

**PUBLIC HEALTH DEPARTMENT[641]**

**Adopted and Filed**

Pursuant to the authority of 2013 Iowa Acts, Senate File 427, section 35, and Iowa Code section 105.4, the Department of Public Health and the Plumbing and Mechanical Systems Board hereby amend Chapter 30, “Continuing Education for Plumbing and Mechanical Systems Professionals,” Iowa Administrative Code.

Items 1, 2, 3, 5, and 8 are necessary to implement 2013 Iowa Acts, Senate File 427, which became effective upon enactment on April 26, 2013, by operation of section 36 of the Senate File.

The additional purposes of the following items are as follows:

Item 6 increases the number of hours of continuing education a licensee may obtain through computer-based courses. This amendment is intended to decrease the burden on licensees that may result from traveling to in-person continuing education courses.

Items 1 and 7 clarify that an audit performed pursuant to 641—30.5(105) shall be referred to as “compliance review.”

Notice of Intended Action was published in the August 7, 2013, Iowa Administrative Bulletin as **ARC 0933C**. One comment was received that was against the required number of continuing education units and wanted to see an increase in the number of required hours. The adopted amendments are identical to those published under Notice.

The State Board of Health adopted these amendments on November 13, 2013. The Plumbing and Mechanical Systems Board adopted these amendments on November 19, 2013.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement 2013 Iowa Acts, Senate File 427.

These amendments will become effective on January 15, 2014.

The following amendments are adopted.

ITEM 1. Rescind the definition of “Audit” in rule **641—30.1(105)**.

ITEM 2. Adopt the following **new** definitions in rule **641—30.1(105)**:

“*Compliance review*” means the selection by the board of licensees for verification of satisfactory completion of continuing education requirements during a specified continuing education compliance period.

“*Continuing education compliance period*” means the period between renewals during which a licensee must obtain the requisite amount of continuing education in order to renew the licensee’s license.

“*Iowa mechanical code*” means the most current version of the International Mechanical Code, as adopted and amended by the board.

“*Iowa plumbing code*” means the most current version of the Uniform Plumbing Code, as adopted and amended by the board.

ITEM 3. Amend subrule 30.2(2) as follows:

**30.2(2)** ~~Each continuing education compliance period:~~ The following continuing education requirements shall apply only to each licensee’s first renewal on or after July 1, 2014. For all renewals thereafter, the requirements of subrule 30.2(3) shall apply:

*a. to d.* No change.

ITEM 4. Renumber subrules **30.2(3)** to **30.2(5)** as **30.2(4)** to **30.2(6)**.

ITEM 5. Adopt the following **new** subrule 30.2(3):

**30.2(3)** During each continuing education compliance period, each active or inactive master and journey person licensee must obtain the following amounts of continuing education:

*a. Safety education.* Each licensee holding a single license shall complete two hours, and each licensee holding multiple licenses shall complete four hours, of continuing education in the content area of the Iowa Occupational Safety and Health Act.

*b. Code education.*

(1) Each licensee holding one or more licenses or sublicenses in a mechanical discipline shall complete two hours of continuing education in the content area of the Iowa mechanical code.

(2) Each licensee holding a plumbing license or sublicense shall complete two hours of continuing education in the content area of the Iowa plumbing code.

*c. Discipline education.*

(1) A licensee holding a single plumbing license or sublicense, or a single license or sublicense in a mechanical discipline, shall complete four hours of continuing education in the discipline in which the licensee holds a license.

(2) A licensee holding multiple licenses or sublicenses shall complete eight hours of continuing education in the relevant disciplines.

*d. Private school or college maintenance specialty license.* For the purposes of this subrule, a private school or college routine maintenance specialty license shall be considered to be a sublicense of whatever discipline(s) in which the licensee actually practices.

ITEM 6. Amend renumbered subrule 30.2(4) as follows:

**30.2(4)** Up to ~~2 hours~~ one-half of board-approved continuing education required by subrule 30.2(2) each continuing education compliance period may be obtained through completion of computer-based continuing education programs/activities approved by the board.

ITEM 7. Amend rule 641—30.5(105), introductory paragraph, as follows:

**641—30.5(105) Audit Compliance review of continuing education requirements.** The board may conduct ~~an audit~~ a review of a licensee's license renewal application to ~~review~~ determine compliance with continuing education requirements.

ITEM 8. Amend **641—Chapter 30**, implementation sentence, as follows:

These rules are intended to implement Iowa Code chapters 105 and 272C and 2013 Iowa Acts, Senate File 427.

[Filed 11/19/13, effective 1/15/14]

[Published 12/11/13]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 12/11/13.