

Texas State Board of Plumbing Examiners Meeting Agenda

Location:

929 E. 41st St.

Austin, Texas 78751

June 27, 2023

10:00 am

The Texas State Board of Plumbing Examiners (TSBPE) meeting will take place at 929 E. 41st. St, Austin, Texas 78751 and will be broadcast on TSBPE's YouTube channel at: https://www.youtube.com/@tsbpe_official. Access to the TSBPE YouTube channel is available on the Board's website at: <https://tsbpe.texas.gov/>. The meeting will also be accessible to the public via videoconference call pursuant to Texas Government Code § 551.127. The Board member presiding over the meeting will be physically present at the location of the meeting listed above and will preside over the meeting at that location. Members of the public may participate in this meeting by videoconference using the following link:

<https://us02web.zoom.us/j/84656927171?pwd=bm9BWVRMOXAweIJ2SmRic0Uya2cvUT09>

Meeting ID: 846 5692 7171

Passcode: 237951

You may also access the board meeting via telephone at: 1 346 248 7799.

An electronic copy of the agenda is now available at <https://tsbpe.texas.gov/> under "Open Meetings."

Members of the public not appearing in person, please email dawn.saravia@tsbpe.texas.gov in advance of the meeting if you know you would like to provide public comment. You may also use the "Raise Hand " feature in Zoom to indicate you wish to speak during the meeting. When the Board reaches the appropriate agenda item, the Chair will recognize you by name and give you an opportunity to speak.

The Board will meet at the above-stated time to consider and take appropriate action on the items listed below. THE FOLLOWING AGENDA ITEMS MAY NOT NECESSARILY BE CONSIDERED IN THE ORDER THEY APPEAR.

1. Call to Order – 10:00 a.m.
2. Roll Call.
3. Certification of Quorum. *

4. Excuse absent Board Members. *
5. Chairman's remarks including, but not limited to, 88th (R) Legislative Session (2023).
6. Discussion of use of virtual inspections.
7. Discussion on Texas State Technical College service offering assistance to schools beginning a tradesman program under the opportunities afforded by House Bill 636, 87th (R) Legislative Session (2021).
8. Discussion and possible action to adopt the proposed amendment to the existing rule at 22 Texas Administrative Code (TAC), Chapter 363, §363.9 regarding medical gas piping installation endorsement eligibility. The proposed amendment to the existing rule provides an additional path to endorsement qualification by allowing acceptance of a national certification. *
9. Discussion and possible action to adopt the proposed amendments to 22 Texas Administrative Code (TAC), §§361.1, not including 361.1(a)(18), 361.4, 361.6, 361.10, 361.12, 361.15. The proposed rules implement changes originating from House Bill 636, 87th (R) Legislative Session (2021) and changes resulting from the four-year rule review conducted according to Texas Government Code §2001.039. *
10. Discussion and possible action to amend the proposed amendment to 22 Texas Administrative Code (TAC), §361.1(a)(18). The proposed rule implements a change expanding the definition of on-the-job oversight and supervision to show that direct supervision may include virtual visual, real-time communication. *
11. Executive Director's Report, discussion, and possible action of agency activities including but not limited to: *
 - a. Personnel changes and Staffing Report
 - i. Departures
 - ii. Internship program
 - iii. Present and upcoming job postings
 - b. Continuing education program update
 - i. Annual Continuing Education Provider Conference
 - c. Staff activities, including but not limited to:
 - i. Close of fiscal year reporting and efforts

- ii. Fingerprinting Report and Versa update
 - iii. Development of emergency preparedness procedures and forms
 - iv. PCI report
 - v. Payment of administrative penalties online
 - d. Current statistics on plumber licenses and registrations
 - e. Discussion of continuing professional education and training for apprentice plumbers
12. Examination Department report and discussion regarding department activities including but not limited to:
- a. Pending Plumber Exams and Retakes Report
 - b. Examination Pass Fail Report
 - c. Computer based testing update
 - d. Self-scheduling of exams
13. Financial Department report and discussion regarding department activities including but not limited to:
- a. Budget and revenue update
 - b. Appropriations from the 88th, (R) Legislative Session (2023)
14. Discussion and possible action to approve TSBPE budget for fiscal year 2024.
15. Enforcement Department Report, discussion, and possible action regarding enforcement activities including but not limited to:
- a. Summary of complaint cases reviewed, and administrative penalties imposed, including but not limited to, unlicensed activity statistics.
 - b. Summary of applications approved or denied for registration and/or examination.
 - c. Report on recent field activities.
 - d. Summary of Cease and Desist Orders issued under §1301.5045 of the Plumbing License Law.
 - i. Bagley, Brian Nicholas; Complaint No. 2023-00471
 - ii. Ballard, Jeff; Complaint No. 2022-01953
 - iii. Barksdale, James Craig; Complaint No. 2023-00072

- iv. Beshears, Shane E.; Complaint No. 2023-01048
- v. Casas, Victor; Complaint No. 2023-00390
- vi. Chano, Robert V; Complaint No. 2023-00870
- vii. Evans, Cody; Complaint No. 2023-00326
- viii. Gartman, Aaron; Complaint No. 2023-01205
- ix. Garza, Jobiel L.; Complaint No. 2023-00779
- x. Gonzales, Johnny; Complaint No. 2023-00051
- xi. Gonzales, Juan; Complaint No. 2023-00398
- xii. Gouveia, Agnaldo; Complaint No. 2022-01590
- xiii. Gray, Darrell; Complaint No. 2022-01638
- xiv. Hammond Jr., Francis; Complaint No. 2023-00590
- xv. Holst Jr., Richard; Complaint No. 2023-00470
- xvi. Johnson, Gaylin; Complaint No. 2023-00597
- xvii. Kuykendall, Michael; Complaint No. 2023-00170
- xxviii. Long, Deyana; Complaint No. 2022-01209
- xix. Luck, Jeff; Complaint No. 2023-00101
- xx. Moore, Lance; Complaint No. 2023-00103
- xxi. Munoz, Rudy; Complaint No. 2023-00677
- xxii. Pagiatakis, Spiridon C.; Complaint No. 2023-00074
- xxiii. Rans, Brandon; Complaint No. 2023-00074
- xxiv. Rayas, Luis S. ; Complaint No. 2023-01086
- xxv. Romero Jr., Julian ; Complaint No. 2023-00388
- xxvi. Sandoval, Jose ; Complaint No. 2023-00195
- xxvii. Selph, Nicholas T.; Complaint No. 2023-00933
- xxviii. Simpson, Dewey; Complaint No. 2022-01502
- xxix. Strunk, Christopher Michael; Complaint No. 2022-01177
- xxx. Waer, Richard James; Complaint No. 2023-00069
- xxxi. Woodman, Mark; Complaint No. 2022-01874

e. Board Order of Administrative Penalties paid by agreement.

f. Default Final Orders imposing penalties under §1301.704 of the Plumbing License Law. *

- i. Anguiano, Gabriel; Complaint No. 2023-00500
- ii. Bryer, Jerry; Complaint No. 2023-00120
- iii. Green, Keith; Complaint No. 2023-00455
- iv. Hernandez, Roberto; Complaint No. 2023-00405
- v. Johns, Brad Edward; Complaint No. 2023-00441
- vi. Martinez, Julio; Complaint No. 2022-01448
- vii. McLellan, Jonathon Allen; Complaint No. 2023-00136
- viii. Meza, David Jr. ; Complaint No. 2023-00127
- ix. Motheral, Rodney Lynn; Complaint No. 2023-00414

- x. Montoya, Ovani Lesin; Complaint No. 2023-00625
- xi. Mora, Enrique; Complaint No. 2023-00135
- xii. Ramirez, Alberto; Complaint No. 2023-00459
- xiii. Sanchez, Samuel Andres; Complaint No. 2023-00460
- xiv. Sandoval, Jose; Complaint No. 2023-00652
- xv. Wray, John Michael; Complaint No. 2023-00243

16. Report and Discussion on Information Technology Use and Effort

- a. Information technology initiatives completed:
 - i. Disaster response remote work readiness expanded to 100% of staff
 - ii. Total network overhaul of the Austin office
- b. Website redesign plans for Summer 2023 to enhance functionality and visual appeal.
- c. Research, creation, and in-house testing of practical applications of artificial intelligence, including:
 - i. Option for interactive “frequently asked questions” training mechanism for new staff
 - ii. Option for interactive “frequently asked questions” customer service triage agent on website

17. Discussion and possible action on a fee study to review all agency fees and possible creation of a fee review committee. *

18. Public Comment – Comments will be limited to three minutes per person.

19. Discussion regarding the date for the next board meeting.

20. Recommendations for future board meeting agenda items.

21. 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 §551.101 of the Open Meetings Act.

If you need auxiliary aids or services, please contact Dawn Saravia, Executive Assistant, at (512) 936-5226, at least 72 hours prior to the meeting so that appropriate arrangements are made.

*Action items