

Texas State Board of Plumbing Examiners

Board Meeting Agenda

929 East 41st Street

Austin, TX 78751

January 14, 2019

The Texas State Board of Plumbing Examiners will convene in open session, deliberate and possibly take action on any of the following items:

1. Call to Order – 9:00 a.m.
2. Roll call; possibly take action to excuse absent Board members.
3. October 8, 2018 Board Meeting Minutes.
4. November 14, 2018 Board Meeting Minutes.
5. Public comment.
6. Enforcement Committee Activity Report – Lisa G. Hill, Chair.
 - (a) Summary of complaint cases reviewed and administrative penalties imposed – 1st Quarter FY 2019.
 - (b) Summary of complaint cases pending.
 - (c) Summary of applications approved or denied for registration and/or examination – 1st Quarter FY 2019.
 - (d) Discussion regarding delivery of the Board’s response to House Bill 91, 85th Legislature, Regular Session, requiring the Board to review and make recommendations concerning eligibility of persons with past criminal convictions.
 - (e) Schedule of Applications for Approval after Revocation, concerning those individuals whose licenses or registrations were previously revoked and are re-applying for registration or to take an examination under Board rule 365.10:
 - (i) Coronado, Eddie – Re-applying for registration as a Plumber’s Apprentice;
 - (ii) Moore, Tarik D. – Re-applying for registration as a Plumber’s Apprentice;
 - (iii) Mosqueda, Crisoforo – Re-applying for registration as a Plumber’s Apprentice;
 - (iv) Munoz, Ramon – Re-applying for registration as a Plumber’s Apprentice;
 - (v) Rosser, Gary K. – Re-applying for registration as a Plumber’s Apprentice; and
 - (vi) Sanchez Jr., Manuel – Re-applying for registration as a Plumber’s Apprentice.

(f) Summary of Cease and Desist Orders issued under Section 1301.5045 of the Plumbing License Law:

(i) Cease and Desist Orders, listed alphabetically:

1. Brown, Richard; Complaint No. 2018-01361;
2. Dixon, Jacob Adam; Complaint No. 2018-02046;
3. Evers, Cody R.; Complaint No. 2018-01018;
4. Jones, Brandon Keyion; Complaint No. 2018-01401;
5. Lindsey, Andrew James; Complaint No. 2017-02142;
6. Llanos, Jose Raymundo; Complaint No. 2018-00612;
7. Mares, Ludwig A.; Complaint No. 2018-00148;
8. Martin, Robert Q.; Complaint No. 2019-00237;
9. Orta, Jorge; Complaint No. 2018-00115;
10. Perez, Israel; Complaint No. 2018-01979;
11. Pickering, Scott G.; Complaint No. 2018-00601;
12. Reyes, Corey Marcelo; Complaint No. 2018-02109;
13. Rodriguez, Hilario; Complaint No. 2018-01442;
14. Salmeron, Zacharias S.; Complaint No. 2017-02118;
15. Sanchez, Richard T.; Complaint No. 2018-01188;
16. Shannon, Daniel John; Complaint No. 2018-00298;
17. Smith, Mark Anthony; Complaint No. 2018-01885;
18. Stack, Johnathan T.; Complaint No. 2018-00835;
19. Wacasey, Mark; Complaint No. 2018-01365;
20. Wade, Cory Andrew; Complaint No. 2018-00241;
21. Wells, Benjamin; Complaint No. 2017-01926;

- 22. Whatley, John; Complaint No. 2019-00022;
- 23. White, Tad; Complaint No. 2018-00228; and
- 24. Williams, Justin D.; Complaint No. 2018-01844.

- (g) Board Order of administrative penalties.
- (h) Agreed Final Orders:
 - (i) None.
- (i) SOAH Proposals for Decision regarding administrative penalties:
 - (i) Flowers, Kate; SOAH Docket No. 456-18-4898.
- (j) SOAH Proposals for Decision regarding applicants with past criminal convictions:
 - (i) None.
- (k) SOAH Default Orders regarding administrative penalties:
 - (i) Roye Jr., Glenn R., Individually, and d/b/a Weatherford Plumbing and d/b/a Weatherford Services; SOAH Docket No. 456-19-0041; and
 - (ii) Williams, Darrell; SOAH Docket No. 456-18-5065.
- (l) SOAH Default Orders regarding applicants with past criminal convictions:
 - (i) None.
- (m) Final Orders of the Board on a default basis pursuant to Section 1301.704 of the Plumbing License Law:
 - (i) Default Final Orders, listed alphabetically:
 1. Abales, Glenn; 2018-02045;
 2. Alvarez, Rudy; 2018-02049;
 3. Bader, Steve; 2018-02148;
 4. Burleson, Jerrell M.; 2018-02047;
 5. Calhoun, Mathew Stephen; 2018-02150;
 6. Chavez, Jose Esteban; 2018-02057;

7. Douglas, James E.; 2019-00161;
8. Escobar, Joseph Hudon; 2018-00940; 2018-01058;
9. Olvera, Jose R.; 2019-00172;
10. Perez, Gabriel I.; 2018-02152;
11. Pineda de Paz, Marlon Yobani; 2018-02144;
12. Rives, Martin; 2018-02067;
13. Scheffler, Joey L.; 2019-00158;
14. Trahan, Jason; 2018-02186;
15. Wall, Stephen; 2019-00160; and
16. Waters, Terry G.; 2018-02039; 2018-02163.

(ii) Board Schedule of Default Final Orders adopted pursuant to Section 1301.704 of the Plumbing License Law.

7. Continuing Professional Education (CPE) Committee Report – Robi Jalnos, Chair.

(a) 2019-2020 Business or Association CPE Course Provider applications:

- (i) Association for the Advancement of Codes, Education and Standards (A-ACES);
- (ii) Associated Plumbing – Heating – Cooling Contractors of Texas (APHCCT);
- (iii) Bobby Doran’s Plumbers Continuing Education, Inc.;
- (iv) Christianson Company;
- (v) Conger Construction Services, LLC;
- (vi) International Association of Plumbing and Mechanical Officials (IAPMO);
- (vii) Jerome Mendias Sr. Construction Education;
- (viii) Johnny Kurten Plumbing Education;
- (ix) Pioneer Educational Services, Inc.;
- (x) Plumber Trainer;

- (xi) Texas Pipe Trades Association;
 - (xii) Texas Plumbing, Air Conditioning and Mechanical Contractors Association (TX PAMCA); and
 - (xiii) Winn's Continuing Education, Inc.
- (b) 2019-2020 Individual CPE Course Provider applications:
- (i) Kurten, Johnny;
 - (ii) Mendias Sr., Jerome;
 - (iii) Murphy, Debbie;
 - (iv) Pemberton, Guy;
 - (v) Pulaski, Richard;
 - (vi) Villarreal, Dianne K.;
 - (vii) Wark, Joseph E.; and
 - (viii) Wyman, Russell W.
- (c) 2019-2020 CPE Course Material applications and Materials submitted by the following CPE Providers:
- (i) APHCCT;
 - (ii) ICE; and
 - (iii) Winn's Continuing Education, Inc.
- (d) 2018-2019 Continuing Professional Education (CPE) Course Instructors submitted by the following 2018-2019 Business or Association CPE Course Providers (individual instructors are nominated by their sponsoring Course Provider for Board approval):
- (i) APHCCT:
 - 1. Michael Villarreal J-26194.
- (e) Request from Building Professional Institute (BPI) to offer and provide the 2019-2020 CPE course (Bobby Doran's Plumbers Continuing Education, Inc., Course Provider) at its annual training, on or about May 20-23, 2019, in Irving, Texas.
- (f) Request from Texas State Association of Plumbing Inspectors, Inc. (TSAPI) to offer and provide the 2019-2020 CPE course (Course Provider yet unknown, but provided TSAPI must utilize the services of a Board-approved Course Provider) at its annual conference, on or about June 10-14, 2019, in Austin, Texas.

8. Discussion of the public meetings of the Sunset Commission on December 19, 2018 and January 9, 2019, concerning the Board's ongoing review by the Sunset Commission.
9. Rules Committee Report – Rick Guerra, Chair.
 - (a) Proposed adoption of amendments to Board rule §363.22 (Reexamination), as published in the December 18, 2018 edition of the *Texas Register*.
 - (b) Discussion regarding Board staff's proposed amendments to Board rules §§ 363.4, 363.5, regarding eliminating educational requirements for applying to take an examination and seek licensure by the Board as a Journeyman Plumber and/or Master Plumber.
 - (c) Petition for rulemaking, pursuant to Board rule §361.14, filed by Russell W. Wyman, requesting amendment of Board rule §363.5 (Journeyman Plumber License).
 - (d) Discussion regarding Board staff's proposed amendments to Board rules §§ 367.14 (Processing Complaints) and 367.15 (Investigating Complaints) concerning supplementing the Board's prioritization of complaints with a formal written process for assigning a priority metric while processing complaints, thereby ensuring the prioritization of complaints is documented and to promote tracking of same.
 - (e) Discussion regarding Board staff's proposed amendments to Board rule §367.20 (Informal Conference; Violation of Law, Rule or Board Order), concerning implementing formal processes and procedures for when to utilize informal settlement conferences, and establishing the format and requirements for said conferences.
 - (f) Discussion regarding potential amendments to Board rule §363.2 (General Requirements) concerning instituting the requirement for applicants and licensees to submit fingerprints to allow for a review of their criminal background by the Texas Department of Public Safety and the Federal Bureau of Investigation, pursuant to Texas Government Code §411.122, including a roadmap for implementing same.
10. Examination Department Report – Lisa G. Hill, Executive Director.
 - (a) Discussion regarding administration of one-part written examinations in locations other than Austin, including in the Dallas/Fort Worth Metropolitan Area, presently scheduled for January 31, 2019.
 - (b) Discussion of upcoming Saturday examination date, presently scheduled for February 16, 2019.
 - (c) Discussion of Master, Journeyman and Tradesman examinations administered and pass/fail rates for FY 2019.
11. Enforcement Department Report – Stephen P. Davis, Director of Enforcement.
 - (a) Summary of Field Department activities for 1st quarter FY 2019.

12. Financial Department Reports – Mayra Zamarripa, Director of Financial Operations.
 - (a) FY 2019 appropriation balances.
 - (b) FY 2019 1st quarter revenues as compared to FY 2018 revenues.
 - (c) FY 2019 1st quarter estimated number of license & registration/examination fees paid as compared to FY 2018.
 - (d) FY 2018 report of non-financial data.
13. Executive Director’s Report – Lisa G. Hill.
 - (a) Staff additions, retirements and job postings.
 - (b) Staff activities and communications.
 - (c) Update on Health Professions Council (HPC) projects.
 - (d) Update on implementation of Voice over Internet Protocol (VoIP) Telephone system.
 - (e) Current statistics on licenses and registrations.
14. Future Board Meeting Dates.
15. Issues for Consideration at Next Board Meeting.
16. Adjourn.

The Texas State Board of Plumbing Examiners may go into a closed meeting after first convening in an open meeting and stating the authority under which the closed meeting will be held in accordance with Section 551.101 of the Open Meetings Act. Public comment shall be limited to 3 minutes per person.

Section 46.035 of the Texas Penal Code prohibits handgun licensees from carrying their handguns at government meetings, such as this one. This prohibition applies to both concealed carry and open carry by handgun licensees. Handgun licensees are required by law to refrain from carrying their handguns at this meeting.

If you need auxiliary aids or services, please contact Dawn Saravia at (512) 936-5226 at least 72 hours prior to the meeting so that appropriate arrangements can be made. Parking is available in the front and rear of the building.