

DECLARATION OF EMERGENCY

Workforce Commission Plumbing Board

Plumbers—Introductory Information; Licenses;
Revocation and Related Administration Proceedings;
Continuing Professional Education Programs
(LAC 46:LV.101, 301, 303, 307, 308, 309,
310, 311, 312, 313, 314, 315, 901, and 1002)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:953, the Louisiana State Plumbing Board (board), hereby determines that adoption of an Emergency Rule for the implementation of amendments to LAC 46:LV.101, 301, 303, 307, 308, 309, 310, 311, 312, 313, 314, 315, 901, and 1002 is necessary to be in compliance with recent legislative changes designated as Act No. 297 of 2016. The proposed Rule change establishes the designation of gas fitter and master gas fitter and will also provide licensing requirements and procedures relative to gas fitter and master gas fitter classifications, effective January 1, 2017. The addition of this classification resulted in the number change for rules formerly numbered as §§307-313. These adjustments will be effective upon final publication in the *Louisiana Register*.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LV. Plumbers

Chapter 1. Introductory Information

§101. Definitions

Apprentice Gas Fitter—a natural person engaged in learning the gas fitting trade by working under the direct on-the-job supervision of a gas fitter and in the employ of an employing entity. Apprentice gas fitters shall be indentured in an apprenticeship program approved by the Workforce Commission.

* * *

Employing Entity—Repealed.

Employing Entity Gas Fitter—as that term is used in R.S. 37:1367(B) and (C) and in these regulations, shall mean a corporation, partnership or sole proprietorship that holds itself out as engaging in the business or art of *gas fitting* as defined in this Section and who employs at least one master gas fitter on a regular paid basis for actual services performed by that master gas fitter supervising gas fitters.

Employing Entity Plumbing—as that term is used in R.S. 37:1367(B) and (C) and in these regulations, shall mean a corporation, partnership or sole proprietorship that holds itself out as engaging in the business or art of *plumbing* as defined in this Section and who employs at least one master plumber on a regular paid basis for actual services performed by that master plumber or master plumbers supervising journeyman plumbers.

Gas Fitter—a natural person who possesses the necessary qualifications and knowledge to install, alter, and/or repair natural gas systems; is licensed as such by the board; is supervised by a master gas fitter; and is in the employ of an employing entity.

Gas Fitting—the work or business of installing, repairing, improving, altering, or removing natural gas piping, fittings, valves, or tanks used for conveying fuel gas for appliances on or in premises or in buildings annexed to real property.

For purposes of this Chapter, gas fitting does not include the following:

1. the installation or maintenance of piping by any entity of a municipal or gas district system that is subject to the regulatory authority of the Public Service Commission, the New Orleans City Council, or the office of pipeline safety in the Department of Natural Resources;

2. any work done by a person who is licensed by the Louisiana Liquefied Petroleum Gas Commission or any other services performed pursuant to such a license.

* * *

Master Gas Fitter—

1. a natural person who possesses the necessary qualifications and knowledge to plan and lay out natural gas systems;

2. who supervises gas fitters in the installation, alteration, and/or repair of natural gas systems; and

3. who is licensed as such by the board.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(D).

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated by the Department of Employment and Training, Plumbing Board, LR 17:49 (January 1991), amended by the Department of Labor, Plumbing Board, LR 21:1348 (December 1995), LR 26:329 (February 2000), amended by the Workforce Commission, Plumbing Board, LR 42:575 (April 2016), LR 43:

Chapter 3. Licenses

§301. Licenses Required

A. - L. ...

M. No natural person shall engage in doing the work of a gas fitter unless he possesses a license or renewal thereof issued by the board. A gas fitter may engage in the art of gas fitting only when he is under the supervision of a master gas fitter licensed by this board.

N. Apprentices may engage in the art of gas fitting only when they are under the direct, constant on-the-job supervision of a licensed gas fitter. Direct, constant on-the-job supervision means that a licensed gas fitter will supervise no more than one apprentice on only one job at a time.

O. The board shall issue a license to any person who qualifies under the board's regulations and who desires to engage in doing the work of a gas fitter if he passes a written and manual gas fitter's examination given by the board and pays the fees established by the board.

P. No natural person shall engage in the work of a master gas fitter unless he possesses a master gas fitter's license or renewal thereof issued by the board. The board shall issue a master gas fitter license to any person who qualifies under the board's regulations and who desires to engage in doing the work of a master gas fitter if he passes a written examination given by the board and pays the fees established by the board. A written examination shall not be required for persons applying pursuant to §309.F. A master gas fitter shall not engage in the work of a gas fitter unless he also possesses a gas fitter's license issued by the board or previously possessed a gas fitter's license issued by the board. A person issued a master gas fitter's license shall designate to the board, as required by the rules of the board, an employing entity, which may be a corporation, partnership, or sole proprietorship. A licensed master gas fitter shall notify the board of any change of employment status with an employing entity within 30 days of the

effective date of change in employment status. A master gas fitter shall designate no more than one employing entity at any time. The board may charge a reasonable fee for processing such redesignations.

Q. No employing entity shall hold itself out as engaging in the business or art of gas fitting unless it employs a master gas fitter. No master gas fitter shall knowingly allow an employing entity to hold itself out as employing such master gas fitter at a time when it does not employ him. In the event a master gas fitter employed by an employing entity dies, the employing entity will be permitted to operate on the basis of the deceased master gas fitter's license for a period not to exceed six months following the death of the master gas fitter. The board may require proof of death. The six-month grace period provided herein must be applied for, in writing, within 30 days of the death of the master gas fitter. The employing entity must comply with all other regulations issued by the board during the grace period.

R. Every employing entity shall maintain an established place of business, with facilities for receiving complaints, calls and notices during normal business hours, from any person for whom it is performing gas fitting or from the board and its representatives. It shall display a sign, plainly visible from the street at every place where it and its employees are performing gas fitting work. The sign shall designate the employing entity's full name, address, telephone number and master gas fitter license number issued by the board to the designated active master gas fitter in its employ. The sign shall include legible lettering at least 2 inches high with the words "Louisiana Licensed Master Gas Fitter" (or abbreviated "LA Lic. Master Gas Fitter"). The employing entity shall also identify itself by permanent signs or lettering affixed to its service vehicles on both sides of such vehicles indicating the same information required of job-site signs, except the master gas fitter license number can be abbreviated as "LMGF _____." All public advertising, solicitations, customer invoices, and business correspondence issued by or on behalf of an employing entity shall set forth the information described herein.

S. Employment of an active master gas fitter by an employing entity on a regular paid basis, as required by §301.Q of these rules, shall mean employment or self-employment for wages or under a bona fide contract of hire with no more than one employing entity at any given time. Such employment or self-employment must include services performed by the active master gas fitter which is within the state of Louisiana or both within and without the state of Louisiana.

T. Temporary working permits to gas fitters may be issued as required by R.S. 37:1376 and may be issued to a holder of a state license from states with like examinations, should that state recognize the Louisiana license, or where other bona fide evidence shows that the applicant's past experience would be capable of protecting the public from defective gas fitting. Each temporary permit must be signed by both the chairman and the secretary of the board. A reasonable fee may be charged for the issuance of temporary permits, as fixed by the board (see §311).

U. An inactive master gas fitter, as that term is used in R.S. 37:1368(E), shall mean a natural person who is licensed by the board as a master gas fitter or who successfully applies for and passes the examination for master gas fitter license administered by the board pursuant to §307 of these rules. An applicant for inactive master gas fitter status must

state in a form supplied by the board that he does not wish or intend to practice as a master gas fitter. An inactive master gas fitter shall not be permitted to designate an employing entity, or knowingly allow an employing entity to hold itself out as employing him as a master gas fitter. An inactive master gas fitter can convert his status to that of a master gas fitter by submitting to the board an appropriate form supplied by the board and upon payment of a fee established by the board. During the period of his inactive status the inactive master gas fitter shall pay a fee established by the board. An inactive master gas fitter converting his status under this Section shall designate an employing entity. An inactive master gas fitter shall be permitted to work as gas fitter during the period or periods he maintains an inactive gas fitter's license, if he is currently or was previously licensed by the board as a gas fitter.

V. The board is empowered to assess special enforcement fees on a daily basis at a rate not to exceed \$10 a day relative to any master gas fitter or employing entity, or both, that fails or refuses, after due notice, to comply with the sign and posting requirements established by Subsection R of this Section. The daily enforcement fees assessed by the board under this provision shall not exceed, in the aggregate, \$500. This special enforcement fee shall be in addition to any licensing fees required by law, or any other penalty or sanction assessed by a court of competent jurisdiction or by the board.

W. In the event any applicant for any license or endorsement who successfully completes a required examination, but fails to pay to the board any requisite license or endorsement fee within 90 days of notice of his examination results shall not be issued the applicable license or endorsement unless and until he submits to an successfully completes re-examination and pays the appropriate fees for such re-examination and subsequent license or endorsement fee. Imposition of this re-examination requirement may be waived for good cause. Any special endorsement fees incurred before or during the re-examination process shall not be affected.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(D).

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated by the Department of Employment and Training, Plumbing Board, LR 17:49 (January 1991), amended by the Department of Labor, Plumbing Board LR 19:897 (July 1993), LR 19:1593 (December 1993), LR 21:1348 (December 1995), LR 25:1857 (October 1999), amended by the Workforce Commission, Plumbing Board, LR 42:576 (April 2016), LR 43:

§303. Application for License

A. - F. ...

G. Applications for gas fitter license shall be completed and sworn to before a notary public by the applicant. Each application shall state two years of having performed manual labor of gas fitting in that two year training period was under the direct on-the-job supervision of a licensed gas fitter, except those completing apprenticeship programs recognized by the board.

1. Each applicant shall be qualified to take the examination without assistance, and provide whatever other information is requested, on official board application form.

H. The board must satisfy itself that an indentured apprentice gas fitter has satisfactorily completed the approved apprenticeship program.

I. Applications for master gas fitter license shall be completed and sworn to before a notary public by the applicant. The applicant must submit proof that he is licensed by the board at the time of application as a gas fitter or the applicant must submit proof that he is a professional engineer licensed by the state of Louisiana with experience in the art of gas fitting as defined in R.S. 37:1377(K). He must furnish whatever other information relevant to his experience that is requested in the application form or specially requested by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(D).

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated by the Department of Employment and Training, Plumbing Board, LR 17:50 (January 1991), amended by the Department of Labor, Plumbing Board, LR 21:1348 (December 1995), LR 26:329 (February 2000), amended by the Workforce Commission, Plumbing Board, LR 42:576 (April 2016), LR 43:

§307. Requirements to Take Exam for Gas Fitter's License

A. Requirements

1. An applicant for gas fitter's examination must have been a registered apprentice with the board for two years and shall provide notarized affidavit of having performed manual labor of gas fitting in that two year training period under the direct on-the-job supervision of a licensed gas fitter.

2. He shall have sufficient education to read and write the answers to the examination questions and shall understand the gas fitting terms used in the code acceptable to the authority having jurisdiction in regard to the installation or repair of gas fitting.

3. He shall furnish a 2-inch by 2-inch photograph of himself with the application.

4. He shall submit his application and required documents to the office of the State Plumbing Board of Louisiana not less than 30 days before any scheduled examination. The board shall inform all interested persons of the examination schedule.

5. He must attach a money order or check for the appropriate fee to the application. The fee is established in §309.

6. No master gas fitter certificate shall permit any master gas fitter to do the work of a gas fitter.

B. Regular quarterly examinations will be held on the first Saturday of January, April, July and October in the City of Baton Rouge, or on such days specially set by the board. Regularly scheduled examinations are subject to postponement or relocation to accommodate legal holidays or other conditions beyond the control of the board.

C. Failure to report for examination will result in the forfeiture of the applicant's fee. This forfeiture may be reversed by the board upon showing a good cause by the applicant explaining his failure to attend the scheduled examination.

D. Special examinations may be held at such times and places as the board may direct. Any person or persons may request that he be examined by the board at times and places other than the regularly scheduled examination dates, and the board shall examine such applicant or applicants as are qualified, at a reasonable time and place designated by the board after notice of such request, at the payment of a fee as established by the board.

E. The examination shall be given by one or more examiners. At least one board member shall be present.

F. The chairman of the board shall appoint the examiner or examiners, who may be representatives of a private professional service provider qualified to administer a standardized, nationally recognized test duly adopted by the board. If necessary, the chairman shall appoint additional examiners to conduct any special examination required as an accommodation to a qualified disabled individual under the Americans with Disabilities Act.

H. Notwithstanding the foregoing provisions of this Section, any person or persons who at any time within three years of being cited by the board or its agents for engaging in the work of a gas fitter at a time when he did not possess a license or renewal thereof issued by the board, or was otherwise subject to civil or criminal prosecution for doing the work of a gas fitter without possessing a license or renewal thereof issued by the board, may request that he be examined by the board pursuant to this Section, but only after the payment of a special enforcement fee as established by the board, which shall be in addition to the regular license fee established by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(D).

HISTORICAL NOTE: Promulgated by the Workforce Commission, Plumbing Board, LR 43:

§308. Requirements to take Exam for Master Gas Fitter License

A. Requirements

1. An applicant for master gas fitter examination shall have a current gas fitter license issued by the board or, hold the state Licensing Board for Contractors mechanical work (statewide) license or the applicant shall possess a current license issued by the Professional Engineering and Land Surveying Board certifying or registering him as a professional engineer. A registered or certified professional engineer must further have experience in the art of gas fitting as defined in R.S. 37:1377(K) for a period of five years.

2. In all cases the applicant shall have sufficient knowledge and understanding to comprehend, interpret, and apply the code acceptable to the authority having jurisdiction. In this regard, he must possess sufficient knowledge to plan and lay out gas fitting systems. He must also possess knowledge and understanding to comprehend business and legal terms of the business of gas fitting.

3. The applicant shall furnish a 2-inch by 2-inch photograph of himself with the application.

4. He shall submit his application and required documents to the office of the State Plumbing Board of Louisiana not less than 30 days before any scheduled examination. The board shall inform all interested persons of the examination schedule.

5. He must attach a money order or check for the appropriate fee to the application. The fee is established in §311.

B. Regular quarterly examinations will be held in conjunction with the examination conducted pursuant to §307.B, or on such days specially set by the board.

C. Failure to report for examination will result in the forfeiture of the applicant's fee. This forfeiture may be reversed by the board upon a showing of good cause by the applicant explaining his failure to attend the scheduled examination.

D. Special examinations may be held by the board under the same conditions described in §307.D.

E. The examination shall be given by one or more examiners. At least one board member shall be present. The examiner must be a master gas fitter licensed by the board or a special appointee under §308.F.

F. The chairman of the board shall appoint the examiner or examiners, who may be a representative of a private professional service provider qualified to administer a standardized, nationally recognized test duly adopted by the board. If necessary, the chairman shall appoint additional examiners to conduct any special examination required as an accommodation to a qualified disabled individual under the Americans with Disabilities Act.

G. Notwithstanding the foregoing provisions of this Section, any person or persons who at any time within three years of being cited by the board or its agents for engaging in the work of a master gas fitter at a time when he did not possess an appropriate active master gas fitter license or renewal thereof issued by the board, or was otherwise subject to civil or criminal prosecution for doing the work of master gas fitter without possessing a license or renewal thereof issued by the board, may request that he be examined by the board pursuant to this Section, but only after payment of a special enforcement fee as established by the board, which shall be in addition to the regular license fee established by the board for active master gas fitters.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(D).

HISTORICAL NOTE: Promulgated by the Workforce Commission, Plumbing Board, LR 43:

§309. Renewals

[Formerly §307]

A. All plumbing and gas fitter, medical gas piping installer licenses, medical gas and vacuums systems verifier licenses, as well as water supply protection endorsements, expire December 31 of each year. Applications for renewal will be mailed out by the end of October. The issuance of renewals will commence November 1 of each year. The term "renewal application" as used in §307 shall refer to all licenses and endorsements issued by the board.

B. All renewal applications received at the board's office later than midnight the last day of December will be delinquent and will require a revival fee in addition to the renewal fee. Any license not renewed by the last day of December will pay a revival fee, in addition to the renewal fee, if renewed between January 1 and March 31. Any license renewed after March 31, will require an increased revival fee, in addition to the renewal fee. The fees are set forth in §311. Any person performing the work of a gas fitter, master gas fitter, journeyman plumber or a master plumber without the appropriate license issued by the board after March 31 of any year without having renewed his license from the immediately preceding year shall be subject to the special enforcement fee established in §307.H or §308.G.

C. A person who has allowed his previously issued journeyman plumber or master gas fitter license to expire may be afforded the option, in lieu of re-examination, of paying a special revival fee of \$50 per year for each year the license was not renewed up to a limit of four consecutive years. However, any such person who performs the work of a journeyman plumber without possessing a license issued by the board during this period shall be subject to the special enforcement fee established in §307.H.

D. A person who has allowed his previously issued master plumber license, inactive master plumber license, ~~or~~ restricted master plumber, or master gas fitter license to expire may be afforded the option, in lieu of re-examination, of paying a special revival fee of \$250 per year for each year the license was not renewed up to a limit of four consecutive years. A person who qualifies for issuance of a restricted master plumber license by virtue of R.S. 37:1368(C) or (D), as amended by Act 752 of the 1990 Regular Session, must apply for such license on or before December 31, 1991. A first time application by any such person after December 31, 1991 will be subject to the revival fee provisions. Any person who performs the work of a master plumber or master gas fitter without possessing a license issued by the board during any period of lapsed license or prior to applying for a restricted master plumber license as provided herein shall be subject to the special enforcement fee established in §306.G or §308.G.

E. To be considered timely filed, any renewal application under §307 must actually be received at the office of the State Plumbing Board of Louisiana within the time specified for filing or be sent to that office by first-class mail, postage prepaid, and bearing a postmark showing that the application was mailed on or before the last day for filing.

F.1. As authorized by R.S. 37:1366(J)(3) the board may waive the examination required for the issuance of a gas fitter or master gas fitter license to any person who meets and provides verifiable proof that he met at least one of the following requirements:

a. that prior to July 1, 2016, he held a journeyman plumber license issued by the board and was employed by an employing entity performing gas fitting work verifiable by any such employing entity;

b. that prior to July 1, 2016 he held a journeyman gas fitter license issued by a municipality or other local governmental authority;

c. that prior to July 1, 2016 he held a master gas fitter license issued by a municipality or other local governmental authority;

d. that prior to July 1, 2016 he held a state License Board for Contractors mechanical work (statewide) license; or

e. that prior to July 1, 2016 he held a master plumber license issued by the board and performed gas fitter work verified by at least three invoices or building permits as proof of work performance.

2. In any case, any application for such waivers of examination, with verified proof, must be submitted before December 31, 2017.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(D).

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, promulgated LR 2:419 (December 1976), amended LR 7:588 (November 1981), amended by Department of Employment and Training, Plumbing Board, LR 17:52 (January 1991), LR 18:30 (January 1992), amended by the Department of Labor, Plumbing Board, LR 21:1350 (December 1995), LR 26:329 (February 2000), amended by the Workforce Commission, Plumbing Board, LR 42:577 (April 2016), LR 43:

§310. Insurance Requirements for Master Plumbers and Master Gas Fitters

[Formerly §308]

A. No master plumber, ~~or~~ restricted master plumber, or master gas fitter license shall be issued, renewed, or revived until the applicant has provided proof acceptable to the

board that insurance has been issued to the employing entity which is designated in accordance with R.S. 37:1367 by an insurer authorized to do business in this state.

B. The employing entity shall maintain:

1. worker's compensation insurance as required by law;

2. motor vehicle bodily injury and property damage liability insurance in the minimum amount required by law;

3. comprehensive general liability and property damage insurance in a minimum amount of \$100,000, except on plumbing work or gas fitting work done in parishes under 30,000 persons in population; on buildings, residences, or structures being no more than 6,000 square feet of interior space, the minimum aggregate amount shall be \$50,000.

C. The provisions of this Section shall not apply to master plumbers or master gas fitters applying for and being issued an inactive master plumber license or a master gas fitter license.

D. The certification of insurance shall contain a provision, and the policy so endorsed, that the insurance carrier shall notify the board, in writing, of any change in or cancellation of the insurance policy or policies at least 30 days prior thereto.

E. In the event a master plumber, ~~or~~ restricted master plumber, or master gas fitter changes his designation of an employing entity, the insurance requirements of this Subsection shall remain in effect.

F. A licensed journeyman plumber performing repairs as defined in §101 and §301.E shall be subject to the insurance requirements of this Subsection.

G. Any master plumber, restricted master plumber, or master gas fitter subject to the lesser comprehensive general liability and property damage insurance requirements in parishes described in Paragraph B.3 of this Section on the type of work described therein shall be subject to the greater insurance requirements generally imposed on master plumbers, restricted master plumbers and master gas fitters when performing work in all other parishes or on buildings, residences or structures being more than 6,000 square feet of interior space in any parish.

H. The board is empowered to assess special enforcement fees on a daily basis at a rate not to exceed \$10 a day relative to any master plumber, master gas fitter or employing entity, individually or collectively, that fails or refuses, after due notice, to comply with the insurance requirements for master plumbers and master gas fitters as established in §308 of these regulations. The daily enforcement fees assessed by the board under this provision shall not exceed, in the aggregate, \$500. This special enforcement fee shall be in addition to any licensing fees required by law, or any other penalty or sanction assessed by a court of competent jurisdiction or by the board.

I. If an employing entity is exempt from the worker's compensation laws, as provided by applicable Louisiana law, it shall execute an affidavit of non-coverage on a form provided by the board. Failure to timely submit this affidavit may subject the employing entity to special enforcement fees under §310 of these regulations and/or an action for injunctive relief by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366 and R.S. 37:1377.

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended by Department of Employment

and Training, Plumbing Board, LR 17:53 (January 1991), amended LR 18:30 (January 1992), amended by the Department of Labor, Plumbing Board, LR 19:897 (July 1993), LR 25:1856 (October 1999), amended by the Workforce Commission, Plumbing Board, LR 43:

§311. Fees

[Formerly §309]

A. The fees and charges of the board relative to journeyman plumbers shall be as follows:

1. special examinations—\$500;

2. examinations—\$125;

3. illiterate examinations—\$150;

4. initial license fee (This fee to be paid after applicant has successfully passed the exam, in order to receive his first license.)—\$40;

5. renewal fee—\$40;

6. revival fee—\$15;

a. if renewed after March 31—\$30;

7. temporary permits—\$75;

8. administrative charges for processing application (to be retained by the board should applicant withdraw his application before taking the examination)—\$62.50;

9. fee for N.S.F. or returned check—\$20;

10. special enforcement fee imposed under §305.H—\$500.

B. The fees and charges of the board relative to master plumbers, restricted master plumbers and inactive master plumbers shall be as follows:

1. special examinations—\$500;

2. examinations—\$100;

3. initial license fee—\$180;

4. renewal fee—\$180;

5. revival fee—\$60;

a. if renewed after March 31—\$120;

6. administrative charges for processing application (to be retained by the board should applicant withdraw his application before taking the examination)—50 percent of exam fee;

7. fee for N.S.F. or returned check—\$20;

8. special enforcement fee imposed under §306.G—\$500;

9. inactive master plumber fee—\$30;

10. fee for conversion of inactive master plumber license to active master plumber—\$150;

11. employing entity redesignation fee—\$150;

12. special daily enforcement fee imposed under §301.K—\$10/day, not to exceed \$500 in the aggregate;

13. special daily enforcement fee imposed under §308.H—\$10/day, not to exceed \$500 in the aggregate.

C. The fees and charges of the board relative to medical gas piping installers shall be as follows:

1. special examinations—\$500;

2. examination—\$95;

3. initial license fee (This fee to be paid after applicant has successfully passed the exam.)—\$30;

4. renewal fee—\$30;

5. revival fee—\$10;

a. if renewed after March 31—\$20;

6. administrative charges for processing application (to be retained by the board should an applicant withdraw his application before taking the examination)—50 percent of exam fee;

7. fee for N.S.F. or returned check—\$20;
8. special enforcement fee imposed under §304.K—\$500.

D. The fees and charges of the board relative to water supply protection specialists endorsements shall be as follows:

1. special examinations—\$500;
2. examination—\$50;
3. initial endorsement fee (This fee to be paid after applicant has successfully passed the exam.)—\$10;
4. renewal fee—\$10;
5. revival fee—\$10;
 - a. if renewed after March 31—\$20;
6. administrative charges for processing application (to be retained by the board should an applicant withdraw his application before taking the examination)—50 percent of exam fee;
7. fee for N.S.F. or returned check—\$20;
8. special enforcement fee imposed under §310.K—\$500.

E. The fees and charges of the board relative to medical gas and vacuum systems verifier shall be as follows:

1. application fee—\$200;
2. renewal fee—\$200;
3. revival fee—\$65;
 - a. if renewed after March 31—\$130.

F. The fees and charges of the board relative to gas fitters shall be as follows:

1. special examinations—\$500;
2. examinations—\$125;
3. ADA accommodation examinations—\$150;
4. initial license fee (This fee to be paid after applicant has successfully passed the exam, in order to receive his first license.)—\$40;
5. renewal fee—\$40;
6. revival fee—\$15;
 - a. if renewed after March 31—\$ 30;
7. temporary permits—\$75;
8. administrative charges for processing application (to be retained by the board should applicant withdraw his application before taking the examination)—\$62.50;
9. fee for N.S.F. or returned check—\$35;
10. special enforcement fee imposed under §307.H—\$500.

G. The fees and charges of the board relative to master gas fitters and inactive master gas fitters shall be as follows:

1. special examinations—\$500;
2. examinations—\$100;
3. initial license fee—\$180;
4. renewal fee—\$180;
5. revival fee—\$60;
 - a. if renewed after March 31—\$120;
6. administrative charges for processing application (to be retained by the board should applicant withdraw his application before taking the examination)—50 percent of exam fee;
7. fee for N.S.F. or returned check—\$35;
8. special enforcement fee imposed under §306.G—\$500;
9. inactive master gas fitter fee—\$30;

10. fee for conversion of inactive master gas fitter license to active master gas fitter—\$150;

11. employing entity re-designation fee—\$150;

12. special daily enforcement fee imposed under §301.K—\$10/day, not to exceed \$500 in the aggregate;

13. special daily enforcement fee imposed under §308.H—\$10/day, not to exceed \$500 in the aggregate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(D) and R.S. 37:1371.

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated LR 7:588 (November 1981), amended LR 15:1089 (December 1989), amended by the Department of Employment and Training, Plumbing Board, LR 16:23 (January 1990), LR 17:53 (January 1991), amended by the Department of Labor, Plumbing Board, LR 19:898 (July 1993), LR 19:1594 (December 1993), LR 21:1351 (December 1995), LR 26:327 (February 2000), amended by the Workforce Commission, Plumbing Board, LR 43:

§312. Water Supply Protection Specialist Endorsement [Formerly §310]

A. No natural person shall engage in the work of a water supply protection specialist unless he possesses an endorsement to either a master plumber license or a journeyman plumber license or renewals thereof issued by the board. The board shall issue such an endorsement to either form of license to any person who qualifies under the board's regulations and who desires to engage in doing the work of a water supply protection specialist, if he passes an examination given by the board and pays the fees established by the board.

B. A person possessing a restricted master plumber license, who also possesses a water supply protection specialist endorsement to that license issued by the board, shall not be restricted geographically with respect to his work or business as a water supply protection specialist. However, the restrictions applicable to his restricted master plumber license shall remain in effect.

C. As authorized by R.S. 37:1368(H), the board shall recognize and certify certain programs of education and training of water supply protection offered by private or public organizations or institutions compliant with *ASSE International, Cross-Connection Control Professional Qualifications Standard ASSE Series 5000*. A journeyman or master plumber licensed by this board who successfully completes any such program shall qualify for admission to an examination offered under Subsection A of this Section. Any such organization must satisfy the board that its program or programs includes training and testing as specified in the *ASSE Series 5000, Standard 5110, Professional Qualifications for Backflow Prevention Assembly Testers*.

D. Courses of instruction defined in §310.C must be provided by a person or persons meeting the credentials and requirements of *ASSE Series 5000, Standard 5110, Professional Qualifications Standard for Backflow Prevention Assembly Testers and ASSE International Guidelines for Cross-Connection Control Certification*.

E. To be eligible for board certification pursuant to R.S. 37:1368(H), an interested organization providing water supply protection specialist training and education must complete a written application on a form or forms supplied by the board. The board shall be entitled to receive timely information on the program or programs administered by such organization and background of instructors upon request at any time. The board, acting through its

representatives, may also inspect the facility and observe the actual training and education programs used and offered by such organization. Failure to cooperate with the board and its representatives may be grounds for denial or withdrawal of board certification of any such organization. The board may investigate complaints concerning such programs. Adverse administrative action affecting an organization's application for certification or its continued status as an organization certified by the board pursuant to R.S. 37:1368(H) will be subject to the Administrative Procedure Act.

F. The board may accept, in lieu of an examination directly administered by the board to any applicant, the verifiable results of an examination administered by an organization certified pursuant to R.S. 37:1368(H) as evidence of successful completion of the examination referred to in R.S. 37:1368(H). Any papers from such examinations must be available for inspection and the board may require notarized affidavits from the applicant and the administering organization representative attesting to the accuracy of the examination results and the scope of any such examination, which must minimally include the subject areas described in Subsection C of this Section.

G. An applicant for a water supply protection specialist endorsement must attach to his application a money order or check for the appropriate fee established in §311 of these regulations.

H. Regular quarterly examinations for water supply protection specialist endorsements may be held in conjunction with examinations for journeyman or master plumber license applications, or on such days specially set by the board. Interested persons shall be notified of the examination schedule.

I. A water supply protection specialist endorsement application must be submitted to the office of the State Plumbing Board of Louisiana not less than 30 days before any scheduled examination.

J. The chairman of the board shall appoint an examiner or examiners to conduct water supply protection specialist endorsement examinations. An examiner may be a representative of a private or public professional service provider qualified to administer a standardized, nationally recognized test duly adopted by the board.

K. Any person, who at any time is cited by the board for working as a water supply protection specialist without possessing an endorsement to that effect, shall be subject to a special enforcement fee as a precondition to any subsequent examination or licensing of any nature. This fee shall be in addition to the regular fees assessed by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(D) and R.S. 37:1368(H).

HISTORICAL NOTE: Promulgated by the Department of Labor, Plumbing Board, LR 21:1350 (December 1995), amended by the Department of Labor, Plumbing Board, LR 25:1859 (October 1999), amended by the Workforce Commission, Plumbing Board, LR 42:577 (April 2016), repromulgated LR 43:

§313. Integrity of Examination **[Formerly §311]**

A. The board may reject an examination for any license or endorsement under this Chapter, if the board determines that the applicant completed any portion of any such examination with the assistance of any other person or unauthorized written materials secreted into the examination site. Examinees will be allowed to utilize board approved resource or industry code materials or permitted by

authorized third-party examiners. Examinees determined to have violated the prohibitions of this Section shall be notified in writing and, upon request by the examinee or at the direction of the executive director, an informal conference before the executive director or committee appointed by the board will be conducted. An affected examinee may appeal the determination reached in the informal conference by filing a written appeal with the board. Such appeal hearings shall comport with the provisions of R.S. 49:955(B). Based on the evidence adduced at any such hearing, the board may impose sanctions upon the examinee with respect to any subsequently administered examination and related licensing.

B. The board is empowered to act upon reports of violation of Subsection A of this Section by examinees received from private or public organizations recognized as examiners under §§304.H, 306.F, 312.F or 314.B and impose sanctions as described in Subsection A of this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366.D.

HISTORICAL NOTE: Promulgated by the Department of Labor, Plumbing Board, LR 24:1948 (October 1998), amended LR 26:328 (February 2000), repromulgated by the Workforce Commission, Plumbing Board, LR 43:

§314. Medical Gas and Vacuum Systems Verifier **[Formerly §312]**

A. No natural person shall engage in the work of a medical gas and vacuum systems verifier unless he possesses a license or renewal thereof issued by this board. The board shall issue a medical and vacuum systems verifier license to any person who:

1. qualifies under the board's regulations;
2. desires to engage in the work or business of a medical gas and vacuum systems verifier;
3. passes a written and manual examination conducted by a nationally recognized organization for this purpose; and
4. pays the fees established by the board.

B. As authorized by R.S. 37:1368(I), the board shall recognize and certify certain programs of education and training of medical gas and vacuum systems verifiers offered by private or public organizations or institutions. A natural person's satisfactory completion of any such program and related exit examination shall qualify him for licensing under Subsection A of this Section. Any such organization must satisfy the board that its program or programs meet the following criteria.

1. The program is conducted at a training facility and given to those persons that meet the requirements of American Society of Sanitary Engineering (ASSE) *Professional Qualifications Standard for Medical Gas Systems Personnel Series 6000, Standard 6030*, latest edition.

2. The program meets criteria prescribed by the board and American Society of Sanitary Engineering (ASSE), *Series 6000, Standard 6030*, latest edition.

3. Courses of instruction defined in this Subsection must be provided by a person or persons possessing a current medical gas system instructor certification in compliance with *ASSE Series 6000, Standard 6050*, latest edition.

C. To be eligible for board certification pursuant to R.S. 37:1368(I), an interested organization providing medical gas and vacuum systems verification training and education

must complete a written application on a form or forms supplied by the board. The board shall be entitled to receive timely information on the program or programs administered by such organization and background of instructors upon request at any time. The board, acting through its representatives, may also inspect the facility and observe the actual training and education programs used or offered by such organizations. Failure to cooperate with the board and its representatives may be grounds for denial or withdrawal of board certification of any such organization. The board may investigate complaints concerning such programs. Adverse administrative action affecting an organization's application for certification or its continued status as an organization certified by the board pursuant to R.S. 37:1368(I) will be subject to the Administrative Procedure Act.

D. An applicant for a medical gas and vacuum systems verifier license must attach to his application a money order or check for the appropriate fees established in §311 of these regulations.

E. The board may accept, in lieu of an examination directly administered by the board to any applicant, the verifiable results of an examination administered by an organization meeting the criteria of *ASSE Series 6000, Standard 6030*, §30-3.2.3, latest edition and certified pursuant to R.S. 37:1368(I), as evidence of successful completion of the examination necessary for the issuance of a license for medical gas and vacuum systems verifier. Any papers from such examinations must be available for inspection and the board may require notarized affidavits from the applicant and the administering organization representative attesting to the accuracy of the examination results and the scope of any such examination, which must minimally include the subject areas described in *ASSE Series 6000, Standard 6030*, latest edition.

F. Any person, who at any time is cited by the board for working as a medical gas and vacuum systems verifier without possessing the necessary license issued by the board, shall be subject to a special enforcement fee as a precondition to any subsequent examination or licensing of any nature. The fee shall be in addition to the regular fees assessed by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(D).

HISTORICAL NOTE: Promulgated by the Department of Labor, Plumbing Board, LR 26:329 (February 2000), amended by the Workforce Commission, Plumbing Board, LR 42:577 (April 2016), repromulgated LR 43:

§315. Standards for Medical Gas and Vacuum Systems Verifiers **[Formerly §313]**

A. A medical gas and vacuum systems verifier shall not certify to any party the results of any tests on medical gas pipeline systems or equipment installed or repaired by any person not licensed by the board as a medical gas piping installer.

B. As a condition for licensing and renewal thereof, and subject to the disciplinary powers of the board under R.S. 37:1378(3) and (8), any person licensed by the board as a medical gas and vacuum systems verifier shall be obligated to cooperate with the Louisiana state fire marshal and his agents in connection with his regulation of medical gas piping installation and systems verification.

C. The duties described in Subsection B of this Section include the responsibility of a medical gas and vacuum systems verifier to accurately report to the fire marshal prior to the fire marshal's inspection the following as to any gas and vacuum system subject to his verification:

1. the successful completion of pressure testing of all manufactured assemblies for both positive gases and vacuum systems, as supplied by the manufacturer of any such systems, prior to this installation;

2. satisfactory cleaning of piping and fittings from the cleaning agency in accordance with the standard "cleaning equipment for oxygen service" (CGA G-4.1);

3. documentation of each board-licensed medical gas piping installer's braze performance qualification in accordance with *NFPA 99, Health Care Facilities Code* latest edition;

4. documentation of the medical gas contractor's braze procedure specification and procedure qualification record;

5. documentation of successful completion of the board-licensed installer's required testing, including a blowdown test, initial pressure test, cross-connection test, piping purge test and standing pressure test;

6. documentation of the verifier's successful completion of required testing, including cross-connection, valve test, outlet flow test, alarm testing, piping purge test, piping purity test, final tie-in test, operational pressure test, medical gas concentration test, medical air purity test and labeling.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1336(D).

HISTORICAL NOTE: Promulgated by the Department of Labor, Plumbing Board, LR 26:330 (February 2000), amended by the Workforce Commission, Plumbing Board, LR 42:578 (April 2016), repromulgated LR 43:

Chapter 9. Revocation and Related Administration

Proceedings

§901. Revocation, Suspension and Probation

Procedures

A. All adjudication proceedings initiated pursuant to R.S. 37:1378 and conducted by the board shall be in accordance with the Administrative Procedure Act, R.S. 49:955 et seq. The term *licensee* as used in this Section, shall refer, where applicable, to the holder of a journeyman plumber, restricted journeyman plumber, master plumber, restricted master plumber, inactive master plumber, gas fitter, master gas fitter, medical gas piping installer or medical gas and vacuum systems verifier license, and holder of a water supply protection specialist endorsement.

B. - K.2. ...

3. Suspension

a. A license or license endorsement to practice plumbing, gas fitting, engage in the work of a water supply protection specialist and/or medical gas piping installer may be withheld by the board as a result of the findings of fact presented in a hearing. The duration of a suspension may be for a definite or indefinite period of time. A licensee or endorsement holder whose license or endorsement is suspended may not practice plumbing, gas fitting, the work of a water supply protection specialist and/or medical gas installer in the state of Louisiana during the designated period of suspension.

L. Revocation. A license or endorsement to practice plumbing, gas fitting, engage in the work of a water supply protection specialist and/or medical gas piping installer may

be withdrawn by the board for any reason or ground permitted by R.S. 37:1378 or other law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(D).

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated by the Department of Employment and Training, Plumbing Board, LR 17:55 (January 1991), amended by Department of Labor, Plumbing Board, LR 21:1352 (December 1995), LR 26:331 (February 2000), amended by the Workforce Commission, Plumbing Board, LR 43:

Chapter 10. Continuing Professional Education Programs

§1002. Gas Fitters and Master Gas Fitters

A. CPE Requirement

1. All persons seeking to renew a gas fitter's license issued by the Louisiana State Plumbing Board are required to attend and show proof of attendance at no less than two hours of a Louisiana State Plumbing Board-approved CPE class in the prior calendar year, as set out in this Section.

2. All persons seeking to renew a master gas fitter's license or to convert an inactive master gas fitter's license to an active master gas fitter's license must attend and show proof of attendance at no less than 3 1/2 hours of a Louisiana State Plumbing Board-approved CPE class in the prior calendar year, as set out in this Section.

3. A holder of an inactive master gas fitter's license who seeks to renew said license must file an affidavit in a form provided by the Louisiana State Plumbing Board, that they have been inactive as a gas fitter in the previous year, and that they will remain inactive and not work as a gas fitter for the year for which they seek to renew their license. Upon such filing with the Louisiana State Plumbing Board, the holder of an inactive master gas fitter's License will not be required to meet the CPE requirements set out herein.

4. A holder of an inactive master gas fitter's license who seeks to function as a gas fitter is required to attend and show proof of attendance at no less than two hours of a Louisiana State Plumbing Board-approved CPE class in the prior calendar year, as set out in this Section.

B. Course Materials

1. The Louisiana State Plumbing Board shall be the exclusive agency for distribution of CPE course materials.

2. The Louisiana State Plumbing Board will annually approve course materials to be used for the CPE required for renewal of gas fitter and master gas fitter licenses. The course materials are the printed materials that are the basis for a substantial portion of a CPE course and which are provided to the licensees. Louisiana State Plumbing Board approval of course materials will be subject to all of the terms and conditions of this Section. The following minimum criteria will be used by the Louisiana State Plumbing Board in considering approval of course materials.

3. The course materials will provide the basis for a minimum of two classroom hours of study for gas fitters and a minimum of 3 1/2 hours for master gas fitters. One half hour will be in the subjects of health protection, consumer protection or environmental protection, One half hour shall include information concerning the Act, Louisiana State Plumbing Board rules with the one remaining hour covering subjects, current industry practices and codes, and subjects from lists of approved subjects published by the Louisiana State Plumbing Board. One and one half hour of the materials for master gas fitters will be on business topics approved by the Louisiana State Plumbing Board.

4. The Louisiana State Plumbing Board will periodically publish lists of approved and required subjects.

5. The course materials must be presentations of relevant issues and changes within the subject areas as they apply to the gas fitting practice in the current market, public health or topics which increase or support the licensee's development of skill and competence.

6. The course materials may not advertise or promote the sale of goods, products or services.

7. The course materials must be printed and bound in perfect/standard, metal coil or ring binder form.

8. The course materials will include perforated Louisiana State Plumbing Board forms within the binding of the course materials that may be removed for use by the licensees. The forms will include CPE evaluation forms, license and endorsement examination forms and general complaint forms.

9. All course materials must have the following characteristics:

a. high quality, readable and carefully prepared written materials with correct grammar, spelling and punctuation;

b. appropriate illustrations and graphics to show concepts not easily explained in words; and

c. in depth and comprehensive presentation of subject matter which increases or supports the skills or competence of the licensees.

10. The publishers of course materials must have legal ownership of or an appropriate license for the use of all copyrighted material included within the course materials. Louisiana State Plumbing Board approved course materials will contain a prominently displayed approval statement in 10 point bold type or larger containing the following language:

"THIS CONTINUING PROFESSIONAL EDUCATION COURSE MATERIAL HAS BEEN APPROVED BY THE LOUISIANA STATE PLUMBING BOARD FOR USE IN THE (state year) CPE YEAR. BY ITS APPROVAL OF THIS COURSE MATERIAL, THE LOUISIANA STATE PLUMBING BOARD DOES NOT ASSUME ANY RESPONSIBILITY FOR THE ACCURACY OF THE CONTENTS. FURTHER, THE LOUISIANA STATE PLUMBING BOARD HAS NOT MADE ANY DETERMINATION THAT THE PARTY PUBLISHING THE COURSE MATERIALS HAS COMPLIED WITH ANY APPLICABLE COPYRIGHT AND OTHER LAWS IN PUBLISHING THE COURSE MATERIAL AND THE LOUISIANA STATE PLUMBING BOARD DOES NOT ASSUME ANY LIABILITY OR RESPONSIBILITY THEREFOR. THE COURSE MATERIAL IS NOT BEING PUBLISHED BY NOR IS IT A PUBLICATION OF THE LOUISIANA STATE PLUMBING BOARD."

11. The publishers of course materials will conduct instructor training in the use of course materials.

12. Any individual, business or association who wishes to offer to publish course materials shall apply to the Louisiana State Plumbing Board for approval using application forms prepared by the Louisiana State Plumbing Board.

13. The Louisiana State Plumbing Board may refuse to accept any application for approval as a publisher of course materials that is not complete. The Louisiana State Plumbing Board may deny approval of an application for any of the following reasons:

a. failure to comply with the provisions of this Section;

b. inadequate coverage of the materials required to be included in course materials; or

c. unsatisfactory evaluations of the course materials by licensees or Louisiana State Plumbing Board members or staff.

14. If an application is refused or disapproved, written notice detailing the basis of the decision shall be provided to the applicant within 90 days of the refusal or disapproval.

15. A publisher's authority to offer the course materials for which CPE credit is given expires on December 31 of the calendar year following approval.

16. To be approved, 10 copies of course materials, including any handouts and audio/visual aids to be used, must be submitted in complete draft form to the Louisiana State Plumbing Board's office no later than October 15 (or at least 30 days prior to the Louisiana State Plumbing Board's November meeting, whichever is earlier) for Louisiana State Plumbing Board approval at its November Louisiana State Plumbing Board meeting. At least 10 copies each of all course materials that are approved at the Louisiana State Plumbing Board's November meeting shall be provided to the Louisiana State Plumbing Board's office no later than February of the following year, at no cost to the Louisiana State Plumbing Board.

17. Upon a showing of compelling necessity, the plumbing board, in its discretion, may grant an exception to the requirement that material be submitted prior to the plumbing board's November meeting, and, pursuant to this exception, may approve material submitted at least 30 days prior to any quarterly meeting of the plumbing board, which otherwise meets the requirements of this Section.

18. A publisher's failure to comply with this Section constitutes grounds for disciplinary action, consistent with the Louisiana Administrative Procedure Act, against the provider or for disapproval of future applications for approval as a provider of course materials.

C. Course Providers

1. Course providers will offer classroom instruction in the course materials used for the CPE required for renewal of journeymen and master licenses issued under the Act. Louisiana State Plumbing Board approval of course providers will be subject to all of the terms and conditions of this Section.

2. CPE courses shall be presented in one of the following formats:

a. for gas fitters a minimum of 2 classroom hours presented on one day; or

b. for master gas fitters, 3 1/2 hours on one day; or

c. for gas fitters not less than two sessions of 1 classroom hour each presented within a 30-day period; or

d. for master gas fitters, two sessions totaling 3 1/2 classroom hours presented within a 30-day period.

3. Not less than 1/2 hour of the classroom course will be in the subjects of health protection, environmental protection or consumer protection.

4. Not less than 1 1/2 hours of the master gas fitters' class will be on business topics approved by the Louisiana State Plumbing Board.

5. Presentations must be based primarily on the course materials and any other materials approved by the Louisiana State Plumbing Board.

6. In addition to course materials, presentations may include videos, films, slides or other appropriate types of illustrations and graphic materials related to the course

materials, as approved by the Louisiana State Plumbing Board.

7. A course provider may not advertise or promote the sale of any goods, products or services between the opening and closing hours of any CPE class.

8. Each course provider shall furnish a uniquely numbered certificate of completion of CPE to each licensee, but only after the licensee has completed the CPE course. The Louisiana State Plumbing Board will assign the unique numbers to be used on each certificate to each course provider.

9. Each course provider shall, at its own expense and in a format approved by the Louisiana State Plumbing Board, mail, fax or electronically transmit to the Louisiana State Plumbing Board certification of each licensee's completion of CPE requirements within ten days of completion.

10. The board is authorized to enter into a cooperative endeavor agreement with either the Louisiana Association of Plumbing, Heating and Cooling Contractors of Louisiana or the Louisiana Pipe Trades Association, or any subsidiary or affiliate of either non-profit organization, to jointly provide CPE services to licensed and master gas fitters. The board is authorized to share costs and expenses with either organization under terms and conditions that promote the public interest and avoid gratuitous donation of public funds.

11. Each course provider must notify the Louisiana State Plumbing Board at least seven working days before conducting classes; the notice shall contain the time(s) and place(s) where the classes will occur.

12. Each course provider will perform self-monitoring and reporting as required by the Louisiana State Plumbing Board, including a certified roster of all persons attending the course, with the license number of each attendee included.

13. Each course provider shall permit any Louisiana State Plumbing Board member or a duly designated representative of the Louisiana State Plumbing Board to monitor any CPE class for compliance purposes.

D. Course Provider Instructors

1. Each course provider shall use only course instructors that have been approved by the Louisiana State Plumbing Board. Each course provider shall annually submit to the Louisiana State Plumbing Board's office a list of course instructors it employs and the instructors' credentials for approval.

a. Lists of course instructors to be approved for the following year must be submitted no later than October 15 or 30 days prior to the date of the Louisiana State Plumbing Board's November meeting (whichever is earlier) for approval by the Louisiana State Plumbing Board at its November meeting, unless an extension is requested at or before the August Louisiana State Plumbing Board meeting and granted by the Louisiana State Plumbing Board.

b. Prior to allowing course instructors to teach CPE, course providers must provide documentation to the Louisiana State Plumbing Board showing the instructor's qualifications to teach CPE, including but not limited to detailed information on any experience in providing instruction, assistance in providing instruction or successful completion of training for providing instruction.

c. Course instructors must comply with Subsection E of this Section. Course providers shall notify the Louisiana State Plumbing Board within 10 working days of any change

of an instructor's employment status with the course provider.

2. Any individual, business or association who wishes to be a course provider shall apply to the Louisiana State Plumbing Board for approval using application forms prepared by the Louisiana State Plumbing Board. In order to be approved, the application must satisfy the Louisiana State Plumbing Board as to the ability of the individual, business or association to provide quality instruction in the course materials as required in this Section and must include:

- a. name and address of the applicant;
- b. names and addresses of all officers, directors, trustees or members of the governing board of any business or association applying;
- c. statement by applicant, and each officer, director, trustee or member of governing board (if applicable) as to whether he or she has ever been convicted of a felony or misdemeanor other than a minor traffic violation;
- d. certificate of good standing issued by the Louisiana Secretary of State for corporate applicants;
- e. taxpayer identification number;
- f. facsimile number, statewide toll free telephone number, internet website or electronic mail address;
- g. fees to be charged to licensees for attending the course;
- h. an example of a licensee's certificate of completion of CPE;
- i. All CPE class scheduling plans shall provide for courses equally across the state. Course providers must, at a minimum, offer the CPE class in each of the following cities: Lafayette, New Orleans, Baton Rouge, Alexandria, Shreveport, Lake Charles and Monroe; any CPE provider for gas fitting shall conduct both plumber/gas fitter combination CPE classes and standalone gas fitting CPE classes. The State Plumbing Board Louisiana or its director may, solely at their discretion, grant a request that the course not be offered in one or more of these locations, upon a demonstration of economic infeasibility by the course provider;
- j. a method for quarterly reporting compilations of licensee evaluations of course provider and course instructors to the Louisiana State Plumbing Board;
- k. identification of the course materials which will be used by the course provider; and
- l. an application fee to be set as provided by law.

3. The course provider shall purchase course materials from the State Plumbing Board of Louisiana and may not charge the licensees more than the maximum cost set out by the course material provider.

4. The fees charged to the licensees for attending the course will be determined by the course provider.

5. The Louisiana State Plumbing Board may refuse to accept any application for approval as a course provider that is not complete. The Louisiana State Plumbing Board may deny approval of an application for any of the following reasons:

- a. failure to comply with the provisions of this Section;
- b. inadequate instruction of the materials required to be included in course materials; or
- c. unsatisfactory evaluations of the course provider by licensees, Louisiana State Plumbing Board members or Louisiana State Plumbing Board staff.

6. If an application is refused or disapproved, written notice detailing the basis of the decision shall be provided to the applicant within 90 days of the date of the decision.

7. A course provider's authority to offer instruction in the course materials for which CPE credit is given expires on December 31 of the calendar year following approval.

8. The Louisiana State Plumbing Board shall review course providers for quality of instruction: The Louisiana State Plumbing Board shall also investigate and take appropriate action, consistent with the Louisiana Administrative Procedure Act, up to and including revocation of authority to provide CPE, regarding complaints involving approved course providers.

9. A provider's failure to comply with this Section constitutes grounds for disciplinary action in accord with the Louisiana Administrative Procedure Act, up to and including revocation of authority to provide CPE, against the provider or for denial of future applications for approval as a course provider.

E. Course Instructors

1. The Louisiana State Plumbing Board will annually approve course instructors to provide the classroom instruction in the course materials used for the CPE required for renewal of gas fitter and master gas fitter licenses. Louisiana State Plumbing Board approval of course instructors will be subject to all of the terms and conditions of this Section. An individual who wishes to be approved by the Louisiana State Plumbing Board as a course instructor must apply to the Louisiana State Plumbing Board using an application form approved by the Louisiana State Plumbing Board. The following minimum criteria will be used by the Louisiana State Plumbing Board in considering approval of course instructors:

- a. all course instructors for master gas fitters must hold a Louisiana state master gas fitter's license, and those for gas fitter must hold a master's or gas fitter license; and
- b. demonstrate an ability to train others, including but not limited to providing a description of their previous training experience; and
- c. must be employed by an approved course provider.

2. An approved course instructor may use, under its live supervision, a non-licensed supplemental lecturer to present additional materials as required. Prior to approval, a course instructor must identify to the board, any supplemental lecturer they intend to use, including a resume from the supplemental lecturer, and the subject matter the supplemental lecturer will discuss within 30 days prior to the course being conducted.

3. Course instructors and supplemental lecturers may not advertise or promote the sale of goods, products, or services between the opening and closing hours of any CPE class.

4. As a course instructor and licensee of the Louisiana State Plumbing Board, a course instructor must:

- a. be well versed in and knowledgeable of the course materials;
- b. maintain an orderly and professional classroom environment; and
- c. coordinate with the course provider to develop an appropriate method for handling disorderly and disruptive students. A course instructor shall report to the course provider and the Louisiana State Plumbing Board any non-responsive or disruptive student who attends a CPE course.

The Louisiana State Plumbing Board may deny CPE credit to any such student and require, at the student's expense, successful completion of an additional CPE course to receive credit.

5. The Louisiana State Plumbing Board shall review course instructors for quality of instruction. The Louisiana State Plumbing Board shall also respond to complaints regarding course instructors.

6. A course instructor's failure to comply with this Section constitutes grounds for disciplinary action against the Instructor or for disapproval of future applications for approval as a course instructor, in accord with the Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(D) and R.S. 37:1368(H).

HISTORICAL NOTE: Promulgated by the Workforce Commission, Plumbing Board, LR 43:

James Finley
Chairman

1612#041