the number of licensees and registrants who have renewed (by all methods) during the reporting period and the number of licensees and registrants who have renewed online during the reporting period. The Licensing Supervisor calculates the measure. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The total number of individual licenses, registrations, and endorsements renewed online is divided by the total number of individual licenses, registrations, and endorsements renewed during the reporting period. The result is multiplied by 100 to achieve a percentage.

**Data Limitations:** Licensee and registrant's access to the internet and opinions regarding security of internet processes could affect the number who will utilize this service.

**Calculation Method:** Non-cumulative

**New Measure:** No

**Percentage Measure:** Yes

**Target Attainment:** Higher than Target

### **Percentage of New Individual (Initial) Licenses, Registrations and Endorsements Issued Online (KEY)**

**Definition:** The percent of all new licenses, registrations, and endorsements issued online to individuals during the reporting period.

**Purpose:** To track the use of online issuance technology by the licensee and registrant population.

**Data Source:** The Licensing Supervisor generates a report using the VERSA computer application/Regulatory Database system to determine the number of licensees and registrants who applied for a license or registration (by all methods) during the reporting period and the number of licensees and registrants who applied for a license or registration online during the reporting period. The Licensing Supervisor calculates the measure. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The total number of new licenses, registrations, and endorsements issued to individuals online is divided by the total number of new licenses, registrations, and endorsements issued to individuals (by all methods) during the reporting period. The result is multiplied by 100 to achieve a percentage.

**Data Limitations:** Licensee and registrant's access to the internet and opinions regarding security of internet processes could affect the number who will utilize this service. Additionally, supporting documentation required for initial applications may affect the number who will utilize this service.

**Calculation Method:** Non-cumulative

**New Measure:** No

**Percentage Measure:** Yes

**Target Attainment:** Higher than Target

## **STRATEGY A.1.1. – EXAMINE AND LICENSE PLUMBERS**

### **OUTPUT MEASURES**

#### **Number of New Licenses and Registrations Issued to Individuals (KEY)**

**Definition:** The number of new licenses and registrations issued to individuals during the reporting period.

**Purpose:** A successful licensing structure must ensure that legal standards for professional education and practice are met prior to issuance of a license or registration. This measure is a primary workload indicator which is intended to show the number of individuals who have successfully met all licensure or registration criteria established by statute and rule as verified by the Agency during the reporting period.

**Data Source:** The Licensing Supervisor generates a report at the end of each reporting period that lists the number of new licenses and registrations issued for that period. The list is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** This measure counts the total number of new licenses and registrations issued to individuals during the reporting period, regardless of when the application was originally received. Only new licenses and registrations issued during the reporting period are counted.

**Data Limitations:** The number of new licenses and registrations issued is directly related to the number of individuals who apply for and meet all requirements for a registration and/or successfully pass an examination and make payment for the initial license and/or registration. This number is also directly related to the economy and demand for licensed and registered individuals and plumbing inspectors.

**Calculation Method:** Cumulative

**New Measure:** No

**Percentage Measure:** No

**Target Attainment:** Higher than Target

## **Number of Licenses, Registrations and Endorsements Renewed (to individuals)** **(KEY)**

**Definition:** The number of licensed, registered and endorsed individuals who previously held a license, registration, or endorsement and renewed during the current reporting period.

**Purpose:** License, registration and endorsement renewal is intended to ensure that persons who want to continue to practice in their respective profession satisfy current legal standards established by statute and rule for professional education and practice. This measure is intended to show the number of licenses, registrations, and endorsements that were renewed during the reporting period to individuals who previously and/or currently hold a valid license, registration, or endorsement.

**Data Source:** The Licensing Supervisor generates a report at the end of each reporting period that lists the number of licenses, registrations and endorsements renewed during the reporting period. The list is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The measure is calculated by querying the VERSA computer application/Regulatory Database system to produce the total number of licenses, registrations and endorsements renewed to individuals during the reporting period.

**Data Limitations:** This measure is directly related to the economy and demand for licensees and registrants. The Board has no control over individuals who choose to change professions and not renew their license, registration or endorsement.

**Calculation Method:** Cumulative

**New Measure:** No

**Percentage Measure:** No

**Target Attainment:** Higher than Target

## **Number of Individuals Examined (NON-KEY)**

**Definition:** The number of individuals to whom an examination was administered in whole or in part during the reporting period.

**Purpose:** The measure shows the number of individuals examined which is a primary step in licensing the individual and represents a major cost element for the Agency. Examination supplies, grading costs, and notification costs are directly related to this measure.

**Data Source:** At the end of each reporting period the Chief Examiner generates a report in the VERSA computer application/Regulatory Database system that lists the types of examinations given and the number of individuals examined, passed, and failed for each type of examination. The list is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.



**Methodology:** This measure counts the total number of examinations given for each type of license and endorsement. For an examination administered in one session, even if comprised of periods or breaks or on more than one day, the individuals attending the session are counted only once. An individual who attends two sessions for two examinations or parts of examinations should be counted twice.

**Data Limitations:** The number of individuals examined is directly related to the number of individuals who apply for an examination. This number is also directly related to the economy and demand for licensed plumbers and plumbing inspectors.

**Calculation Method:** Cumulative

**New Measure:** No

**Percentage Measure:** No

**Target Attainment:** Higher than Target

### **Total Number of Licenses, Endorsements, and Registrations Issued (KEY)**

**Definition:** The total number of licenses, endorsements and registrations issued and renewed by the Board to inspect or perform plumbing work during the reporting period.

**Purpose:** The intent of this measure is to have an overall summary of the licenses, endorsements and registrations issued and renewed during the reporting period.

**Data Source:** The Licensing Supervisor generates a report from the VERSA computer application/Regulatory Database system at the end of each reporting period that lists the number of licenses, endorsements and registrations issued and renewed during the reporting period. The list is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The measure is calculated by querying the VERSA computer application/Regulatory Database system to produce the total number of licenses, endorsements and registrations issued and renewed during the reporting period.

**Data Limitations:** This measure is directly related to the economy and demand for licensed plumbers, endorsees, registrants and plumbing inspectors. The Board has no control over individuals who choose to change professions and not renew their license or registration.

**Calculation Method:** Cumulative

**New Measure:** No

**Percentage Measure:** No

**Target Attainment:** Higher than Target

### **Number of New Registrations Issued (to individuals) (NON-KEY)**

**Definition:** The number of registrations issued to previously unregistered persons during the reporting period.

**Purpose:** This measure is a primary workload indicator which is intended to show the number of registrants who were documented to have successfully met all registration criteria established by statute and rule, as verified by the Agency during the reporting period.

**Data Source:** The Licensing Supervisor generates a report at the end of each reporting period that lists the number of new registrations issued for that period. The list is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** This measure counts the total number of registrations issued to previously unregistered individuals during the reporting period, regardless of when the application was originally received. Individuals who were registered in the previous reporting period are not counted; only new registrations are counted.

**Data Limitations:** The number of new registrations issued is directly related to the number of individuals who apply for and are issued a registration during the reporting period. This number is also directly related to the economy and demand for registrants.

**Calculation Method:** Cumulative

**New Measure:** No

**Percentage Measure:** No

**Target Attainment:** Higher than Target

### **Number of Registrations Renewed (to individuals) (NON-KEY)**

**Definition:** The number of registered individuals who held registrations previously and renewed their registration during the current reporting period.

**Purpose:** Registration renewal is intended to ensure that individuals who want to continue to practice in their respective profession satisfy current legal standards established by statute and rule for practice. This measure is intended to show the number of registrations issued during the reporting period to individuals who currently held a valid registration.

**Data Source:** The Licensing Supervisor generates a report at the end of each reporting period that lists the number of registrations renewed for that period. The list is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** This measure counts the total number of registrations renewed during the reporting period.

**Data Limitations:** This measure is directly related to the economy and demand for registrants. The Board has no control over individuals who choose to change professions and not renew their registration.

**Calculation Method:** Cumulative

**New Measure:** No

**Percentage Measure:** No

**Target Attainment:** Higher than Target

## **EFFICIENCY MEASURES**

### **Percentage of New Individual Licenses and Registrations Issued Within 10 Days (NON-KEY)**

**Definition:** The percentage of initial individual license, registration and endorsement applications processed during the reporting period within ten working days measured from the time in days elapsed from approval of the initial completed application until the date the license or registration card is mailed.

**Purpose:** This measures the ability of the Agency to process new applications in a timely manner and its responsiveness to its licensees and registrants.

**Data Source:** A manual report is kept for each reporting period by the Licensing Coordinator of the number of working days elapsed since the date of approval and the date the license or registration card is produced and mailed. The report and any exceptions to the ten-day issuance are forwarded to the Licensing Supervisor who verifies the information and reports the measure to the Director of Financial Operations. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The number of new license and registration cards that were mailed within ten working days from application approval is divided by the total number issued in the reporting period and multiplied by 100 to determine the percentage of new license and registration cards issued within ten working days.

**Data Limitations:** Unanticipated computer or card printer downtime or unexpected lengthy absence (catastrophic illness) of the Licensing Technician, Licensing Coordinator or Licensing Supervisor.

**Calculation Method:** Non-Cumulative

**New Measure:** No

**Percentage Measure:** Yes

**Target Attainment:** Higher than target

### **Percentage of Individual License and Registration Renewals Issued Within 7 Days (NON-KEY)**

**Definition:** The percentage of individual license and registration renewal applications that were processed during the reporting period within seven working days, measured from the time elapsed from approval of the renewal application until the date the renewal license or registration card is mailed.

**Purpose:** This measures the ability of the Board to process renewal applications in a timely manner and its responsiveness to its primary constituent group.

**Data Source:** A report is kept by the Licensing Coordinator for each reporting period of the number of working days elapsed since the date of approval and date the renewed license or registration card is produced and mailed. The report and any exceptions to the seven working day processing are forwarded to the Licensing Supervisor who verifies the information. The report and calculations are then verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The number of license and registration renewals that were mailed within seven working days from approval of the renewal is divided by the total number of license and registration renewals issued during the reporting period and multiplied by 100 to determine the percentage of renewal license and registration cards issued within seven working days.

**Data Limitations:** Unanticipated computer or card printer downtime or unexpected lengthy absence (catastrophic illness) of the Licensing Technician, Licensing Coordinator or Licensing Supervisor.

**Calculation Method:** Non-Cumulative

**New Measure:** No

**Percentage Measure:** Yes

**Target Attainment:** Higher than Target

### **Average Time to Issue Examination Results (in Working Days) (NON-KEY)**

**Definition:** The average time, in working days, from examination administration to the issuance of the examination score by the Board to the examinee.

**Purpose:** The measure is intended to provide applicants timely notification of examination results. It is important that examination applicants receive timely notification of examination results in order that they may either proceed with an initial license or make application for re-examination.

**Data Source:** The VERSA computer application/Regulatory Database system is used to track when examination results are recorded and subsequently mailed to the applicant. The Chief Examiner prepares this report. The Director of Financial Operations verifies and maintains backup documentation for this measure.

**Methodology:** The number of working days from when the applicant takes the examination and when the examination results are mailed to the applicant.

**Data Limitations:** Unanticipated increase in volume of examination applications received or an unexpected lengthy absence (such as catastrophic illness) of an Examiner or the Examination Department Assistant.

**Calculation Method:** Non-Cumulative

**New Measure:** No

**Percentage Measure:** No

**Target Attainment:** Lower than Target

## **EXPLANATORY MEASURES**

### **Examination Pass Rate (NON-KEY)**

**Definition:** The percentage of individuals to whom a whole examination or segments of a multi-part examination were administered during the reporting period who received a passing score.

**Purpose:** The measure shows the rate at which those examined passed. This is an important step in the licensing process and a low pass rate may represent unnecessarily restrictive licensure requirements or inadequate preparation by licensure applicants.

**Data Source:** At the end of each reporting period the Chief Examiner generates a report in the VERSA computer program/Regulatory Database system that lists the types of examinations given and the number of individuals examined, passed, and failed for each type of examination. The list is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The total number of individuals who passed the examination is divided by the total number of individuals examined. The result is multiplied by 100 to achieve a percentage. If two exams were given in the same reporting period, the total number of individuals passing the exam during the reporting period is divided by the total number of persons taking the exam during the reporting period. Persons taking the exam multiple times are counted each time they take an examination.

**Data Limitations:** Inadequate preparation by licensure applicants.

**Calculation Method:** Non-cumulative

**New Measure:** No

**Percentage Measure:** Yes

**Target Attainment:** Higher than Target

## **Total Number of Individuals Licensed and Registered (unduplicated) (NON-KEY)**

**Definition:** Total unduplicated number of individuals licensed and registered on the last day of the reporting period.

**Purpose:** The measure shows the total number of individual licenses and registrations currently issued which indicates the size of the Agency's primary constituency.

**Data Source:** The Licensing Supervisor generates a report at the end of each reporting period that lists the unduplicated number of individuals licensed and registered on the last working day of the reporting period. The list is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The total unduplicated number of individuals licensed and registered according to the VERSA computer application/Regulatory Database system at the end of the reporting period. An individual who holds more than one license or registration is counted only once and only those with current status are counted.

**Data Limitations:** This measure is directly affected by the economy and demand for licensees and registrants in the plumbing industry.

**Calculation Method:** Non-cumulative

**New Measure:** No

**Percentage Measure:** No

**Target Attainment:** Higher than Target

## **STRATEGY A.1.2. – INSPECTIONS AND ENFORCEMENT**

### **OUTPUT MEASURES**

#### **Total Number of Compliance Checks Performed (KEY)**

**Definition:** The total number of compliance checks performed by staff within the jurisdiction of the Plumbing License Law to determine whether or not plumbing work that was previously performed, is currently being performed, or will be performed: was, is, or will be in compliance with the Plumbing License Law and Board Rules.

**Purpose:** This measure is compared with the number of complaints investigated to determine the workload and output of Investigators.

**Data Source:** Each Investigator maintains data on the number of compliance checks performed in an automated format and submits the data to the Director of Enforcement. The Director of Enforcement compiles and verifies the data and forwards the report to the Director of Financial Operations. The report is maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The total number of compliance checks performed is provided in the generated report.

**Data Limitations:** Complaints requiring extensive investigation by Investigators may decrease the amount of time available and therefore decrease the number of compliance checks performed.

**Calculation Method:** Cumulative

**New Measure:** No

**Percentage Measure:** No

**Target Attainment:** Higher than Target

**Number of Individuals Contacted During Compliance Checks for Licenses and Registrations (NON-KEY)**

**Definition:** The total number of individuals verbally contacted by staff during compliance checks to determine whether or not individuals are licensed or registered and working in compliance with the Plumbing License Law and Board Rules.

**Purpose:** The measure is reflective of the number of individuals engaged in actually performing and inspecting plumbing work during the reporting period and is used to determine the work output of Investigators.

**Data Source:** Each Investigator maintains data on the number of individuals contacted during compliance checks in an automated format and submits the data to the Director of Enforcement. The Director of Enforcement generates a report, verifies the data and forwards the report to the Director of Financial Operations. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The total number of individuals contacted by staff during compliance checks is provided in the generated report.

**Data Limitations:** Whenever the number of complaints requiring investigation by Investigators substantially increases, the amount of time available for compliance checks is reduced.

**Calculation Method:** Cumulative

**New Measure:** No

**Percentage Measure:** No

**Target Attainment:** Higher than Target

## **Number of Continuing Education Seminars and Training Sessions Conducted (NON-KEY)**

**Definition:** The total number of separate seminars and workshops conducted by Board personnel within Texas.

**Purpose:** This measure is used to document the educational and public awareness seminars conducted by Board personnel. The Board uses this number to determine how well it is conducting its public awareness programs, as well as monitoring of continuing professional education programs.

**Data Source:** Each Investigator submits data on the number of seminars and workshops conducted in an automated format to the Director of Enforcement. The Director of Enforcement generates the report, verifies the data and forwards the report to the Director of Financial Operations. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The total number of seminars and workshops conducted is provided in the generated report.

**Data Limitations:** The workload of the Agency in other areas may take priority and not allow for some of the seminars to be conducted or as many continuing professional education classes to be monitored. Note: The Agency typically receives more requests for seminars than it is able to provide.

**Calculation Method:** Cumulative

**New Measure:** No

**Percentage Measure:** No

**Target Attainment:** Higher than Target

## **Number of Investigations Conducted (KEY)**

**Definition:** The total number of investigations conducted by Enforcement staff.

**Purpose:** This measure is a workload and work output measure to document the number of complaints requiring investigations. It is important to note that all complaints received are investigated by staff. Complaints may be investigated and resolved without an investigation conducted in the field.

**Data Source:** The Director of Enforcement generates a report from the VERSA computer application/Regulatory Database system of the number of investigations completed during the reporting period. The Director of Enforcement verifies the data, prepares the report and forwards it to the Director of Financial Operations. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The total number of investigations conducted is provided in the generated report.

**Data Limitations:** The number of investigations conducted is directly related to the number of complaints received. If the number of complaints received significantly decreases, the number of investigations conducted would also decrease.



**Calculation Method:** Cumulative

**New Measure:** No

**Percentage Measure:** No

**Target Attainment:** Higher than Target

**Number of Complaints Resolved (KEY)**

**Definition:** The total number of complaints resolved during the reporting period.

**Purpose:** The measure shows the workload associated with resolving complaints.

**Data Source:** The Director of Enforcement generates a report from the VERSA computer application/Regulatory Database system for the number of complaints resolved within the reporting period. The Director of Enforcement verifies the data and prepares the report, then forwards it to the Director of Financial Operations. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The total number of complaints during the reporting period which the Enforcement Committee has reviewed and determined that a violation has occurred and appropriate sanctions have been recommended or the Enforcement Committee has determined the complaint is without merit. All complaints require investigation, some more extensive than others.

**Data Limitations:** Complexity of the complaints may decrease the number of complaints resolved during the reporting period. When the Agency utilizes staff from the Enforcement department to assist with increased workloads in the examination, licensing and registration processes, the number of complaints resolved may decrease because of the reallocation of Enforcement staff.

**Calculation Method:** Cumulative

**New Measure:** No

**Percentage Measure:** No

**Target Attainment:** Higher than Target

**Number of Reprimands Issued and Licenses or Registrations Revoked, Suspended or Denied (NON-KEY)**

**Definition:** The total number of individuals who were issued reprimands, citations, or administrative penalties, or had their license or registration revoked, suspended or denied.

**Purpose:** This measure indicates how effectively and fairly the Board enforces the Plumbing License Law and Board Rules.

**Data Source:** The Director of Enforcement generates a report from the VERSA computer application/Regulatory Database system that includes the number of complaints that had final action resulting in a reprimand, citation or administrative penalty, or where a license or registration was revoked, suspended, or denied. The Director of Enforcement generates the report and verifies the data. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The total number of complaints resulting in disciplinary action is provided in the generated report.

**Data Limitations:** The Board dispenses fair and appropriate disciplinary action for violations of the Plumbing License Law and Board Rules. However, the Board has no control over how many individuals choose to violate the Plumbing License Law and Board Rules.

**Calculation Method:** Cumulative

**New Measure:** No

**Percentage Measure:** No

**Target Attainment:** The desire is that fewer individuals will choose to violate the Plumbing License Law or Board Rules, resulting in a lower than target measure. However, a higher than target measure indicates that the Board is dispensing fair and appropriate disciplinary actions for violations.

### **Number of Hearings Held by the State Office of Administrative Hearings (NON-KEY)**

**Definition:** The total number of hearings held by the State Office of Administrative Hearings (SOAH) to resolve alleged violations of the Plumbing License Law.

**Purpose:** The purpose of the measure is to determine the number of complaints that are unable to be resolved with administrative penalties issued or through Agreed Final Orders and how many are required to be forwarded to the SOAH. This is important for strategic planning purposes.

**Data Source:** The Director of Enforcement gathers the data which includes data from a report issued by the State Office of Administrative Hearings (SOAH) that includes the number of complaints heard at the SOAH during the reporting period. The Director of Enforcement verifies the report and forwards it to the Director of Financial Operations. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The total number of hearings before the State Office of Administrative Hearings (SOAH) is provided in the generated report.

**Data Limitations:** The Board has no control over the number of respondents who refuse to agree to the terms of an Agreed Final Order or Board decision and subsequently choose to request a hearing before the State Office of Administrative Hearings (SOAH).

**Calculation Method:** Cumulative

**New Measure:** No

**Percentage Measure:** No

**Target Attainment:** Lower than Target

## **EFFICIENCY MEASURES**

### **Average Time for Complaint Resolution (NON-KEY)**

**Definition:** The average length of time (in months) to resolve a complaint, for all complaints resolved during the reporting period.

**Purpose:** The measure shows the Board's efficiency in resolving complaints.

**Data Source:** The Director of Enforcement generates a report from the VERSA computer application/Regulatory Database system that calculates the average time from the date the complaint is received to the date the complaint is resolved for complaints resolved during the reporting period. The report is verified and forwarded to the Director of Financial Operations who maintains the report as part of the backup for the specific performance measure.

**Methodology:** The VERSA computer application/Regulatory Database system calculates the average time from the date the complaint is received to the date the complaint is resolved for complaints resolved during the reporting period. All complaints require some degree of investigation.

**Data Limitations:** Complexity of the complaint may increase the average time for complaint resolution.

**Calculation Method:** Non-cumulative

**New Measure:** No

**Percentage Measure:** No

**Target Attainment:** Lower than Target

## **EXPLANATORY MEASURES**

### **Percentage of Unlicensed Plumbers and Unregistered Individuals Monitored During Compliance Checks (NON-KEY)**

**Definition:** The percentage of individuals who were unlicensed plumbers and/or unregistered individuals divided by the total number of contacts made by Enforcement Department staff during compliance checks.

**Purpose:** The measure is useful in determining the level of compliance with the Plumbing License Law and the effectiveness of compliance checks. The total number of licensed plumbers and unregistered individuals monitored during compliance checks is compared to the total number of individuals checked to estimate industry trends that may be used in strategic planning.

**Data Source:** Each Investigator gathers and submits data on the number of violations found during compliance checks. The data is maintained in the VERSA computer application/Regulatory Database system. The Director of Enforcement verifies and compiles the data, generates the report, and calculates the percentage. The Director of Enforcement forwards the report to the Director of Financial Operations. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The total number of individuals who were unlicensed plumbers and/or unregistered individuals, divided by the total number of contacts made by Enforcement staff with licensed and unlicensed plumbers and registered and unregistered individuals during compliance checks.

**Data Limitations:** This measure is directly affected by the economy and demand for licensed plumbers and apprentices working in the plumbing industry.

**Calculation Method:** Non-cumulative

**New Measure:** No

**Percentage Measure:** Yes

**Target Attainment:** Lower than Target

### **Percentage of Compliance Checks Found With Violations (NON-KEY)**

**Definition:** The percentage of compliance checks found with violations, divided by the total number of compliance checks performed.

**Purpose:** The measure is useful in determining the level of compliance with the Plumbing License Law and the effectiveness of compliance checks. This measure is used to estimate industry trends that may be used in strategic planning.

**Data Source:** Each Investigator gathers and submits the number of violations found during compliance checks. The data is maintained in the VERSA computer application/Regulatory Database system. The Director of Enforcement verifies and compiles the data, generates the report, and calculates the percentage. The Director of Enforcement forwards the report to the Director of Financial Operations. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The total number of compliance checks with violations is divided by the total number of compliance checks performed.

**Data Limitations:** This measure is directly affected by the economy and demand for plumbers and apprentices working in the plumbing industry.

**Calculation Method:** Non-cumulative

**New Measure:** No

**Percentage Measure:** Yes

**Target Attainment:** Lower than Target

**Number of Individuals Attending Education Seminars and Training Sessions (NON-KEY)**

**Definition:** The total number of individuals who attended education seminars and training sessions during the reporting period.

**Purpose:** This measure is useful in determining participation and level of interest in education seminars and training sessions, which are utilized by the Agency to keep the industry informed about current requirements and changes in the Plumbing License Law and Board Rules. Seminars and training sessions help educate the industry and public of the hazards of cross connections, improperly installed devices, and other dangers to the public's health and safety.

**Data Source:** Each Board representative gathers and submits data on the number of individuals attending education seminars and training sessions. The data is maintained in the VERSA computer application/Regulatory Database system. The Director of Enforcement generates the report, verifies the data and forwards the report to the Director of Financial Operations. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The total number of individuals who attended education seminars and training sessions is provided in the generated report.

**Data Limitations:** The workload of the Agency in other areas may take priority and not allow for some of the seminars to be conducted or as many professional education classes to be monitored. Note: The Agency typically receives more requests for seminars than it is able to provide. The number of individuals who attended education seminars and training sessions is directly related to the number of education seminars and training sessions that staff participated in.

**Calculation Method:** Cumulative

**New Measure:** No

**Percentage Measure:** Yes

**Target Attainment:** Higher than Target

### **Number of Complaints Received (NON-KEY)**

**Definition:** The number of complaints received during the reporting period.

**Purpose:** The intent of this measure is to determine the effectiveness of the Board's enforcement, public awareness and continuing professional education programs.

**Data Source:** The Director of Enforcement generates and verifies a report from the VERSA computer application/Regulatory Database system for the number of complaints received during the reporting period. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The total number of complaints received is provided in the generated VERSA report.

**Data Limitations:** The Board has no control over factors that influence the number of complaints filed.

**Calculation Method:** Cumulative

**New Measure:** No

**Percentage Measure:** No

**Target Attainment:** Lower than target

### **Percentage of Complaints Received Against Licensees and Registrants (NON-KEY)**

**Definition:** The percentage of complaints received against licensees and registrants is divided by the total number of complaints received.

**Purpose:** The intent of this measure is to determine the effectiveness of the Board's enforcement, public awareness and professional education programs.

**Data Source:** The Director of Enforcement generates a report from the VERSA computer application/Regulatory Database system for the number of complaints received during the reporting period. The report indicates the number of complaints against licensees and registrants vs. non-licensees and non-registered individuals. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The number of complaints against licensees and registrants is divided by the total number of complaints received during the reporting period. The result is multiplied by 100 to achieve a percentage.

**Data Limitations:** The Board has no control over factors that influence the number of complaints filed.

**Calculation Method:** Non-cumulative

**New Measure:** No

**Percentage Measure:** Yes

**Target Attainment:** Lower than Target

### **Number of Jurisdictional Complaints Received (NON-KEY)**

**Definition:** The total number of complaints received during the reporting period that are within the Board's jurisdiction of statutory responsibility.

**Purpose:** The measure shows the number of jurisdictional complaints, which helps determine Agency workload.

**Data Source:** The Director of Enforcement generates a report from the VERSA computer application/Regulatory Database system for the number of complaints received during the reporting period that were not within the Agency's jurisdiction. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The number of non-jurisdictional complaints received is subtracted from the total number of complaints to determine the number of jurisdictional complaints received.

**Data Limitations:** The Board has no control over factors that influence the number of complaints filed.

**Calculation Method:** Cumulative

**New Measure:** No

**Percentage Measure:** Yes

**Target Attainment:** Lower than Target.

### **Percentage of Disciplinary Actions Taken Against Unlicensed and Unregistered Individuals (NON-KEY)**

**Definition:** The percentage of disciplinary actions taken against unlicensed and unregistered individuals during the reporting period.

**Purpose:** This measure indicates how effectively and fairly the Board enforces the Plumbing License Law and Board Rules.

**Data Source:** The Director of Enforcement generates a report from the VERSA computer application/Regulatory Database system for the number of disciplinary actions taken during the reporting period. The report shows the number of disciplinary actions taken against both licensees/registrants and non-licensees/non-registered individuals. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Methodology:** The number of disciplinary actions taken against unlicensed and unregistered individuals is divided by the total number of disciplinary actions taken during the reporting period. The result is multiplied by 100 to achieve a percentage.

**Data Limitations:** The Board dispenses fair and appropriate disciplinary action for violations of the Plumbing License Law and Board rules. However, the Board has no control over how many individuals, licensees/registrants and non-licensees/non-registered individuals choose to violate the Plumbing License Law and Board Rules.

**Calculation Method:** Non-Cumulative

**New Measure:** No

**Percentage Measure:** Yes

**Target Attainment:** The desire is that fewer individuals will choose to violate the Plumbing License Law or Board Rules, resulting in a lower than target measure. However, a higher than target measure indicates that the Board is dispensing fair and appropriate disciplinary actions for violations.



## **APPENDIX C**

### **TEXAS STATE BOARD OF PLUMBING EXAMINERS**

#### **Historically Underutilized Business (HUB) Plan**

The Texas State Board of Plumbing Examiners (TSBPE) makes a good faith effort to utilize Historically Underutilized Business (HUBs) through the use of a strong procurement plan. TSBPE's procurement plan requires a regular search of the Centralized Master Bidders List (CMBL) when planning to buy goods and services that cost more than \$5,000. The Agency will purchase from a HUB vendor to the fullest extent possible. The Agency's purchases above \$5,000 are few.

The Board is committed to the goal of awarding contracts and purchases whenever possible to HUB vendors. The Agency uses the Centralized Master Bidders List (CMBL) as provided by the Statewide Procurement Division (SPD), which maintains the most updated list of HUB vendors. In its procurement plan, the Agency has the following procedures on purchasing:

- (1)** The Agency always follows the procurement methods as outlined by the State of Texas Procurement manual. We buy items through TxSmartBuy whenever possible.
- (2)** Purchases under \$5,000 – The Board will purchase from a HUB vendor to the fullest extent possible.
- (3)** Purchases of \$5,000.01 - \$25,000 – Requires the Agency solicit at least three informal bids, two of which must be obtained from the CPA list of certified HUBs. The ethnicity/gender is indicated on the bid tabulation sheet. Note: For purchases \$5,000 or less, the Agency may supplement the list of bidders obtained from the Centralized Master Bidders List (CMBL) with additional non-CMBL bidders.
- (4)** Non-Delegated Purchases over \$25,000 – Requires the Agency solicit formal bids or proposals from all CMBL and HUB Directory vendors who provide the goods or services to the Agency's geographic region. Purchases over \$25,000 would be posted on the Electronic State Business Daily unless utilizing Comptroller's term contracts (TXMAS and DIR).

NOTE: The Agency may supplement the CMBL with CPA certified HUBs at any time if it determines that supplementing the CMBL will increase the number of HUBs that submit bids.

TSBPE is dedicated to supporting the intent of the HUB program. TSBPE HUB purchases in fiscal years 2016, 2017 and 2018 indicate both success and commitment to continued compliance with the HUB program. For fiscal years 2019 through 2023, TSBPE plans the same positive strategy.

## APPENDIX D

### TEXAS STATE BOARD OF PLUMBING EXAMINERS

#### Workforce Plan

#### CURRENT WORKFORCE PROFILE

##### General Information

The Texas State Board of Plumbing Examiners (TSBPE) believes that an employee's performance at work has a direct influence on the Agency's overall performance, and can have an effect on the Board's budget. As the State of Texas population increases, demands for state services have also increased. Continued budget restrictions, employee caps, hiring freezes and a possible shortage of trained state workers in future years can lead to an inadequate workforce, causing agencies to take longer to meet public service demands. As agencies struggle to fill positions, current employees are required to take on additional responsibilities. When agencies are not adequately staffed, existing state employees may have to work longer hours that can lead to fatigue and increased error rates, loss of productivity, and possibly low morale.

**Workforce Skills Critical to the Mission and Goals of TSBPE:** Thirteen (13) of the Board's employees, including the Executive Director, Director of Enforcement, and all Investigators and Examiners are licensed plumbers. The licensing requirement is critical, in addition to computer and public speaking skills, for these positions. Other administrative skills, common to other agencies, such as state accounting, purchasing, information technology skills, and administrative technical skills, are critical to the support of the agency's mission, goals and strategies.

#### FUTURE TSBPE WORKFORCE PROFILE (DEMAND ANALYSIS)

**Expected Workforce Changes Driven by Factors Such as Changing Mission, Technology, Work, Workloads, and/or Work Processes:** The Board does not expect any major change in its mission. However, due to the continued growth in the Texas economy and the plumbing industry, the Board expects its workload will continue to increase and the Agency will need additional FTEs to carry out its mission and duties.

**Future Workforce Skills Needed:** Future workforce skills critical to the mission and goals of the Agency are expected to remain the same. However, in order to develop new skills related to future needs, additional training is made available as funding allows.

**Anticipated Increase in the Number of Employees Needed:** Because the population of the state is expected to increase and the economy continues to expand, and based on the current mission of the Agency, additional personnel as described in the Agency planned request will be needed.

**Critical Functions That Must Be Performed to Achieve the Strategic Plan:** Performance of all Board functions, including issuing and renewing licenses, reviewing criminal backgrounds of applicants with criminal convictions, scheduling, administering and grading a variety of examinations, processing consumer complaints, as well as accounting and human resource functions, is critical to achieving the Agency's strategic plan goals.

**Anticipated Surplus or Shortage of Skills:** The Board is concerned that its ability to attract future employees that possess the needed skills may be impaired by the disparity of salaries between state employees and private industry employees.

## **STRATEGY FOR WORKFORCE DEVELOPMENT**

**Changes in Organizational Structure:** Under the current mission, the Board does not anticipate any changes in its organizational structure.

**Retention Programs:** The Board supports its employees by rewarding merit increases to employees who perform above satisfactory levels, subject to budgetary constraints. Additionally, the Board continually strives to maintain a work environment that allows for flexibility, without compromising productivity or customer service.

**Recruitment Plans:** To the fullest extent possible, the Board will strive to recruit the number of qualified individuals required to carry out the Agency's mission, including qualified veterans and persons of minority, disability and female gender. The Board will utilize a wide range of recruitment sources, including but not limited to statewide minority, disability and female organizations, educational institutions and the Texas Workforce Commission.

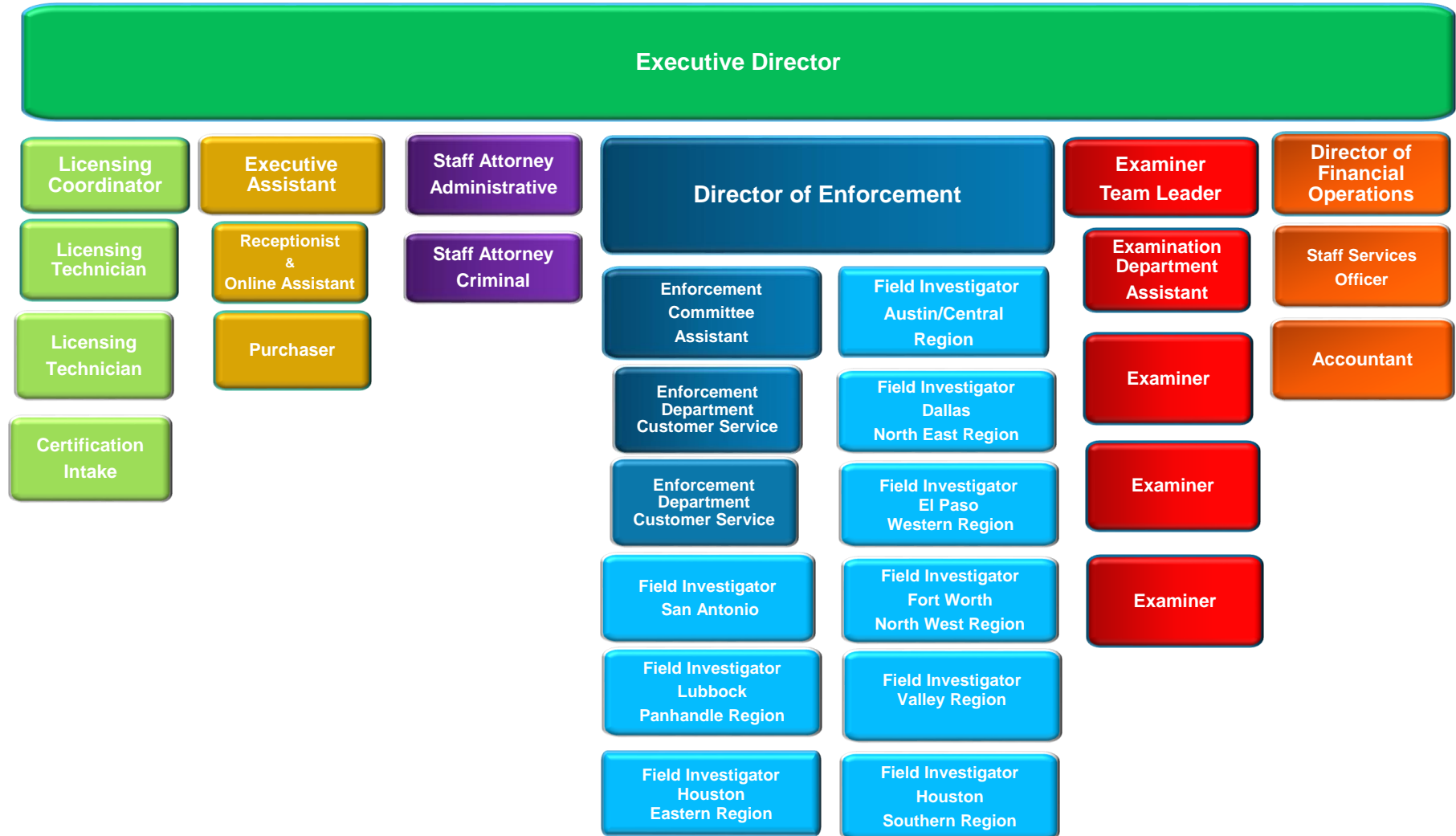
**Organizational Training, Employee and Career Development:** The Board provides organizational training, including equal employment opportunity, sexual harassment and procedural training. The Board utilizes cross training between departments, to enhance the knowledge and skill levels of all employees. The Board provides for the cost or reimbursement of training for its employees, when the training is in the best interest of the Agency. The Board provides for training and certification of its employees in the areas of investigation, purchaser certification, information resource training, financial operations and supplemental plumbing training and certification.

**Leadership Development:** Cross training is essential in leadership development for a small Agency. Department managers share their experience and knowledge with staff. The Board provides leadership training for its department managers, subject to budgetary constraints. The Board encourages team building.

**Succession Planning:** All of the factors indicated for organizational training: employee, leadership and career development are essential in planning for succession. The ability to properly compensate the most well trained individuals is of the utmost importance when developing those employees that show an interest in succession. Additionally, the Board also looks for qualified individuals and resources outside of the agency.

# TEXAS STATE BOARD OF PLUMBING EXAMINERS

## Organizational Chart - Fiscal Year 2018



## Survey of Employee Engagement Results

The Texas State Board of Plumbing Examiners participated in the 2018 Survey of Employee Engagement administered by the University of Texas at Austin's Institute for Organizational Excellence. The survey was conducted during April 2018. Of the 27 employees who were invited to participate in the survey, 26 employees responded, or **96.3%**. As a general rule, rates higher than fifty percent (50%) suggest soundness of the Agency's health, according to the institute. High rates mean that employees have an investment in the organization and are willing to contribute towards making improvements within the workplace. With this level of engagement, employees have high expectations from leadership to act upon the survey results.

The overall score is a broad indicator for comparison purposes with other entities. Scores above 350 are desirable; when scores dip below 300, there should be cause for concern. The TSBPE overall score for this survey was **395**, up from an overall score of **356** two years ago.

It appears the overall attitudes of most employees are generally good. The Agency continues to maintain an experienced workforce with **38%** of employees having tenure of 3 - 10 years. Additionally, **19%** of employees are considered very experienced with 11+ years. **35%** are new hires and have anywhere from 0 to 2 years of experience.

Employees overall feel the work atmosphere is a safe one where workers are ethical and treat each other with respect. Scoring also indicated that employees understand their roles and consider the organization's reputation to be positive.

The main Agency weakness, as identified in this and previous surveys, is employee attitude regarding pay. The general consensus of employees is that their pay is not comparable to positions in other organizations or in relation to their job duties. Merit increases have been very limited, particularly for those in Investigator and Examiner positions. This lower score suggests that pay is a central concern or reason for discontent.

Employee development, which was a weakness in prior surveys, continues to show marked improvement. Most employees used the available resources to obtain training and increase their skills and value.

The Agency has examined the findings of the survey and discussed them with the employees for more specific input and prioritized areas for improvement. The Agency has also utilized the results of the survey to recognize those areas identified as substantial and relative strengths.

# TEXAS STATE BOARD OF PLUMBING EXAMINERS

## REPORT ON CUSTOMER SERVICE

### APPENDIX E

#### **Inventory of external customers served by the agency and description of services rendered**

The agency's external customers include the licensees and registrants that it regulates, as well as the general public. Although customers of primary services were selected from each strategy, it is important to note that the majority of the agency's customers utilize services from more than one, and sometimes all strategies. The agency considered that most of the individuals completing the survey were responding to their experiences with the agency for services provided in more than one strategy.

##### Strategy A.1.1. Examine and License Plumbers

The external customers under this strategy are primarily applicants for examination and registration; and the licensees and registrants who renew their licenses, registrations and endorsements. The agency serves these customers by administering examinations, issuing and renewing licenses, registrations and endorsements.

##### Strategy A.1.2. Inspections and Enforcement

The external customers under this strategy are primarily individuals who file complaints with the agency and those who had complaints filed against them. Additionally, external customers of this strategy would be those individuals, regulated or unregulated, who are visited during compliance checks. The agency serves these customers by receiving and investigating consumer complaints, monitoring plumbing job-sites to ensure compliance, issuing administrative penalties to alleged violators, suspending and revoking licenses, reviewing criminal histories of applicants, assisting local authorities with the enforcement of the Plumbing License Law, and by monitoring required education classes. In addition, the Enforcement Department presents public education seminars and provides information to licensees and registrants regarding career advances within the plumbing industry.

##### Strategy B.1.1. Indirect Administration

The external customers under this strategy are primarily individuals who request open records or attend open meetings of the Board; and Continuing Professional Education Providers and Instructors that are approved by the Board. The agency serves these customers by providing open government and performing the administrative functions of the agency.

## **Description of information-gathering methods utilized in obtaining input from customers**

### **Strategy A.1.1. Examine and License Plumbers**

During the month of February and March, 2018, the Examination Department randomly surveyed examination applicants testing for all types of examinations given by the agency. Dates for the distribution of surveys were randomly selected and all applicants testing on those days were surveyed. The surveys were given to the applicants upon completion of their examination and were to be completed and returned to the Examination Department staff. The survey was given to 250 examination applicants, including Master Plumber applicants, Journeyman Plumber applicants, Tradesman Plumber-Limited Licensee applicants, Plumbing Inspector applicants, Medical Gas Endorsement applicants, Water Supply Protection Specialist Endorsement applicants, and Multipurpose Residential Fire Protection Sprinkler Specialist Endorsement applicants. Of the **250** surveys distributed, **174** responses were received.

During the month of February, 2018, the License and Renewal Department randomly surveyed licensees and registrants who renewed their license or registration. During five separate renewal processes in February, renewal applicants from each category of licensees and registrants who renewed were sent surveys. The surveys were mailed to the licensees and registrants along with their renewed license or registration, and included a postage-paid self-addressed envelope for returning the survey. A portion of the surveys were also handed out to our walk up customers. The survey was provided to **150** renewal applicants, including Master Plumbers, Journeyman Plumbers, Tradesman Plumber-Limited Licensees, and Plumber's Apprentices. Of the **150** surveys distributed, **38** responses were received.

### **Strategy A.1.2. Inspections and Enforcement**

During the month of April, 2018, the Enforcement Department randomly surveyed individuals who had filed complaints and who had complaints filed against them; and individuals who were monitored for compliance checks with the Plumbing License Law and Board Rules. A report of complaints closed within the previous ninety-day period was generated and complainants and respondents were randomly selected and mailed a survey that included a postage-paid self-addressed envelope for returning the survey. The survey was mailed to **40** individuals who had filed a complaint that had been resolved in the previous 120-day period and **40** individuals who had complaints filed against them that had been resolved in the previous 120-day period. Of the **80** surveys distributed, **15** responses were received.

Additionally, during one week in April, 2018, Field Investigators handed out surveys at random to individuals who were monitored during compliance checks. The survey included a postage-paid self-addressed envelope for returning the survey. Surveys were handed out to **60** individuals who were monitored during compliance checks. Of the **60** surveys distributed, **2** responses were received.

### Strategy B.1.1. Indirect Administration

During the month of April, 2018, the Administration Department randomly surveyed individuals who had requested open records, attended open meetings and those Continuing Professional Education Providers approved by the Board. A random selection of individuals, who requested open records via email during April, 2018 were e-mailed surveys to complete. In addition, Board approved Continuing Education Providers were e-mailed surveys. During the April, 2018 Board meeting, surveys were distributed to individuals who had not already been sent a survey as part of the above described group. The survey was distributed to **5** individuals who had requested open records and **15** individuals who had attended an open meeting. Of the **20** surveys distributed, **6** responses were received.

#### **Survey Results**

##### Number of surveys distributed:

Examination	250
Renewals	150
Enforcement	140
Administration	<u>20</u>
Total	560

##### Number of responses received:

Examination	174
Renewals	38
Enforcement	17
Administration	<u>6</u>
Total	235

**Overall response rate:** 42%

#### **Customer Category**

Responses received from licensees or registrants of the Board:	228
Responses received from non-licensees:	13

Responses from individuals who had experiences with Examination:	174
Responses from individuals who had experiences with Renewal/Registration:	38
Responses from individuals who had experiences with Enforcement:	17
Responses from individuals who had experiences with Administration:	6

*Note: Many of the individuals responding to the survey had experiences with more than one category of service.*



## Levels of customer-determined service quality

The agency's survey consisted of statements that respond to the seven customer service quality elements required by statute. Data from the surveys of each customer category was compiled. An answer of "not applicable" was counted when the respondent overlooked or did not answer a specific question.

The chart below shows a brief description of the responses that the agency's customers were asked to rate, and the general overall results of each response.

	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>Not applicable</b>
<b>General/Overall Satisfaction</b>	163	48	3	3	12
<b>Communication:</b>					
Proper routing of call, e-mail or letter	148	52	3	1	25
Clear explanations regarding services or procedures	156	50	5	0	18
Received necessary information to obtain services	150	58	2	0	19
<b>Complaint Process:</b>					
Knowledge of procedure for filing complaint	125	75	8	1	20
Believe that complaint would be handled in a reasonable manner	136	60	7	0	26
<b>Timeliness of Service:</b>					
Telephone call, letter or email answered in reasonable time	130	62	8	3	26
Time waited to receive services was reasonable	118	62	22	4	23
Time waited for concern to be addressed was reasonable	134	53	6	1	35
<b>Website:</b>					
Access to Internet	158	55	2	3	11
Ease of use/organized	125	68	6	5	21
Current and accurate information	132	63	5	4	25
Ability to find contact information	145	53	3	3	25

	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>Not applicable</b>
<b>Staff:</b>					
Staff answered questions	170	47	3	0	9
Staff was courteous, knowledgeable and willing to assist	175	32	1	1	20
Staff identified themselves	170	37	1	0	20
<b>Facility:</b>					
Board office is conveniently located	142	39	12	3	33
Facility is clean and orderly	159	36	1	0	33
Facility is open during reasonable hours	152	52	2	0	23
<b>Printed Information:</b>					
Received printed information explaining services available	150	45	12	0	22
Printed information was clear and understandable	147	40	11	0	31
Printed materials provided thorough and accurate information	149	42	9	0	29

### **Analysis of findings identified by the customer satisfaction assessment**

The results of the survey show that **92.3%** of those who responded strongly agree or agree that they are satisfied with services they received and their experience with the agency. The comments received indicate that **2.1%** of those responding do not have access to the internet. This is a significant decrease from the last survey, conducted in March and April of 2016 where **12.6%** of respondents did not have access to the internet. This response indicates that the use of the internet by the Board's customers has increased as anticipated. Additional results of the survey indicate that **11%** of those who responded indicate they are not satisfied with the amount of time required to receive services from the agency. Even though this represents a small percentage, the agency will continue to maintain a prompt level of service. Of those that responded to the survey, **6.8%** indicated they do not know the procedure for filing a complaint and do not believe a complaint would be handled in a reasonable manner if they needed to file. The agency continues to place an emphasis on efforts to educate licensees/registrants and the public regarding the complaint process and the agency's enforcement authority. The Executive Director and department managers have reviewed the results of the surveys received and will monitor for improvement in any areas identified requiring improvement, as well as areas of the agency rated exceptionally well.

## **Performance measures related to customer service standards and customer satisfaction (FY 2018)**

### Outcome Measures:

Percentage of Surveyed Customer Respondents Expressing Overall Satisfaction with Services Received is: 90%

Percentage of Surveyed Customer Respondents Identifying Ways to Improve Service Delivery is: 2%.

### Output Measures:

Number of Individuals Surveyed	560
Number of Individuals Served	74,488*

### Efficiency Measures:

Cost Per Customer Surveyed	\$3.21
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### Explanatory Measures:

Number of Customers Identified	95,075**
Number of Customer Groups Inventoried	4

\* The estimated unduplicated number of individuals who are current and/or renewable licensees and registrants, examination applicants, complainants, complaint respondents, requestors of open records, and attendees of open meetings who requested.

\*\*The estimated duplicated number of individuals who are current and/or renewable licensees and registrants, approved examination applicants, unapproved examination/registrant applicants, complainants, complaint respondents, education providers, education instructors, education material providers, requestors of open records, and attendees of open meetings.



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