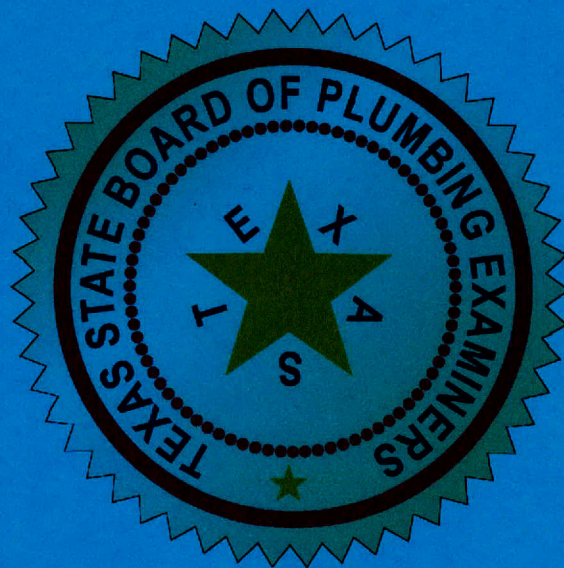


# **TEXAS STATE BOARD OF PLUMBING EXAMINERS**

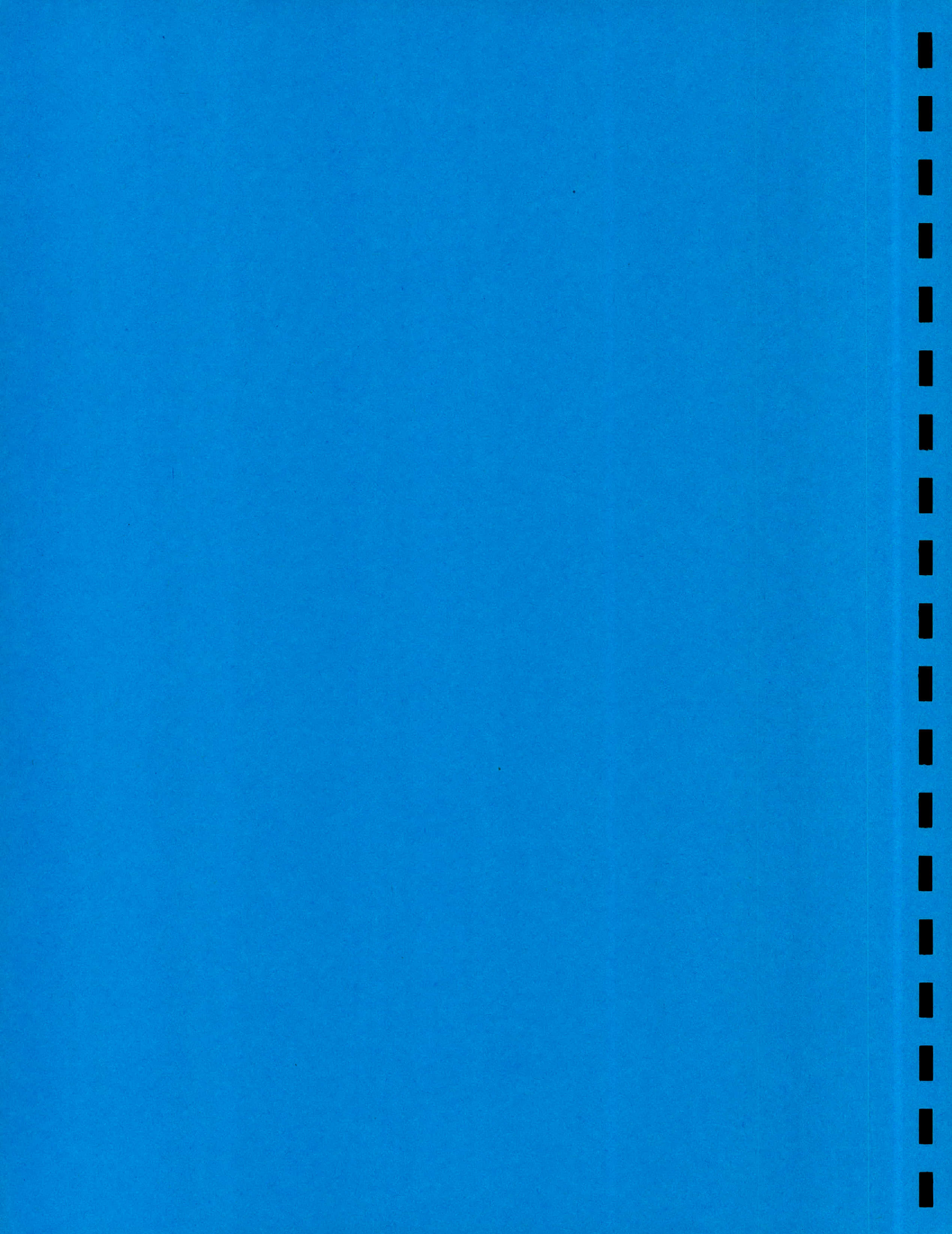
## **Agency Strategic Plan for the Fiscal Years 2015-2019 Period**



**LISA G. HILL  
EXECUTIVE DIRECTOR**

**TAMMY K. BETANCOURT, C.A.E.  
BOARD CHAIR**







# AGENCY STRATEGIC PLAN

For the Fiscal Years 2015 - 2019 Period

by the

Texas State Board of Plumbing Examiners

<u>BOARD MEMBER</u>	<u>DATES OF TERMS</u>	<u>HOMETOWN</u>
Tammy K. Betancourt, C. A. E. Chair, Public Member Position	Appointment expires 09/05/2015	Houston
Ricardo J. Guerra, P.E. Secretary, Licensed Engineer Position	Appointment expires 09/05/2017	Austin
Enrique Castro Master Plumber Position	Appointment expires 09/05/2017	El Paso
Julio Cerda Public Member Position	Appointment expires 09/05/2019	Mission
Carlos DeHoyos Plumbing Contractor Position	Appointment expires 09/05/2015	Longview
Janet L. Gallagher Plumbing Inspector Position	Appointment expires 09/05/2017	Pflugerville
David Anthony Garza Commercial Builder Position	Appointment expires 09/05/2019	San Benito
Rick Lord Journeyman Plumber Position	Appointment expires 09/05/2015	Pasadena
Edward Thompson Home Builder Position	Appointment expires 09/05/2019	Tyler

Submitted June 23, 2014

Signed:

  
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Tammy K. Betancourt, C.A.E. Board Chair

Signed:

  
\_\_\_\_\_  
Lisa G. Hill, Executive Director

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# **STRENGTHENING OUR PROSPERITY**

## **VISION FOR TEXAS**

Texas government must set clear priorities that will help maintain our position as a national leader now and in the future by:

- ensuring the economic competitiveness of our state by adhering to principles of fiscal discipline, setting clear budget priorities, living within our means, and limiting the growth of government;
- investing in critical water, energy, and transportation infrastructure needs to meet the demands of our rapidly growing state;
- ensuring excellence and accountability in public schools and institutions of higher education as we invest in the future of this state and ensure Texans are prepared to compete in the global marketplace;
- defending Texans by safeguarding our neighborhoods and protecting our international border; and
- increasing transparency and efficiency at all levels of government to guard against waste, fraud, and abuse, ensuring that Texas taxpayers keep more of their hard-earned money to keep our economy and our families strong.

## **THE MISSION OF TEXAS STATE GOVERNMENT**

Texas State Government must be limited, efficient, and completely accountable. It should foster opportunity and economic prosperity, focus on critical priorities, and support the creation of strong family environments for our children. The stewards of the public trust must be men and women who administer state government in a fair, just, and responsible manner. To honor the public trust, state officials must seek new and innovative ways to meet state government priorities in a fiscally responsible manner.

## **THE PHILOSOPHY OF TEXAS STATE GOVERNMENT**

The task before all state public servants is to govern in a manner worthy of this great state. We are a great enterprise, and as an enterprise we will promote the following core principles:

- First and foremost, Texas matters most. This is the overarching, guiding principle by which we will make decisions. Our state, and its future, is more important than party, politics, or individual recognition.
- Government should be limited in size and mission, but it must be highly effective in performing the tasks it undertakes.
- Decisions affecting individual Texans, in most instances, are best made by those individuals, their families, and the local governments closest to their communities.
- Competition is the greatest incentive for achievement and excellence. It inspires ingenuity and requires individuals to set their sights high. Just as competition inspires excellence, a sense of personal responsibility drives individual citizens to do more for their future and the future of those they love.



- Public administration must be open and honest, pursuing the high road rather than the expedient course. We must be accountable to taxpayers for our actions.
- State government has a responsibility to safeguard taxpayer dollars by eliminating waste and abuse and providing efficient and honest government.
- Finally, state government should be humble; recognizing that all its power and authority is granted to it by the people of Texas and those who make decisions wielding the power of the state should exercise their authority cautiously and fairly.

## **STATEWIDE REGULATORY PRIORITY GOAL**

To ensure Texans are effectively and efficiently served by high-quality professionals and businesses by:

- implementing clear standards;
- ensuring compliance;
- establishing market-based solutions; and
- reducing the regulatory burden on people and business

## **BENCHMARKS FOR THE TEXAS STATE BOARD OF PLUMBING EXAMINERS**

- Percent of state professional licensee and registrant population without documented violations
- Percent of new professional licensees and registrants as compared to the existing population
- Percent of documented complaints resolved within six months
- Percent of individuals given a test for professional licensure who received a passing score
- Percent of new and renewed professional licenses and registrations issued electronically

## **AGENCY MISSION**

The mission of the Texas State Board of Plumbing Examiners is to help protect the health and safety of the citizens of the State of Texas by ensuring that our drinking water, air, and medical gases are not contaminated and that we may live and work in the safe conditions that properly installed plumbing systems are designed to provide. By offering public and industry awareness programs, we educate those that utilize plumbing systems as well as those that do or will provide plumbing systems now and in the future. Awareness and education programs are also utilized to reach those considering the plumbing profession as a career. Through fair and consistent regulation of the plumbing industry, and by examining, licensing and registering plumbing professionals, the Board ensures that qualified individuals following clear standards, protect the citizens' health and safety.



## **AGENCY PHILOSOPHY**

The Texas State Board of Plumbing Examiners will fulfill the expectations of the citizens by acting in an ethical manner that is accountable, responsible, efficient and open. The Board recognizes that protection of the health and safety of the citizens is foremost in its decision making process. The Board performs its responsibilities while applying the four most important work ethics – honesty, integrity, diligence and respectful courtesy. Adherence to these standards will continually bring the Board closer to its goal of achieving excellence in both organization and customer service.

## **EXTERNAL/INTERNAL ASSESSMENT**

### **Overview of Agency Scope and Functions**

#### **Statutory Basis**

The Board's enabling statute is the Plumbing License Law, found in Title 8, Chapter 1301, of the Occupations Code. The Texas State Board of Plumbing Examiners is subject to Chapter 325, of the Government Code, the Texas Sunset Act. Under the Texas Sunset Act, the Texas State Board of Plumbing Examiners (TSBPE) will be abolished effective September 1, 2019, unless continued in existence by the Legislature as provided by the Act. If abolished, TSBPE may continue until September 1, 2020, to close out its operations.

#### **History and Major Events**

##### **In 1897,**

- The 25<sup>th</sup> Legislature (SB 154) passed the first state plumbing license law requiring cities to adopt their own plumbing installation regulations and establish local examining boards for the purpose of examining and licensing Master Plumbers, Journeyman Plumbers and Plumbing Inspectors.
  - A license was valid only within the city that issued it and reciprocity between cities was rare.
  - Examination requirements varied widely from city to city.
  - Plumbers complained that it was difficult to pass an examination that was not administered in the plumber's hometown.
  - Plumbing installation regulations varied widely from city to city.

##### **In 1947,**

- The 50<sup>th</sup> Legislature (SB 188) passed the Plumbing License Law of 1947, which created the Texas State Board of Plumbing Examiners to provide for uniform statewide examining and licensing of Master Plumbers, Journeyman Plumbers and Plumbing Inspectors.



- Finally provided for uniform statewide license requirements and a state license that allowed plumbers to move freely from city to city in order to practice their occupation.
- The Board consisted of six Governor-appointed members, specifically a Master Plumber, a Journeyman Plumber, an architect, a sanitary engineer, a commercial builder and a homebuilder.
- The Board was self-supporting with no funds paid to or collected from the state General Fund.
- Cities of 5,000 or more inhabitants were required to adopt their own plumbing installation regulations and perform plumbing inspections using licensed Plumbing Inspectors.
- Plumbers were required to be licensed only if performing plumbing work within a city of 5,000 or more inhabitants.
- The Board had the authority to revoke a license and the penalty for working without a required license was as stated in the Penal Code of Texas.

**In 1973**, the 63<sup>rd</sup> Legislature (SB 831) provided the Board authority to stagger the renewal of licenses.

**In 1975**, the 64<sup>th</sup> Legislature (HB 1886) provided an offense under the Plumbing License Law to be a Class C Misdemeanor.

**In 1977**,

- The 65<sup>th</sup> Legislature (SB 147) allowed individuals licensed to engage in residential water treatment installations to be specifically exempted from holding a plumbing license under the Plumbing License Law. Licensed plumbers could continue to perform such installations without holding any additional licenses.
- The 65<sup>th</sup> Legislature (SB 54) provided that the Board be subject to the provisions of the Texas Sunset Act.

**In 1979**, the 66<sup>th</sup> Legislature (SB 259) provided that individuals licensed to engage in the installation of lawn irrigations systems were specifically exempted from holding a plumbing license under the Plumbing License Law. Licensed plumbers could continue to perform such installations without holding any additional licenses.

**In 1981**, the 67<sup>th</sup> Legislature (SB 851)

- Added two Public Members, a Plumbing Contractor Member and a Plumbing Inspector Member to the Board's composition. The Architect Member Position was eliminated from the Board's composition.
- The Board became subject to the Appropriations Act.

In 1985, with the automation of license renewals, the Board implemented staggering of license expirations.

In 1987,

- The 70<sup>th</sup> Legislature (SB 620) classified a violation of the Plumbing License Law and Board Rules as a Class B misdemeanor and authorized the Board's Investigators to issue citations for violations of the Plumbing License Law. However, because a violation was a Class B misdemeanor, Investigators could not file the citation in local Justice of the Peace courts.
- The 70<sup>th</sup> Legislature (HB 78) provided that licensed Plumbing Inspectors may enforce the Act, in addition to enforcement by the Board.

In 1989, the 71<sup>st</sup> Legislature reclassified a violation of the Plumbing License Law and Board Rules as a Class C misdemeanor to allow Investigators to file citations in local Justice of the Peace courts.

In 1993,

- The 73<sup>rd</sup> Legislature (HB 740) provided the Board authority to provide examinations for and issue license endorsements for medical gas installation.
- The 73<sup>rd</sup> Legislature (SB 813) provided the Board authority to provide examinations for and issue license endorsements for water supply protection specialists.
- The 73<sup>rd</sup> Legislature (SB 137) provided that persons holding a license issued by the Board were required to complete at least six hours of Continuing Professional Education each year. The Board was given the responsibility to adopt criteria and approve individuals, businesses or associations to provide the courses.
- The 73<sup>rd</sup> Legislature (SB 815) required the Board to adopt the Southern Standard Plumbing Code, the Uniform Plumbing Code, and the National Standard Plumbing Code, as the plumbing codes to be used for the state. Municipalities or owners of a public water system may adopt standards that do not substantially vary from the three named codes.

In 1999,

- The 76<sup>th</sup> Legislature (SB 1421) provided that the following plumbing work is permitted to be performed without a plumbing license:
  - Residential potable water supply or residential sanitary sewer connection, for a project in a geographic area that is located in a county any part of which is within 50 miles of an international border that is done by an organization certified by the Texas Natural Resource Conservation Commission to provide "self-help" project assistance.
  - Residential potable water supply or residential sanitary sewer connection, for a project in a geographic area that is located in a county any part of which is within 50 miles of an international border that is done by an organization certified by the then Texas Natural Resource Conservation Commission to provide "self-help" project assistance.



- Residential potable water supply or residential sanitary sewer connection, for a project in a geographic area that is located in a county any part of which is within 50 miles of an international border that is done by an organization certified by the Texas Natural Resource Conservation Commission to provide "self-help" project assistance.

- Formal Attorney General Opinion #JC-0012 clarified that municipalities may adopt any plumbing code other than the three plumbing codes named in (then) Section 5B of the Plumbing License Law, provided that such codes do not substantially vary from the three named codes. The opinion further clarified that the Board may not adopt any plumbing code other than the three named codes as they existed in 1993, when Section 5B was passed into law.

In 2000, the 200<sup>th</sup> Judicial District Court of Travis County ruled that the Board could not enter into an interagency contract with Texas Engineering Extension Service (TEEX) for development of Continuing Professional Education Course Materials.

In 2001,

- The 77<sup>th</sup> Legislature (HB 2813) – Non-substantive revision and codification of the Plumbing License Law and relocation from Vernon's Texas Civil Statutes, Article 6243-101 to the Occupations Code, Title 8, Regulation of Environmental & Industrial Trades, effective in 2003.

- The 77<sup>th</sup> Legislature (HB 1505):

- Provided for a new license category for Tradesman Plumber-Limited Licensee.

- Provided for registrations of Residential Utilities Installer, Drain Cleaner and Drain Cleaner-Restricted.

- Provided for mandatory registration for a Plumber's Apprentice for all individuals whose primary occupation is learning and assisting in the installation of plumbing.

- Master Plumbers responsible for the operation of a plumbing business are required to submit a certificate of insurance to the Board.

- Provided authority to a municipality for permitting an inspection of plumbing work when a municipality and a municipal utility district's jurisdiction overlap.

- The Licensed Sanitary Engineer position on the Board was changed to a Licensed Professional Engineer. Clarification that the Master Plumber Position, Journeyman Plumber Position, and Plumbing Inspector Position on the Board, must be licensees of the Board was also included.

- The 77<sup>th</sup> Legislature (HB 217)

- The Board's jurisdiction was greatly expanded by requiring that all plumbing work connected to a public water system, or performed in any city in the state be performed by a licensed plumber. This eliminated the exemption, which had been in place since 1947, requiring a plumbing license only in cities with populations of 5,000 or more inhabitants.

- The Southern Standard Plumbing Code and the National Standard Plumbing Code were eliminated from the codes adopted by the Board. The 2000 version of the Uniform Plumbing Code and the 2000 version of the International Plumbing Code were added, resulting in two Plumbing Codes to be adopted by the Board.
- All plumbing installed in a political subdivision, which has adopted the 2000 versions of the Uniform or International Plumbing Codes, must be inspected by a licensed Plumbing Inspector.
- Licensed Plumbing Inspectors are no longer restricted to being bona fide employees of a political subdivision, but were allowed to contract with a political subdivision as long as they are paid directly by the political subdivision.
- The 77<sup>th</sup> Legislature (SB 365) amended Chapter 214 of the Local Government Code and adopted the International Residential Code, which contains requirements for plumbing, and is required to be used for one and two family dwellings. The 77<sup>th</sup> Legislature (HB 1) also allowed for one additional FTE (Investigator) to be added during FY 2003.

In 2003,

- The 78<sup>th</sup> Legislature (SB 282)
  - Continued the Board for twelve years, until September 1, 2015, as a result of the review of the Agency by the Sunset Advisory Commission.
  - Authorized the Governor to appoint the presiding officer of the Board and the Board to elect a secretary from its membership.
  - Specified that the Enforcement Committee would be composed of staff members only.
  - Specified that all other Board Committees would be composed of Board members only.
  - Enabled the Board to set training requirements for Plumber's Apprentices.
  - Provided the Board with a full range of sanctions, including administrative penalties, restitution, and cease and desist orders.
  - Provided for less supervision of Plumber's Apprentices by licensed plumbers on plumbing work performed on new residential one or two family dwellings located in unincorporated areas of the state.
  - Provided that a person need not be licensed to perform plumbing, other than plumbing performed in conjunction with new construction, in municipalities of less than 5,000 inhabitants, unless the municipality requires the person to be licensed.
  - Provided that a person need not be licensed to perform plumbing, other than plumbing performed in conjunction with new construction, on plumbing



connected to a public water system located outside of a municipality, unless the public water system requires the person to be licensed.

- Authorized Investigators from the Board and the Texas Department of Licensing and Regulation to check licenses issued by either Agency and to report violations to the Agency issuing the license.
- The 78<sup>th</sup> Legislature (HB 1)
  - Reduced the Agency cap of full time equivalents (FTE) employee positions from 25 to 22 due to statewide budget reductions.

**In 2005,**

- The 79<sup>th</sup> Legislature (SB 1) allowed for one additional FTE (Investigator) position to be added during FY 2006.

**In 2007,**

- House Bill 1850, 80th Regular Legislative Session, amended Section 1301.255(e) of the Plumbing License Law to allow a political subdivision to contract with any plumbing inspector or qualified plumbing inspection business that is paid directly by the political subdivision, effective September 1, 2007.
- The 80<sup>th</sup> Legislature (HB 1) allowed for one additional FTE (Administrative Assistant) position to be added to the Inspections and Enforcement strategy during FY 2008.

**In 2009,**

- The 81<sup>st</sup> Regular Legislative Session (SB 1410)  
Added a new definition for "Responsible Master Plumber" and amended several definitions which clarify that licensees and registrants must work under the general supervision of a Responsible Master Plumber;
  - Added a new endorsement classification of "Multipurpose Residential Fire Protection Sprinkler Specialist" and provided that only a Journeyman or Master Plumber who holds the endorsement may install multipurpose residential fire protection sprinkler systems on or after June 1, 2010; and
  - Added a provision prohibiting municipalities from requiring the installation of any fire protection sprinkler systems in one or two family dwellings, unless a municipality had such an ordinance requiring the systems in place prior to January 1, 2009.
- The 81<sup>st</sup> Regular Legislative Session (SB 1354)
  - Amended the definition of "Master Plumber," as being a person who has held a Journeyman Plumber for at least one year if the person has completed a training program approved by the United States Department of Labor Office of Apprenticeship, or at least four years if the person has not completed such a training program;

- Amended the definition of "plumbing" to include certain equipment or systems used to distribute and circulate a liquid or gas;
- Amended the definition of "Plumbing Inspector" to include a person who is employed by or contracts as an independent contractor with a state agency;
- Added plumbing performed in conjunction with repair or remodeling in the types of work not exempted from plumbing license requirements and amended the exemption for a person who performs plumbing on a property in a municipality with fewer than 5,000 inhabitants to apply specifically in a municipality that is in a county with fewer than 50,000 inhabitants and that by ordinance authorizes a person who is not a licensed plumber to perform plumbing, rather than allowing the exemption in the absence of a municipal ordinance requiring the person to be licensed;
- Specified that the exemption from licensing requirements as an appliance dealer does not extend to a person who installs and services water heaters;
- Required an Investigator employed by the Board to hold a license as a plumber;
- Authorized the Board, if certain requirements are met, to credit an applicant who has worked as a plumber's apprentice for a specified period with a number of hours against the hours of work experience required to take an examination;
- Established six hour training requirements for a person who wishes to renew a certificate of registration as a Drain Cleaner, Drain Cleaner-Restricted Registrant, or Residential Utilities Installer;
- Required a municipality or other political subdivision in Texas that requires a plumbing contractor to obtain a permit before performing plumbing work to accept permit applications, collect fees, and issue permits by telephone, fax or email;
- Required the political subdivision to verify that a plumbing contractor has a certificate of insurance on file with the Board prior to issuing the plumbing contractor a permit to perform plumbing work and to specify how permit drawings of proposed plumbing work are to be submitted, if such drawings are required.
- Required plumbing contractors to register electronically or in person with the political subdivision before performing plumbing regulated by the political subdivision, if the political subdivision requires registration.



- Provided that a person who must obtain a plumbing permit is not required to pay a plumbing registration fee or administrative fee in a municipality or other political subdivision; and
  - Authorized only an affected municipality to perform a plumbing inspection and collect a permit fee if the boundaries of a municipality and another political subdivision, rather than a municipal utility district, overlap.
- The 81<sup>st</sup> Regular Legislative Session (HB 1758)
  - Required applicants for a Tradesman Plumber-Limited examination to complete 24 hours of Board approved training;
  - Required applicants for a Journeyman Plumber examination to complete 48 hours of Board approved training;
  - Provided an exemption for the 24 and 48 hours of training to an applicant who is enrolled in good standing in a training program approved by the United States Department of Labor Office of Apprenticeship or completed a plumbing technology program which meets certain requirements and is approved by the Board; and
  - Authorized the Board to credit an applicant toward required work experience if the applicant has completed a plumbing technology program which meets certain requirements and is approved by the Board or an applicant who has completed the classroom portion of a training program approved by the United States Department of Labor Office of Apprenticeship.
- The 81<sup>st</sup> Regular Legislative Session (HB 3129)
  - Specified that provisions of the Business & Commerce Code relating to the cancellation of certain consumer transactions do not apply to a good or service provided by the holder of a license issued under provisions regulating plumbers if the transaction is initiated by the consumer. The bill makes those provisions inapplicable to a transaction that involves a breach of express warranty or a negligent installation in violation of a building code applicable to the good or service sold to the consumer.
- The 81<sup>st</sup> Regular Legislative Session (SB 1, General Appropriations Act)
  - Provided for a shared regulatory database licensing system. The Board, along with five other Article VIII regulatory agencies, including four of which are part of the Health Professions Council (HPC), were granted funding to implement a collective database system to be housed at the DIR data center and supported by the Health Professions Council. This system along with new

software will allow for a more efficient, and reliable platform to store and use data, and will keep Agency software from becoming obsolete and provide flexibility for future needs, while at the same time implant best practices and uniform standards to help agencies achieve efficient and effective operations. The other agencies participating in the Health Professions Council Shared Regulatory Database Migration are the Board of Pharmacy, Board of Examiners of Psychologists, Optometry Board, Texas State Board of Dental Examiners, and Board of Board of Professional Land Surveying.

- Provided for two additional full-time Investigators to assist in meeting the demands of the increased number of licensees and registrants regulated by the Agency. Enforcement of the Plumbing License Law encourages compliance with the Law, including examination and initial licensing and registration, renewal of licenses and registrations, and safe and proper installation of plumbing. Enforcement of the Plumbing License Law also helps ensure that the fees and administrative penalties collected by the Board meet or exceed its expenditures.
- Provided for one additional Licensing Technician to be utilized within the Board's licensing program section. The additional technician was needed to assist in meeting the demands of issuing and renewing licenses and registrations for the Board's increased population, which more than doubled, from approximately 21,800 in 2001 to more than 51,600 in fiscal year 2007. This employee would also be responsible for processing and maintaining the Agency's database of Certificate of Insurance forms required for each plumbing business in the state, as mandated during the 78<sup>th</sup> Legislative Session.

In 2011,

- The 82nd Regular Legislative Session
  - The 82nd Regular Legislative Session (HB 1, General Appropriations Act)
    - Provided for two additional full-time Investigators to assist in meeting the demands of the increased number of licensees and registrants regulated by the Agency. This brought the total number of Investigators to ten. Enforcement of the Plumbing License Law encourages compliance with the Law, including examination and initial licensing and registration, renewal of licenses and registrations, and safe and proper installation of plumbing. Enforcement of the Plumbing License Law also helps ensure that the fees and administrative penalties collected by the Board meet or exceed its expenditures.

- The 82nd Regular Legislative Session (HB2376)
  - Required that a Master Plumber must submit evidence of completion of a Board approved 24 hour training class regarding the laws and rules applicable to the operation of a plumbing business in the state of Texas prior to working as a "Responsible Master Plumber".
  - Amended the definition of Responsible Master Plumber to include only those master plumbers that have completed a Board approved training class regarding the laws and rules applicable to the operation of a plumbing business in the state of Texas before the person works as a responsible master plumber.
  - Amended the definition of Water Supply Protection Specialist endorsement to clarify that the inspections performed by those holding the license endorsement may only perform customer service inspections, as defined by rule of the Texas Commission on Environmental Quality.
  - Amended the definition of Water Supply Protection Specialist endorsement to allow individuals that hold the license endorsement to engage in the installation, service, and repair of plumbing associated with the use and distribution use of rainwater to supply a plumbing fixture, appliance, or irrigation system.
  - Allows the Board to choose not to investigate a complaint in which a person filing the complaint and the person who is the subject of the complaint are engaged in litigation related to the subject matter of the complaint until the outcome of the litigation has been completed if the Board determines the complaint process is being abused by the involved parties, but only in those cases where no threat to health or safety exists.
  - Requires that only a Master Plumber holding a Multipurpose Residential Fire Protection Sprinkler System Installation Endorsement may design a system and clarifies that the training required for the endorsement must include training in the design of a system.
  - Clarifies that a Master Plumber who holds a Multipurpose Residential Fire Protection Sprinkler System Installation Endorsement is not required to hold a license or registration issued by any other state agency in order to design a multipurpose residential fire protection sprinkler system.
  - Allows a Responsible Master Plumber to utilize the services of an insurance company that is authorized to engage in the business of insurance as an eligible surplus lines insurer, as defined by Section 981.002, Insurance Code.
- The 82nd Regular Legislative Session (SB1303)
  - Amended the definition of a Tradesman Plumber Limited-Licensee to clarify that the individual must work under the general supervision of a Responsible Master Plumber.

- Allows an individual that holds a Master Plumber Multipurpose Residential Fire Protection Sprinkler System Installation Endorsement to offer for a fee, the installation of a fire sprinkler protection system in a new one- or two-family dwelling. The amendment continues to allow for a provision prohibiting municipalities from requiring the installation of any fire protection sprinkler systems in one or two family dwellings, unless a municipality had such an ordinance requiring the systems in place prior to January 1, 2009.

In 2013,

- The 83<sup>rd</sup> Regular Legislative Session:
  - Provided for three additional full-time positions to assist in meeting the demands of the increased number of licensees and registrants regulated by the Agency. This brings the total number of Investigators to 12. Enforcement of the Plumbing License Law encourages compliance with the Law, including examination and initial licensing and registration, renewal of licenses and registrations, and safe and proper installation of plumbing. Enforcement of the Plumbing License Law also helps ensure that the fees and administrative penalties collected by the Board meet or exceed its expenditures.
- The 83<sup>rd</sup> Regular Legislative Session: (HB2062)
  - Amended the definition of "Water Treatment" by specifying that the term does not include the treatment of rainwater or the repair of systems for rainwater harvesting.
  - Amended by further clarifying that the exemption to install water treatment systems by individuals licensed by the Texas Commission on Environmental Quality does not include the treatment of rainwater to supply a plumbing fixture or appliance.
  - Amended the requirements for the presentation of documents used in the contracting of plumbing work by specifying that the plumber who performs plumbing services shall give the customer an invoice or completed contract document on completion of the plumbing job, regardless of whether the plumber charged a fee for performing the service.
  - Amended the Board's authority for the investigation of complaints to include the owner of a plumbing company in addition to those licensed under the Plumbing License Law.
  - Amended the requirements for the holder of a License, Endorsement, or Registration by specifying that the licensee and registrants must carry the license or registration on his or her person while engaged in plumbing.
  - Amended the exemption that allowed individuals that were employed by certain types of utility companies to act as water supply protection specialist or backflow prevention device testers in the course of their employment.



- Added expedited assistance to applicants with verifiable military experience.
- Amended the requirement for municipal permits by specifying that the replacement of lavatory or kitchen faucets, the replacement of ballcocks or water control valves, the replacement of garbage disposals, or the replacement of water closets were tasks that do not require permits prior to performing.
- Amended and clarified that a responsible master plumber, plumbing contractor, or other person is specifically exempt from paying a plumbing registration fee or other administrative fee to a municipality or any political subdivision when a permit is required to be obtained.

### **Affected Populations**

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

### **Main Functions**

The main functions of the Board include:

- administering written and hands-on practical examinations for Tradesman Plumber-Limited Licensees, Journeyman Plumbers, Master Plumbers, Plumbing Inspectors, Water Supply Protection Specialists, Medical Gas Piping Installers and Multipurpose Residential Fire Protection Sprinkler Specialists
- issuing registrations for Plumber's Apprentices, Drain Cleaners, Drain Cleaner-Restricted, and Residential Utilities Installers
- renewing licenses, registrations and endorsements
- monitoring Continuing Professional Education classes and other board required training classes and approving providers and instructors
- investigation of consumer complaints
- monitoring of plumbing job-site compliance
- imposing administrative penalties
- issuing citations to alleged violators
- suspending and revoking licenses and registrations; denying when necessary
- reviewing criminal histories of applicants
- assisting local authorities with enforcement of the Plumbing License Law

The Board believes that to properly carry out its mission, it must endeavor to educate the industry and consumers in the requirements of the Plumbing License Law and the hazards of improperly installed plumbing. In this public awareness effort, the Board utilizes its website and also conducts awareness seminars for plumbing trade schools, high schools, universities, municipal inspection departments and associations, plumbing companies and plumbing trade associations. Included in many of the seminars is the Board's unique cross-connection prevention demonstration unit that houses a display of see-through fixtures and piping which demonstrate how easily our drinking water can be contaminated by improperly installed plumbing systems. These seminars additionally serve to provide information to individuals who are making career decisions and may be encouraged to consider the plumbing industry as a career path.

Examination and Licensing: Section 1301.202 of the Plumbing License Law states, in part, that it is one of the Board's duties to employ one or more examiners to "... examine the fitness and qualifications of a person applying to the Board for a license..." The Board takes this charge seriously. This process begins with the review of applications, including applicants with criminal histories.

The Board's examinations and examination center are recognized across the United States as setting a high standard in the plumbing industry. Currently, separate examinations are given for Tradesman Plumber-Limited License, Journeyman Plumber, Master Plumber, Medical Gas Piping Installation Endorsement, Water Supply Protection Specialist Endorsement, Multipurpose Residential Fire Protection Sprinkler Specialist Endorsement and Plumbing Inspector. These examinations consist of thorough written and hands-on-practical sessions, which ensure that licensed plumbers and plumbing inspectors who work with public water supplies, sewage disposal, natural gases and medical gases have the qualifications, knowledge, skills, and competencies to do their jobs properly. The life of any plumbing system, large or small, is directly related to the preparation and assembly of the materials that go into the making of the plumbing system. It is difficult to detect improper preparation of materials once the materials are assembled and installed in the plumbing system, until the system fails. The failure of a plumbing system can result in considerable expense to the consumer, fires, explosions, serious health problems, and even death. For this reason, the practical portion of a plumbing examination is critical to ensure the applicant can demonstrate their ability to properly prepare and assemble plumbing materials used in plumbing systems. After an applicant assembles materials during the examination, the materials are disassembled and the applicant is graded on how well the materials were prepared prior to assembly.

Examinations are provided in English and Spanish languages. The written portions of the Tradesman Plumber-Limited and Journeyman examinations are provided in three areas of the state: Austin, the Rio Grande Valley and El Paso.

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

Enforcement: Rigorous and pro-active enforcement of the plumbing regulations is critical to the health and safety of the citizens of Texas. Unlicensed plumbing contractors are of particular concern to the Board. Due to the importance of the examination process, the Board strives to identify unlicensed activity, taking action against unlicensed individuals practicing plumbing in violation of the Plumbing License Law. Enforcement and regulation occurs through the receiving and investigation of complaints, checking compliance of plumbing practices and plumber and plumbing inspector licenses at job sites, issuance of reprimands, revocation or suspension of licenses, and issuance of citations, administrative penalties, and cease and desist orders to individuals who violate the Plumbing License Law, or rules and regulations of the Board.

The Board seeks voluntary compliance and informal resolutions to all complaints and violations whenever possible. The Board utilizes an informal conference setting to achieve settlement and compliance. Whenever settlement is not possible, the Board must pursue complaint cases through the administrative hearing process at the State Office of Administrative Hearings (SOAH).

Additionally, the Board monitors the Continuing Professional Education courses that are required for license renewal, on a random basis, to ensure all courses meet the minimum requirements of the Plumbing License Law and Board Rules. Without the objective enforcement administered by the Board, industry compliance with the Plumbing License Law could be expected to be minimal, at best, and health and safety risks would increase.

Public and Industry Awareness Efforts: The Board has found that most licensed plumbers desire to "do the right thing," by complying with the laws and rules that regulate their industry. However, without the Board's efforts to reach out to the industry to inform it of what is expected in the way of compliance, many individuals would find themselves in unintentional violation of the regulations. It can also be understood that an educated consumer is able to make better decisions when choosing a plumber when the consumer knows what is expected of the plumber and understands the health and safety hazards associated with improperly installed plumbing. Additionally, when the plumber knows that the consumer possesses such knowledge, the plumber is more likely to deliver a better service. The Board's website includes a feature that allows citizens to search license and registration status, scope of work permitted for each type of license and registration and to verify a responsible master plumber's association with a particular plumbing company and certificate of insurance on file. For these reasons, the Board's awareness seminars and internet website are important to both the plumbing industry and the consumer.

Why these functions are needed: Quality plumbing systems installed by qualified plumbers and inspected by qualified plumbing inspectors are critical to the health and safety of the citizens of Texas. Improperly installed plumbing systems can cause and actually have caused injury and death through explosions, fires, hospital medical gas contamination, and noxious fumes. Improperly installed plumbing systems can transmit diseases that include typhoid fever, diarrhea, cholera, and amoebic and bacterial dysentery. Sickness or death can occur when noxious fumes such as carbon monoxide, methane gas, and fuel gas are not properly ventilated by our plumbing systems. Improperly installed medical gas systems can deliver contaminated or cross-connected medical gases to hospital patients causing sickness and death.

### **Public Perception**

The public looks to the Texas State Board of Plumbing Examiners to ensure, to the best of its ability, the quality of plumbing work that it receives. The public also expects the Board to respond to complaints regarding the plumbing industry in a timely and responsible manner. Positive feedback from the public is a key indicator of the satisfaction of Board customers. Continued industry support and participation in public meetings related to the plumbing industry is another key indicator of customer satisfaction.

**Organizational Aspects**

**Size and Composition of Workforce**

The Board's staff (as of June 2014) consists of twenty-eight (28) full time employees. The composition of the staff is as follows:

<b>Texas State Board of Plumbing Examiners (TSBPE) Equal Employment Opportunity Statistics</b>							
<b>CURRENT (as of June 2014)</b>							
<b>Job Category</b>	<b>Number of Positions</b>	<b>Minority Workforce Percentages</b>					
		<b>Black</b>		<b>Hispanic</b>		<b>Female</b>	
		<b>TSBPE</b>	<b>Texas State Agency Workforce Composition %</b>	<b>TSBPE</b>	<b>Texas State Agency Workforce Composition %</b>	<b>TSBPE</b>	<b>Texas State Agency Workforce Composition %</b>
Officials/ Administration (A)	1	0.0% 0 persons	10.2%	0.0% 0 persons	14.5%	100.0% 1 person	51.1%
Professional (Q and P)	17	11.8% 2 persons	11.0%	23.5% 4 persons	16.1%	5.9% 1 person	56.0%
Administrative Support (C)	10*	0.0% 0 persons	19.0%	70.0% 7 persons	30.6%	90.0% 9 persons	87.1%

\* Includes (1) one American Indian, not shown as a minority workforce percentage on this chart. If included in this schedule, the Minority Workforce Percentage for TSBPE would be 80.0% for the Administrative Support (C) category. TSBPE workforce percentages are supplied by the Comptroller of Public Accounts, Human Resources Information System (HRIS).

The table above does not include 3 additional Enforcement positions, as they have not yet been hired as of the submission date of this plan. The Board is awaiting the Finding of Fact letter to be released by the Comptroller's Chief Revenue Estimator.

Texas State Agency Workforce Composition percentages are supplied by the Texas Workforce Commission Civil Rights Division, report for Fiscal Year 2012.

**Organizational Structure and Process**

The Board is composed of nine members, who serve six-year staggered terms. All Board members are appointed by the Governor and confirmed by the Senate. One member of the Board shall have had at least ten years practical experience and be licensed as a Master Plumber, one member shall have had at least five years practical experience and be licensed as a Journeyman Plumber, one member shall be a plumbing contractor with five years experience, one member shall be a licensed professional engineer, two members shall be building contractors with five years contracting experience (one of whom shall be principally engaged in home building and one of whom shall be principally



engaged in commercial building), and one member shall have had at least five years practical experience and be licensed as a plumbing inspector. Two members must be representatives of the general public. The Governor appoints the presiding officer of the Board. The Board considers public and industry input. The Board proposes and adopts rules and sets policy as necessary to carry out the enabling statute. The Board employs an Executive Director to carry out the policies and rules adopted by the Board.

The Board's Executive Director directly supervises all department managers; including the Director of Financial Operations & Human Resources; the Director of Enforcement; the Director of Examination and the Executive Assistant to the Director and Board. The Director of Financial Operations/Human Resources supervises one Accountant/Assistant. The Director of Enforcement supervises the Chief Investigator and three Administrative Assistants. The Chief Investigator, under the supervision of the Director of Enforcement, supervises twelve Investigators, who are located around the state. The Director of Examination supervises two Examiners and one Administrative Examination Assistant, who enters new and returning exam applicant information. The Executive Assistant to the Director and Board supervises one Licensing Coordinator who processes renewals and initial licenses, one Customer Service Representative who assists licensees and registrants with the renewal process, one Customer Service Representative who serves as the Agency's receptionist and enters and maintains certificates of insurance and proof of education required for Responsible Master Plumbers, and one Customer Service Representative who processes Plumber's Apprentice applications and assists licensees and registrants with the online renewal process. The Agency's Purchaser, supervised primarily by the Executive Director, also assists with the processing of initial registration applications and renewal calls. Management has adopted policies and procedures to place customer service first and to cross train as a necessity to maintain a prompt level of service.

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

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

Water Supply Protection Specialist examination is a written examination. All of the examinations are given at the Board's examination center located in Austin. The Board also offers the written portion of the Journeyman and Tradesman Plumber-Limited Licensee examinations in El Paso and the Rio Grande Valley area, approximately monthly or as needed. Remote examinations are proctored by the Board's Investigators assigned to that respective area.

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

for registrations, licenses, endorsements and examinations.

The Enforcement Program provides for enforcement of the Board's enabling statute, including:

- the intake and investigation of consumer complaints
- perform compliance checks and monitoring of plumbing jobs
- monitoring of Continuing Professional Education programs
- cooperative enforcement with local municipalities and municipal Plumbing Inspectors
- proactive enforcement through public and industry awareness
- imposition of administrative penalties
- issuing and filing of citations in local Justice Courts
- monitoring of repeat or serious violators of the Plumbing License Law and Board Rules; and subsequent referral to the Enforcement Committee for review
- implementation of administrative penalty program by pursuing cases through the State Office of Administrative Hearings (SOAH), including suspension and revocation of licenses and administrative penalties.

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

#### **Geographic Location of the Board**

The Board's administrative office and examination center are centrally located at 929 East 41<sup>st</sup> Street, Austin, Texas, 78751. The office is easily accessible and centrally located for both consumers and examinees. The building is leased under a contract negotiated and administered by the Texas Facilities Commission.

The Board utilizes two of its 12 Investigator positions primarily for the investigation of cyber complaints, advertisement violations and internally generated complaints. In addition to tracking and the monitoring of Board approved professional education Instructors while headquartered in the Austin office. In addition, these investigators also assist as backup to the Examination Center and other administrative duties as needed.

The other 10 Investigators office from their homes, located in the following areas:

- San Antonio
- Dallas
- Fort Worth
- Harlingen
- El Paso
- Austin
- Houston
- Lubbock/Panhandle/West Texas



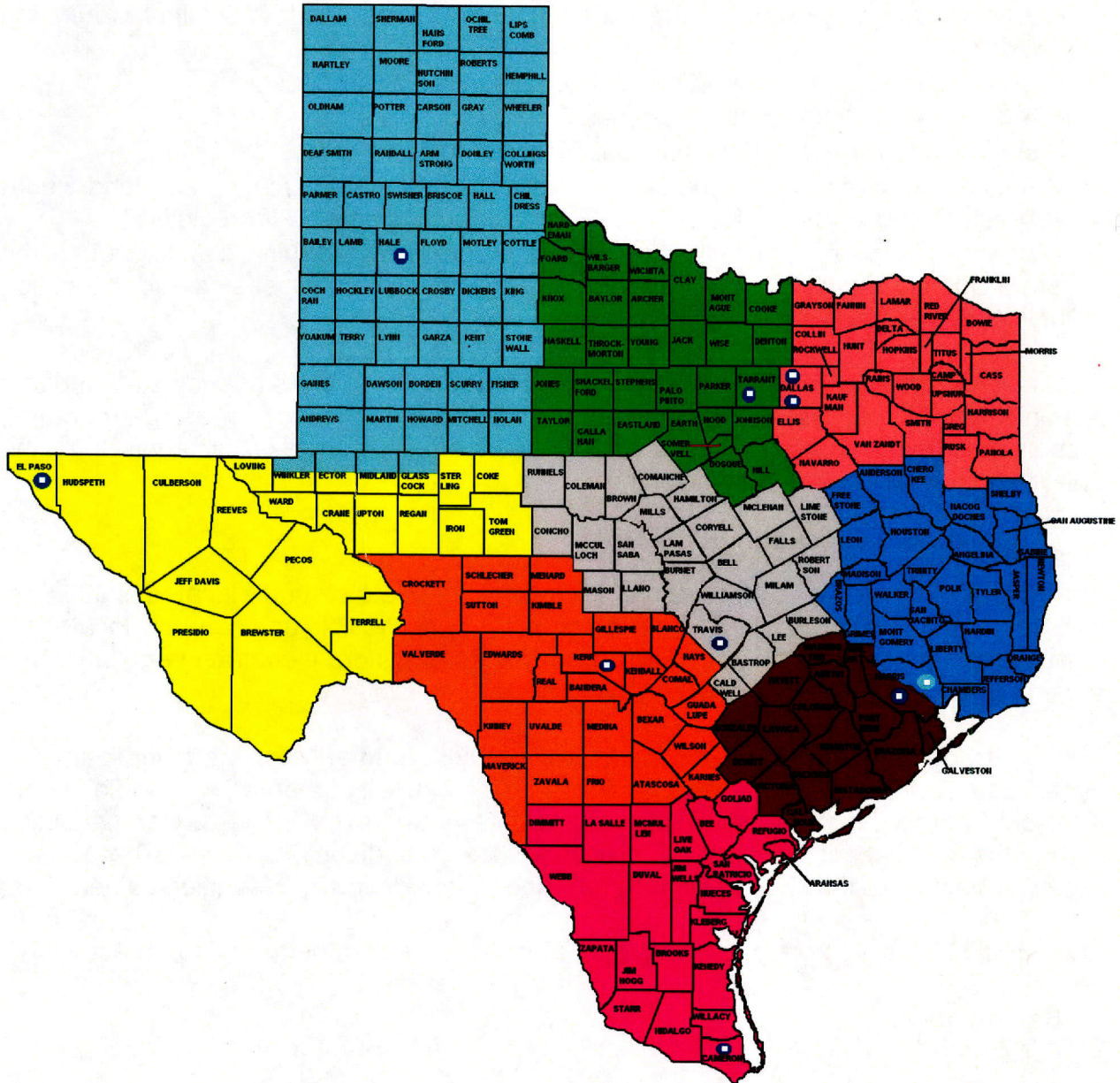
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# TEXAS STATE BOARD of PLUMBING EXAMINERS

## Field Investigator Districts

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Investigators may be contacted through the Enforcement Department at 512-936-5249



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**Dallas** Chief Field Investigator  
**Dallas/NE Fort Worth/North Central** Austin/Central  
**San Antonio/South Harlingen/South**  
**Houston/Northeast Houston/Southwest** Lubbock/Panhandle El Paso/West

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## Location of Service Populations and Geographic Regions Served By the Board

The Texas State Board of Plumbing Examiners serves the entire population of the state in all regions of the state. Consumers located in the Austin area find the Board's physical location convenient and easily accessible. In addition, the Board offers the written portion of many of the examinations in both El Paso and the Valley area. The agency also works with political subdivisions to offer specialty endorsement examinations in the more heavily populated areas. This ensures that the political subdivisions have the ability to provide the required plumbing inspections and can more quickly gain specialized endorsements for their qualified inspectors.

## Human Resource Strengths and Weaknesses

The greatest strength of the Board's human resources are the number of employees who possess experience and expertise in the plumbing industry. Sixteen (16) of the Board's employees, including the Executive Director, Director of Enforcement, Director of Examination, Chief Investigator, Investigators and Examiners, are licensed plumbers. Another strength is the cross training between the Examination and Enforcement departments. The Executive Director, Director of Enforcement, Chief Investigator, and all Investigators obtain certification by the Council on Licensure, Enforcement, and Regulation (CLEAR) as Investigators. As of the submission date of this report, 12 employees (FTEs), or 42.9% have been with the Agency more than 10 years. Additionally, 15 employees (FTEs), or 53.6% have been with the Agency for more than five years. The Agency's turnover rate has continued to remain relatively low.

### Agency Turnover Rates

<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY 2012</u>	<u>FY 2013</u>	<u>FY 2014 (to date)</u>
13.0%	20.8%	8.7%	11.1%	3.7%	3.2%
3 FTEs	5 FTEs	2 FTEs	3 FTEs	1 FTE	1 FTE

The Board's turnover rate remains relatively low due to continued first-rate leadership and the dedication employees have towards the Agency's mission to protect the health and safety of Texas citizens. One employee retired during FY 2010 after 32 years of Agency service. Another employee retired in FY 2011 with 25 years of Agency service, and our previous Executive Director retired in FY 2012 after more than 19 years of Agency service. In fiscal years 2012 and 2014 one employee left the Board each year for better paying positions with other State agencies.

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



## **Capital Asset Strengths**

One of the Board's greatest assets is its examination center. The Board's examinations and Examination Center are recognized across the United States as setting a high standard in the plumbing industry. Currently, separate examinations are given for Journeyman Plumber, Master Plumber, Tradesman Plumber-Limited, Medical Gas Piping Installation, Water Supply Protection Specialist, Multipurpose Residential Fire Protection Sprinkler Specialist and Plumbing Inspector. All of these examinations, with the exception of the Water Supply Protection Specialist examination, consist of thorough written and hands-on-practical sessions that ensure that licensed plumbers and plumbing inspectors who work with public water supplies, sewage disposal, natural gases and medical gases have the qualifications, knowledge, skills, and competencies to do their jobs properly. The Board's examination center allows the Board to conduct the practical examinations.

The Agency's unique cross-connection prevention demonstration unit is another noteworthy asset of the Agency. It houses a display of see-through fixtures and piping that demonstrates how easily our drinking water can be contaminated by improperly installed plumbing systems.

### **Agency Use of Historically Underutilized Businesses (HUBs)**

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

(1) Purchases under \$5,000 – The Board will purchase from a HUB vendor to the fullest extent possible.

(2) Purchases of \$5,000.01 - \$25,000 – Requires the Agency solicit at least three informal bids, two of which must be obtained from CPA certified HUBs. The ethnicity/gender is indicated on the bid tabulation sheet. Note: For purchases \$5,000 or less, the Agency may supplement the list of bidders obtained from the Centralized Master Bidders List (CMBL) with additional non-CMBL bidders.

(3) Purchases over \$25,000 – Requires the Agency solicit formal bids or proposals from all CMBL and HUB Directory vendors who provide the goods or services to the Agency's geographic region.

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

### **Key Organizational Events**

For fiscal years 2014-2015, TSBPE was granted one additional FTE position in the Licensing Department and three additional FTE positions for the Enforcement Department. Additional funding is being raised by the Board to cover costs for these positions. The additional funding was raised by making adjustments in our license and registration fees during fiscal year 2014. However, some of the license and registration fees were actually reduced by the Board.

In order to expedite disciplinary cases at the State Office of Administrative Hearings (SOAH), one of the Enforcement positions will be reserved for a staff attorney. The other two positions will be dedicated for new Investigators.

**Fiscal Aspects**

The Texas State Board of Plumbing Examiners has consistently generated sufficient revenues to support its operations, in that it has not received funds from any other state or federal source other than the fees collected from plumbers. All fees for examinations; initial and renewal of licenses, duplicate licenses, endorsements, and registrations; and administrative penalties collected are deposited into General Revenue Fund 0001. The Board is required to collect fees at least equal to the Agency's appropriations and other un-appropriated indirect costs.

In addition, the Board collects other revenues as appropriated receipts, such as sales of Plumbing License Law and Board Rule publications and open records requests.

**Size of Budget and Method of Finance**

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

<b>A. Goal: ENSURE PUBLIC HEALTH THROUGH SAFE PLUMBING</b>		<b><u>FY 2014</u></b>	<b><u>FY 2015</u></b>
A.1.1. Strategy: Examine and License Plumbers		\$ 856,562	\$ 824,562
A.1.2. Strategy: Texas.Gov		155,000	155,000
A.1.3. Strategy: Inspections and Enforcement		1,240,556	1,117,642
<b>B. Goal: INDIRECT ADMINISTRATION</b>			
B.1.1. Strategy: Indirect Admin - Exam & Licensing		117,759	118,959
B.1.2. Strategy: Indirect Admin - Inspections & Enforcement		<u>172,590</u>	<u>178,304</u>
<b>Grand Totals</b>		<b><u>\$ 2,542,467</u></b>	<b><u>\$ 2,394,467</u></b>

The Methods of Financing for the above appropriations are the General Revenue Fund, Regular Appropriations, and Article IX, Appropriated Receipts.

**Budgetary Limitations**

The Texas State Board of Plumbing Examiners' budget is limited by the General Appropriations Act, Article VIII, which limited the Texas State Board of Plumbing Examiners to a maximum of 31.0 FTEs for fiscal years 2014 and 2015. This included appropriations for four additional FTE positions for the Licensing and Enforcement Departments. Additional funding is being raised by the Board to cover costs for these positions. The additional funding was raised by making adjustments in our license and registration fees during fiscal year 2014. Many license and registration fees were actually lowered by the Board.

## Degree to Which Current Budget Meets Current and Expected Needs

The *Texas Economic and Population Forecast*, prepared by the Texas Comptroller of Public Accounts and the Texas State Data Center, predicts a 1.6% annual increase in the Texas resident population through fiscal year 2019. This will in turn increase the demand for licensed plumbers, plumbing inspectors and plumber's apprentices. Industry growth will continue to increase the demands on the Agency, especially in the area of issuance and renewal of licenses and registrations, examinations, enforcement, complaint investigation and compliance checks.

As of June 1, 2014, the Agency has a total of 28 FTEs, in addition to three new positions not yet filled. The Agency currently has only 16 FTEs to perform the Agency's functions of issuing and renewing licenses, reviewing criminal backgrounds of applicants with criminal convictions, scheduling, administering and grading examinations, processing consumer complaints, accounting and human resources. As with most small agencies, most of these employees are assigned to multiple responsibilities, which cross strategies. Apart from these 16 FTEs, the Agency has 12 Investigators assigned to the enforcement strategy to investigate complaints, monitor job sites, and identify violations located across the state.

In the Legislative Appropriation Request (LAR) process for the 2016-17 biennium, the Board will be required to submit a supplemental schedule detailing how they would reduce their budget by an additional 10 percent (in 5% increments). Looking forward, the Agency will seek every possible efficiency to reduce the effects on customer service and performance measures in the event a budget reduction is implemented. In order to meet a 5% or 10% budget reduction, the Agency would be forced to reduce its current number of FTEs. The Agency must continue providing its basic functions, regardless of possible budget reductions. In the event of budget reductions, the Agency must look to eliminating positions which would allow the Agency to continue issuing and renewing licenses, reviewing criminal backgrounds of applicants with criminal convictions, scheduling, administering and grading examinations, processing consumer complaints, as well as accounting and human resource functions. Only by reducing the number of Investigators, could the Agency continue to provide each of these functions. However, complaint investigation, compliance checks, and identification of violations would be provided at a reduced level. The Agency would lose approximately four Investigators if the full 10% reduction was implemented.

The Board will be requesting the following exceptional items during the 84th Legislative Session:

- 1) One (1) Deputy Executive Director (Exempt Position) is necessary due to the expected rise in the economy and the construction industry. This position will assist in meeting the increasing demands on the Board and ensure continuous oversight of the additional daily responsibilities placed on the agency.
- 2) Funding for Information Technology enhancements in the agency's website and electronic communication capabilities with the licensees, registrants and public. In addition the agency needs the additional funding to complete customizations for the HPC shared regulatory database system (Versa). Staff is working closely with other Article VIII regulatory agencies in an attempt to reduce shared costs to customize the new licensing and enforcement system. These would be one-time costs.

- 3) One (1) additional Examiner is needed to handle the expected increases in the number of examinations offered at the TSBPE Examination Center. The demand for additional plumbers is expected to increase as construction projects grow. The addition of more technical plumbing systems within construction projects brings the need for more specially trained and educated plumbers. Plumbing systems include not only waste and water piping but also medical gases, installations of residential fire sprinkler protection systems and the collection and treatment of rainwater. In order to meet these needs the agency has increased the complexity and added a variety of examination types to ensure that only qualified individuals install these systems.
- 4) One (1) additional Licensing Technician is needed to assist in meeting the increased demands of issuing and renewing licenses and registrations, collection and tracking of required documentation for licensees, registrants and to ensure that the required documents for Responsible Master Plumbers, including certificates of insurance and training program certificates collected and maintained by the agency.
- 5) Two (2) additional Investigators to assist in meeting the increased demands of the agency's growing number of agency's growing number of licensees, registrants and consumers who utilize plumbing services in both new and existing plumbing systems. An apparent increase in new construction throughout Texas is creating the need for more knowledgeable and experienced licensed plumbers, as well as additional registered Plumber's Apprentices. The Investigator's primary duties are enforcement of the Plumbing License Law through the investigation of consumer complaints, performance of compliance checks and the issuance of administrative penalties when violations are found. Enforcement of the Plumbing License Law also helps ensure safe and proper installation of plumbing systems through compliance with the law. The presence of Investigators encourages overall compliance, but also encourages individuals to renew licenses and registrations and apply for examinations, thereby helping the Board meet or exceed its expenditures.
- 6) Merit increases are needed to retain high-performing employees. These employees have shown exceptional, above-average performance, have met the challenges of increased workloads with hard work and dedication, and whose length of service with the Board has provided the employees with an intricate knowledge of the Board's operations. Without sufficient funds to reward these employees with merit salary increases, retention of the Agency's most productive employees is a growing concern.

#### **Expectations for Fiscal Years 2016-17**

We expect the demands on the Agency to issue and renew licenses and registrations; review criminal backgrounds of applicants with criminal convictions; impose administrative penalties on violators; schedule, administer and grade a variety of types of examinations; process consumer and industry complaints; provide public awareness demonstrations; monitor required educational courses; and perform accounting and human resource functions. The Board leases the building that houses its office and examination center. The Board's building lease, negotiated by the Texas facilities Commission, was renewed in September 2013 with an increase in rent from \$1.00 to \$1.25 per square foot/month. The new building lease expires on August 31, 2023. It will continue to be important that the Board occupy a facility that has the appropriate space



required to conduct the Board's hands-on practical examinations to ensure only qualified plumbers are licensed.

## **Service Population Demographics**

### **Historical Characteristics**

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

### **Current Characteristics**

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

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

The current average and median age of the Agency's licensees and registrants is:

<u>Type of licensee/registrant</u>	<u>Median age</u>	<u>Average age</u>
Master Plumber	54	53
Journeyman Plumber	45	45
Tradesman Plumber-Limited	35	36
Plumbing Inspector	55	54
Plumber's Apprentice	33	35

### **Future trends and their impacts**

Changes in the demographics of the Board's citizen service population will not affect the need for the regulation of the plumbing industry and the need for the Board to service its customers. Regardless of demographic changes, the public will continue to need uncontaminated drinking water, air and medical gases. However, as the citizen service population grows, so will the demands on Agency personnel. The *Texas Economic and Population Forecast*, prepared by the Texas Comptroller of Public Accounts and the Texas State Data Center, predicts a 1.6% annual increase in the Texas resident population through fiscal year 2019.

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

The plumbing industry maintains that fewer individuals are choosing to enter the plumbing industry each year. The industry believes that more young adults are choosing higher education or technological training over learning to practice as a plumber.

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

### **Economic Variables**

Customer demand on the Agency is very closely related to economic conditions, especially in the construction industry. Increases in new construction usually mean an increase in demand for licensees and registrants, as well as an increase in citizens who require the services of this Agency. An increased number of licenses and registrations are expected to be issued and renewed, as well as an increase in the complaints that will be filed by Texas citizens. It is expected that the licensee population will also increase. The *Texas Economic and Population Forecast*, prepared by the Texas Comptroller of Public Accounts and the Texas State Data Center, predicts a 1.6% annual increase in the Texas resident population through fiscal year 2019. The Board continues to receive inquiries from individuals planning to relocate to Texas to engage in the plumbing industry. The Agency will respond to this expected increase and demand on Agency personnel by continuing to monitor economic conditions and trends in the industry, striving to maintain its low FTE turnover rate, increasing efficiency, further utilizing technology, and requesting additional FTEs when necessary.

### **Impact of Federal Statutes and Regulations**

The Federal Safe Drinking Water Act (FSDWA) was first passed in 1974 and has since been amended several times. The requirements of the FSDWA pertain primarily to public water systems, and, therefore the enforcement of the regulations is not within the

purview of the Board. However, the plumbing codes adopted by the Board and political subdivisions within the state incorporate many of the requirements of the FSDWA including the ban of plumbing materials and fixtures that contain lead. Licensed plumbers and Plumbing Inspectors must comply with the state approved plumbing codes and the Board assists local authorities in the enforcement of the plumbing codes.

Environmental Protection Agency (EPA) regulations address common renovation activities such as sanding, cutting, and demolition which can create hazardous lead dust and chips by disturbing lead-based paint, which can be harmful to adults and children. To protect against this risk, on April 22, 2008, EPA issued a rule requiring the use of lead-safe practices and other actions aimed at preventing lead poisoning. Under the rule, effective April 22, 2010, contractors (including plumbing) performing renovation, repair and painting projects that disturb lead-based paint in homes, child care facilities, and schools built before 1978 must be certified and must follow specific work practices to prevent lead contamination. Contractors must contain the work area, minimize dust and clean up thoroughly. EPA requires that firms performing renovation, repair, and painting

projects that disturb lead-based paint in pre-1978 homes, child care facilities and schools be certified by EPA and that they use certified renovators who are trained by EPA-approved training providers to follow lead-safe work practices. Individuals can become certified renovators by taking an eight-hour training course from an EPA-approved training provider.

### **New Federal Lead Law**

On 01/04/2014, Federal Law mandated that the wetted surface of every pipe, fixture, and fitting sold for or installed in potable water applications not contain more than 0.25% lead by weight\* (old mandate was a maximum of 8.0%).

- Modified the "Safe Drinking Water Act" of 1974 (amended by "Lead Contamination Control Act" of 1988) to redefine "Lead Free" regarding pipes, pipe fittings, plumbing fittings, and fixtures.
- Re-defines "Lead Free" to mean:
  1. Not containing more than 0.2% lead in solder and flux;
  2. Not more than a weighted average of 0.25% lead in wetted surfaces of pipes, pipe and plumbing fittings, and fixtures
- Exempts use or sale of lead pipes, solder, and flux in pipes or plumbing fittings, or fixtures used exclusively for non-potable services (non-potable items must be individually labeled as such).
- Establishes formula for calculating weighted average lead content.

### **Legal Implications**

States responsible for enforcement through state or local plumbing codes or other appropriate means.

- Illegal to introduce into commerce or install any potable water product that does not comply.
- Non-compliance may result in fines, installed product removal costs, and lawsuits.

\*The new requirement does not apply to fire hydrants, toilets, bidets, urinals, fill valves, flushometer valves, tub fillers, shower valves, service saddles, or water distribution main gate valves 2 inches in diameter or larger (SDWA 1417(a)(4)(B)).

The Agency does not anticipate any additional federal legislation that will significantly impact the Agency and its service population.

### **Impact of Anticipated State Statutory Changes**

The Major Events section of this strategic plan identifies historical legislative changes. During the upcoming 84<sup>th</sup> Legislative Session, major changes are not anticipated at this time.

### **Impact of Local Governmental Requirements**

The Board's Investigators work with local municipal and other political subdivision authorities in cooperative enforcement of the Plumbing License Law and Board Rules. Most often, the Board works closely with the licensed Plumbing Inspectors in those jurisdictions. Licensed Plumbing Inspectors are employed by political subdivisions for the purpose of inspecting plumbing work to ensure compliance with local ordinances regulating plumbing. Plumbing Inspectors are authorized by the Plumbing License Law

to enforce the Plumbing License Law within the jurisdiction of which they are employed. Local government regulations have not impacted the Agency and none are anticipated.

## **Self-Evaluation and Opportunities for Improvement**

### **Effectiveness and Efficiency of the Agency**

Since its creation in 1947, the Texas State Board of Plumbing Examiners has been continually challenged to meet the needs of the constantly evolving and modernizing industry that it serves. The most significant accomplishment of the Board is that it has been able to meet these changing needs while maintaining focus on its mission to protect the health and safety of the citizens of the state. The Board believes this is evident when considering that the Board's regulation of the plumbing industry has helped to keep plumbing related accidents to a minimum.

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

- As materials and methods for the installation of plumbing have become more sophisticated, the Board has accepted and fulfilled its responsibility to continually review the examination process and qualifications of applicants ensuring that only qualified applicants receive and maintain a license. The Board continually evaluates and revises all examinations to ensure they meet current codes and standards.
- Changes in the Board's enforcement program since 1993 have been significant. Prior to 1992, most complaints were handled informally on a local level. The implementation of the issuance of citations and placement of Investigators around the state had a remarkable effect on enforcement and compliance with not only the Plumbing License Law and Board Rules, but local ordinances regulating plumbing as well.
- The authority to impose administrative penalties granted to the Agency by the 78<sup>th</sup> Legislature has further increased compliance with the Plumbing License Law and Board Rules.
- The efforts of the Board's Enforcement Committee in reviewing the criminal histories of applicants and the effects of administrative actions taken against licensees and registrants who violate the Plumbing License Law and Board Rules are far reaching.

The law-abiding plumbing community and consumers who have had their complaints thoroughly investigated and fairly resolved appreciate the Board's current reputation for its enforcement practices.

- The implementation of the Continuing Professional Education (CPE) requirement for licensed Plumbers, Plumbing Inspectors and Plumbers Apprentice registrants is one of the more significant accomplishments of the Agency. CPE has proven to be an extremely beneficial program to the licensees, as well as the consumers of the licensee's services. The increase in the licensee's awareness of current issues, changes in plumbing codes, and the laws and rules that regulate the plumbing industry, have been immeasurable.
- While maintaining the high standards of the Board's examination, the Board has been responsive to the plumbing industry by providing the written portion of its Tradesman Plumber-Limited, Journeyman and Master Plumber examinations in both English and Spanish. Applicants whose preferred language is Spanish believe this to be a major accomplishment.
- To further accommodate applicants, the Board provides the written portion of the Journeyman and Tradesman Plumber-Limited examination in El Paso and the Rio Grande Valley area.

- The implementation of the Multipurpose Residential Fire Protection Sprinkler Specialist, Water Supply Protection Specialist and Medical Gas Piping Installation Endorsement training and examinations for Master and Journeyman Plumbers is another example of changes in the plumbing industry that have addressed a vital health and safety need.
- The Board has increased public and industry awareness significantly with the implementation of the Agency website and public awareness seminars conducted by the Board around the state. The Board understands the importance of industry and public outreach, in order to seek input regarding Agency functions. The Board strives to go beyond meeting only the minimum requirements of law to inform the industry and public of the matters of the Board.

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

The fact that the Board has been able to achieve so many milestones, remain current with the progression of the plumbing industry and maintain its focus on its mission, while carrying out its day-to-day activities with only twenty-eight (28) full time employees, that renew and issue licenses and registrations, examine, and monitor individuals within the plumbing industry that collectively hold approximately 80,809 renewable licenses, endorsements and registrations, is truly an accomplishment in itself.

### **Processes for Determining Effectiveness and Efficiency**

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

Prior to each Board Meeting: The statistical data provided regarding each Investigator's activities includes the number of notices of non-compliance issued, compliance checks performed, complaints investigated, classes monitored, and seminars conducted. Information regarding Enforcement Committee activities includes the number of applicants for examination and license renewal whose criminal histories were reviewed, the number of complaint cases reviewed and the number of administrative penalties imposed. The examination and licensing information statistics reviewed by the Board include the number of each type of examination given, pass rates for each type of examination and number of licenses issued and renewed. A complete report of the Board's financial status is also provided at each Board meeting. The Executive Director reports on all activities and significant matters of the Agency. The Board formally reviews and analyzes the information provided and adjusts priorities and activities accordingly. The Board uses the information provided as a basis for policymaking.

Providers of Continuing Professional Education distribute information on Agency performance to licensees during the Continuing Professional Education courses. In turn, the industry utilizes the information when determining whether or not to support the Board's legislative budget requests, and in deciding what other legislation to support. The



information is also used to make recommendations to the Board for rule and policy amendments.

In furthering its efforts to enhance the effectiveness, efficiency and accountability of the Agency, the Board has implemented a plan to have external financial audits routinely conducted every two years. The biennial audits will assist the Board in maintaining and updating accounting policies and procedures overall to ensure best accounting practices are maintained.

### **Comparison with Other States**

Of the states researched, most license Journeyman and Master Plumbers and some also license Plumbing Inspectors. In most of the states that do not regulate plumbers on the state level, plumbers are licensed and regulated by the individual cities or counties.

Of those states that license Journeyman plumbers, some conduct a "hands on" practical examination for the Journeyman license. Some states that do not currently offer a "hands on" practical examination have indicated they realize the need for it, and are progressing towards the use of a practical examination. Some states base their examinations on a single plumbing code that has been adopted by that state.

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

Most of the states researched generally have enforcement programs similar to Texas.

Some of the other states utilize state agency employed Investigators, while others rely on local Plumbing Inspectors to provide enforcement.

Throughout the years, the Board and the Board's staff have had opportunities to network with individuals representing other states and countries on issues relating to the development of enforcement and examination strategies. The Texas State Board of Plumbing Examiners is recognized by some states as setting standards that plumbing regulatory boards in other states desire to follow. Texas was one of the first states to administer such a comprehensive practical examination for licensing plumbers and to implement a medical gas piping installation endorsement for licenses. Effective September 1, 2009, Texas became one of the first states to authorize plumbers who meet training and examination requirements to install multipurpose residential fire protection sprinkler systems in one and two family dwellings. On several occasions, representatives from plumbing regulatory boards of other states and one country requested a tour of the Board's facilities and review of the Board's programs in an effort to pattern their programs after Texas. This agency sets an example to the industry across the nation and in other countries.

## Opportunities for Improvement

### Customer Service

Customer service is an area that always provides opportunity for improvement. During fiscal year 2014, the Agency conducted its bi-annual customer service survey. The Agency relies heavily on the information obtained from this survey as a gauge to how we are serving the population. In addition, the Agency plans to implement a continuous survey process for its customers through an updated website. The Agency has developed its "Compact with Texans" and appointed a customer service representative in compliance with Sec. 2114 of the Government Code. Upon completion of all examinations, applicants are requested to anonymously complete a questionnaire regarding their opinion of the examination and the service they received during the examination. Based on comments received from the plumbing industry and the public, the Agency plans to provide improved availability of electronic data related to licensee and registrant inquiries. Continuing education, trade association meetings and telephone comments received by Agency staff are brought to the attention of department managers. Comments made to Investigators are also a great source of feedback. The Board seriously considers the comments received, and often makes changes to Agency policy based on customer recommendations. The ability to be heard and the responsiveness of the Board are key factors in the widespread support from the industry.

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

### Complaint Resolution Time

The Agency's resolution time for complaints is a measure that is continuously monitored. The Agency strives to maintain or exceed performance expectations for complaint resolution time. However, a slower than expected economy or the loss of even one FTE due to a budget reduction could slow complaint resolution time. The Agency regularly seeks the most efficient way to assist those that file complaints, whether or not budget reductions are implemented.

## AGENCY GOALS

### A. Goal

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

### B. Goal

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

## OBJECTIVES AND OUTCOME MEASURES

### A.1. Objective:

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

#### Outcome Measures:

- average time to issue examination results (in working days)
- percentage of complaints resolved resulting in disciplinary action
- ratio of complaints filed per 100 licensee/registrant population
- recidivism rate for those receiving disciplinary action
- percent of licensees and registrants with no recent violations
- percent of documented complaints resolved within six months
- percent of licensees and registrants who renew online
- percent of new individual licenses, registrations and endorsements issued online.

### B.1. Objective:

The Board's objective is to include historically underutilized businesses (HUB) in 100% of Professional Services contracts, at least 50% of Other Services contracts and at least 55% of Commodities contracts for fiscal years 2015 and 2016.

#### Outcome Measure:

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

## STRATEGIES AND OUTPUT, EFFICIENCY AND EXPLANATORY MEASURES

### A.1.1 Strategy:

#### EXAMINE AND LICENSE PLUMBERS

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

#### Output Measures:

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

#### Efficiency Measures:

- Percent of new individual licenses and registrations issued within 10 days
- Percent of individual license and registration renewals issued within 7 days

#### Explanatory Measures:

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

### A.1.2 Strategy:

#### INSPECTIONS AND ENFORCEMENT

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

**Output Measures:**

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

**Efficiency Measures:**

- Average time for complaint resolution

**Explanatory Measures:**

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

**B.1.1. Strategy****HUB POLICIES**

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

**Output Measure:**

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



## TECHNOLOGY RESOURCE PLANNING

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

### Technology Initiative Assessment and Alignment

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

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

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

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

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

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

**Initiative Description:** The Agency implemented Versa Regulation, an integrated licensing, examination, and enforcement computer application and regulatory database system on May 30, 2011 as part of a shared software solution with Health Professions Council (HPC) and five other Article VIII agencies. The new shared software solution allows for a more efficient, and reliable platform to store and use data, and keeps Agency software from becoming obsolete while providing flexibility for future needs. However, additional customizations are ongoing.

**Agency Objectives:** Implementation of Versa Regulation supports all of the Agency objectives.

**Statewide Technology Priorities:** The implementation of Versa Regulation aligns with statewide technology priorities P2 – Data Management, P3 – Data Sharing, P4 –

Infrastructure, P5 – Legacy Applications, P7 – Network, P8 – Open Data, and P9 – Security and Privacy.

Guiding Principles: Implementation of Versa Regulation addresses the following statewide guiding principles: Connect, Trust, and Innovate. The public facing component of Versa Regulation allows citizens to access real-time information from the Agency database and to apply for registration, examination or licensure in real-time. For fiscal year 2014 to date, the percentage of licenses and registrations renewed online is approximately 44.6% and the percentage of new licenses and registrations issued online is 26.7%.

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

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

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

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

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

Agency Objectives: Contracting with Vintage IT Services supports all Agency objectives.

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

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

**Anticipated Benefits:** The Agency has already seen benefits of contracting with Vintage IT Services. Allowing information to be shared on secure network drives has increased staff efficiency by allowing file documentation to be viewed electronically. Security of Agency data has improved by requiring secure sign on to Agency desktop computers.

**Capabilities or Barriers:** As Agency staff becomes more familiar with accessing file information electronically, the Board will continue to evaluate electronic maintenance of files that need to be retained by the Agency. Maintaining files in electronic format will continue to provide easier access to file data and reduce physical storage space requirements.

**Initiative: Provide Board meeting documentation electronically**

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

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

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

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

**Anticipated Benefits:** The Agency has seen an increase in efficiency in fulfilling public information requests for Board meeting documentation by storing the information electronically. The Agency has also been able to accommodate off-site Board members and other Agency staff by sending electronic Board meeting documentation to those off-site Board and staff members via electronic email for review prior to the meeting.

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

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

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

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

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

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

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

Capabilities or Barriers: The limited availability of mobile broadband internet services from DIR approved vendors in the area where the Investigator's remote office is based has been a barrier to obtaining mobile broadband internet connections for all of the Agency's off-site staff.

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

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

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

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

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

Anticipated Benefits: The Agency anticipates increased security and efficiency in contracting with DIR for SETA services by ensuring Agency network and data is secure from cyber-attacks, decreasing the risk of Agency downtime to recover data after potential cyber-attacks.

Capabilities or Barriers: The Agency anticipates a smooth transition to DIR's SETA services platform due to contractual support from Vintage IT Services, as well as HPC staff.

## APPENDIX A

### TEXAS STATE BOARD OF PLUMBING EXAMINERS

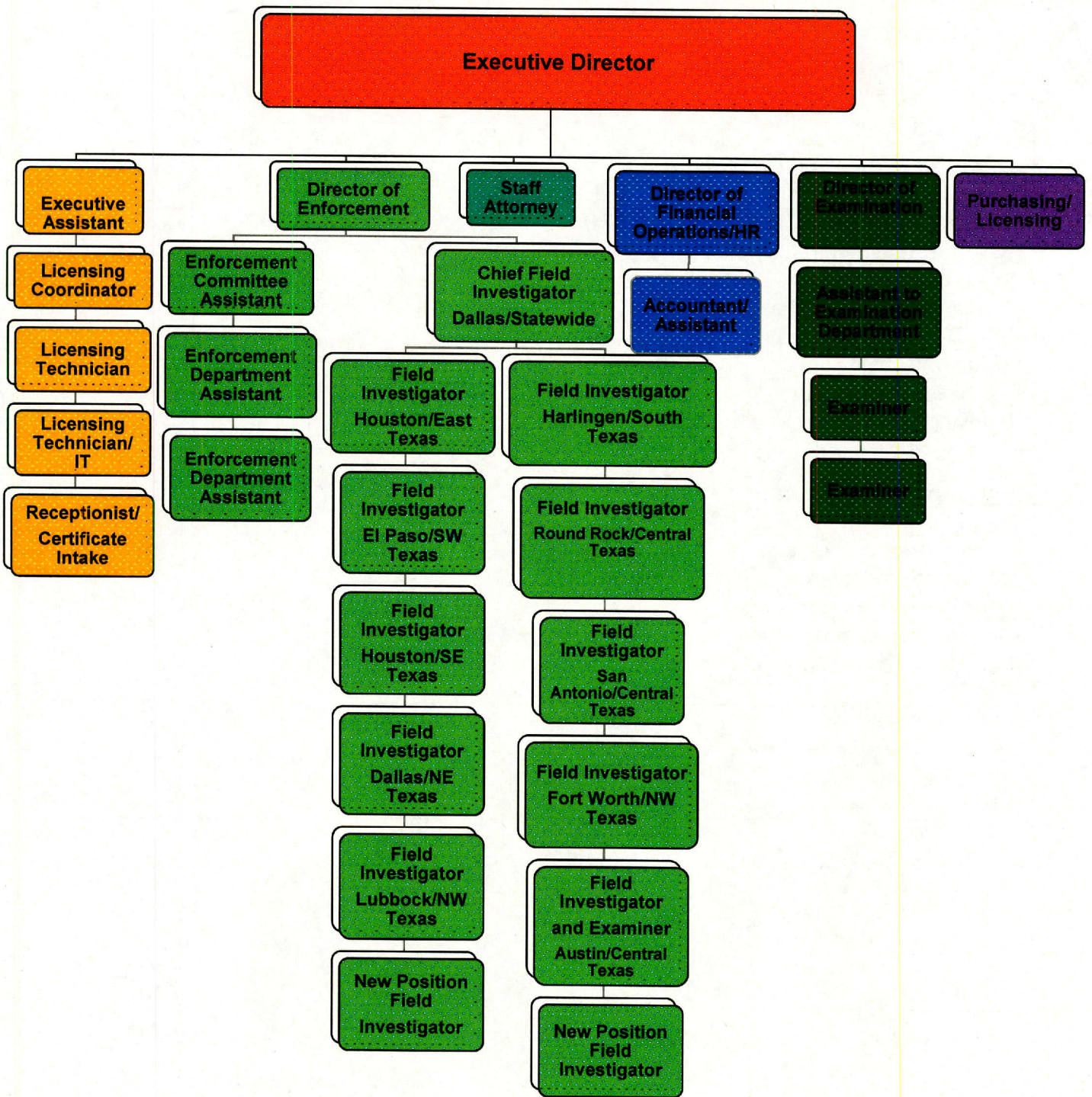
#### Description of Agency's Planning Process

The members of the Texas State Board of Plumbing Examiners view strategic planning as an ongoing process, and provide input to staff as necessary throughout the year. Agency staff provides valuable input in the strategic planning process. The draft of the plan was distributed to all key Agency staff for review and comments. Several staff suggestions have been included in this published plan. Strategic plans are posted on the Agency website for the public's benefit and any comments received by the public are considered during the preparation of the current Strategic Plan. Agency management staff participates extensively in the preparation of the plan, considering input provided by any other Agency staff.



# TEXAS STATE BOARD OF PLUMBING EXAMINERS

## Organizational Chart - Fiscal Year 2014





## APPENDIX C

### TEXAS STATE BOARD OF PLUMBING EXAMINERS

#### Five-Year Projections for Outcome Measures

	2015	2016	2017	2018	2019
Average time to issue examination results (in working days)	5	5	5	5	5
Percentage of complaints resolved resulting in disciplinary action (KEY)	50.0	49.0	48.0	47.0	47.0
Ratio of complaints filed per 100 licensee/registrant population	2.0	2.0	2.0	2.0	2.0
Recidivism rate for those receiving disciplinary action	7.5	7.4	7.3	7.2	7.2
Percent of licensees and registrants with no recent violations (KEY)	98.5	98.5	98.5	98.5	98.5
Percent of documented complaints resolved within six months	60.0	60.0	60.0	60.0	60.0
Percent of licensees and registrants who renew online (KEY)	45.0	47.0	49.0	51.0	53.0
Percent of new individual licenses, registrations and endorsements issued online (KEY)	30.0	32.0	34.0	35.0	36.0

**APPENDIX D**  
**TEXAS STATE BOARD OF PLUMBING EXAMINERS**

**List of Measure Definitions**

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

**OUTCOME MEASURES:**

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

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

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

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

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

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

**Calculation Type:** Non-Cumulative

**New Measure:** No

**Desired Performance:** Lower than Target

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

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

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

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

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

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

**Calculation Type:** Non-Cumulative

**New Measure:** No

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

### **Ratio of Complaints Filed per 100 Licensee/Registrant Population (NON-KEY)**

**Short Definition:** The total number of documented complaints received per 100 licensees/registrants during the reporting period, divided by the unduplicated number of individuals currently licensed or registered by the Board.

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

**Source/Collection of Data:** The VERSA Regulatory Database system is used to maintain licensee and registrant records. At the end of each reporting period the Licensing Supervisor generates a report that lists the number of licenses and registrations as of the end of the reporting period. The Director of Enforcement generates a report from the system for the number of complaints received during the reporting period and calculates the measure. The Director of Financial Operations verifies the lists and calculations. The lists and population information are maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Method of Calculation:** The total number of documented complaints received per 100 licensees/registrants during the reporting period, divided by the unduplicated number of individuals currently licensed or registered by the Board.

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

**Calculation Type:** Non-Cumulative

**New Measure:** No

**Desired Performance:** Lower than Target

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

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

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

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

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

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

**Calculation Type:** Non-cumulative

**New Measure:** No

**Desired Performance:** Lower than Target



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

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

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

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

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

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

**Calculation Type:** Non-cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

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

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

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

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

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

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

**Calculation Type:** Non-cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

**Percent of Licensees and Registrants Who Renew Online (KEY)**

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

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

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

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

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

**Calculation Type:** Non-cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

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

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

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

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

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

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

**Calculation Type:** Non-cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

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

### **OUTPUT MEASURES**

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

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

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

**Source/Collection of Data:** The Licensing Supervisor generates a report at the end of each reporting period that lists the number of new licenses and registrations issued for

that period. The list is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

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

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

**Calculation Type:** Cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

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

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

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

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

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

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

**Calculation Type:** Cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

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

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

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

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

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

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

**Calculation Type:** Cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

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

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

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

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

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

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

**Calculation Type:** Cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

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

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

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

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

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

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

**Calculation Type:** Cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

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

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

**Purpose/Importance:** Registration renewal is intended to ensure that persons who want to continue to practice in their respective profession satisfy current legal standards



established by statute and rule for practice. This measure is intended to show the number of registrations that were issued during the reporting period to individuals who currently held a valid registration.

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

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

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

**Calculation Type:** Cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

## **EFFICIENCY MEASURES**

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

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

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

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

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

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

**Calculation Type:** Non-Cumulative

**New Measure:** No

**Desired Performance:** Higher than target

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

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

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

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

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

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

**Calculation Type:** Non-Cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

**EXPLANATORY MEASURES**

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

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

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

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

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

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

**Calculation Type:** Non-cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

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

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

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

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

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

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

**Calculation Type:** Non-cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

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

### **OUTPUT MEASURES**

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

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

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

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

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

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

**Calculation Type:** Cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

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

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

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

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

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

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

**Calculation Type:** Cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

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

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

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

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

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

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

**Calculation Type:** Cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

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

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

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

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

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

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

**Calculation Type:** Cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

### **Number of Complaints Resolved (KEY)**

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

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

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

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



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

**Calculation Type:** Cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

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

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

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

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

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

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

**Calculation Type:** Cumulative

**New Measure:** No

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

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

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

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

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

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

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

**Calculation Type:** Cumulative

**New Measure:** No

**Desired Performance:** Lower than Target

## **EFFICIENCY MEASURES**

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

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

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

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

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

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

**Calculation Type:** Non-cumulative

**New Measure:** No

**Desired Performance:** Lower than Target

## **EXPLANATORY MEASURES**

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

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

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

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

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

**Data Limitations:** This measure is directly affected by the economy and demand for licensed plumbers.

**Calculation Type:** Non-cumulative

**New Measure:** No

**Desired Performance:** Lower than Target

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

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

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

**Source/Collection of Data:** Each Investigator gathers and submits the number of violations found during compliance checks. The data is maintained in the VERSA Regulatory Database system. The Director of Enforcement verifies and compiles the data, generates the report, and calculates the percentage. The Director of Enforcement

forwards the report to the Director of Financial Operations. The report is verified and maintained by the Director of Financial Operations as part of the backup for the specific performance measure.

**Method of Calculation:** The total number of compliance checks with violations is divided by the total number of compliance checks.

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

**Calculation Type:** Non-cumulative

**New Measure:** No

**Desired Performance:** Lower than Target

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

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

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

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

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

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

**Calculation Type:** Cumulative

**New Measure:** No

**Desired Performance:** Higher than Target

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

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

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

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

**Method of Calculation:** The total number of complaints received is provided in the generated report.

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

**Calculation Type:** Cumulative

**New Measure:** No

**Desired Performance:** Lower than target

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

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

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

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

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

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

**Calculation Type:** Non-cumulative

**New Measure:** No

**Desired Performance:** Lower than Target

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

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

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

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

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

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

**Calculation Type:** Cumulative

**New Measure:** No

**Desired Performance:** Lower than Target.



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

**Short Definition:** The number of disciplinary actions taken against unlicensed and unregistered individuals, divided by the total number of disciplinary actions taken during the reporting period.

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

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

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

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

**Calculation Type:** Non-Cumulative

**New Measure:** No

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

## APPENDIX E

### TEXAS STATE BOARD OF PLUMBING EXAMINERS

#### Workforce Plan

#### OVERVIEW

##### Agency Mission

The mission of the Texas State Board of Plumbing Examiners is to help protect the health and safety of the citizens of the State of Texas by ensuring that our drinking water, air, and medical gases are not contaminated and that we may live and work in the safe conditions that properly installed plumbing systems are designed to provide. By offering public and industry awareness programs, we educate those that utilize plumbing systems as well as those that do or will provide plumbing systems now and in the future. Awareness and education programs are also utilized to reach those considering the plumbing profession as a career. Through fair and consistent regulation of the plumbing industry, and by examining, licensing and registering plumbing professionals, the Board ensures that qualified individuals following clear standards, protect the citizens' health and safety.

##### Agency Goals

###### A. Goal

**ENSURE PUBLIC HEALTH AND SAFETY THROUGH SAFE PLUMBING** - To protect the health of Texas by ensuring that each person has access to clean water, clean air and uncontaminated medical gases through quality plumbing installed and maintained by competent plumbers and inspected by competent inspectors; to ensure that plumbers who install and maintain public water supplies and sewage disposal system and medical gas systems and inspectors who inspect such systems have the most up-to-date knowledge, skills, and competencies to prevent the transmission of water-borne diseases and gases and the unintended cross-connection of breathable and lethal gases. (The Plumbing License Law, Occupations Code, Title 8, Chapter 1301)

###### B. Goal

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

##### Agency Objectives

###### A.1. Objective:

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

## **B.1. Objective:**

The Board's objective is to include historically underutilized businesses in 100% of Professional Services contracts, at least 50% of Other Services contracts and at least 55% of Commodities contracts for fiscal years 2015 and 2016.

## **Agency Business Functions:**

The main functions of the Board include:

- administering written and hands-on practical examinations for Tradesman Plumber-Limited, Journeyman Plumbers, Master Plumbers, Plumbing Inspectors, Water Supply Protection Specialists, Medical Gas Piping Installers, and Multi-purpose Residential Fire Protection Sprinkler Specialist Installer
- issuing registrations for Plumber's Apprentices, Drain Cleaners, Drain Cleaner-Restricted, and Residential Utilities Installers
- renewing licenses, registrations and endorsements
- approving Continuing Professional Education programs
- investigation of consumer complaints
- regularly monitor the industry for compliance
- imposing administrative penalties
- issuing citations to alleged violators
- issuing cease and desist orders
- suspending, revoking and denying licenses and registrations
- reviewing criminal histories of applicants
- assisting local authorities with the enforcement of the Plumbing License Law

## **Anticipated changes to the mission, strategies and goals over the next five years**

The Agency does not anticipate any changes to its mission, strategies or goals over the next five years.

## **CURRENT WORKFORCE PROFILE**

### **General Information**

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

A retirement analysis of the agency reveals that thirteen (13) employees are eligible to retire within the next five years, or 46.4%. Eight (8) of those employees are eligible to retire within the next two years, or 28.6%. Workforce planning allows agencies to address

issues that drive workforce changes such as the aging workforce and growing retirement eligibility. To prepare, the Board's workforce plan includes cross-training employees to minimize the effects of vacancies created by retirement or attrition. In addition, when filling open positions that require plumbing knowledge, the agency seeks individuals with skills that are valuable now and in the future.

### **Demographics Information to include Age, Gender, Race and Tenure**

Although TSBPE is considered a small state agency (31 FTEs, 28 positions filled as of June 1, 2014), retaining a mission-critical skilled workforce is imperative to obtain optimum performance. As of June 1, 2014, the agency's current workforce of 28 FTEs (3 new positions not yet filled) has the following demographics:

**Age:** Average agency age = 50.7. Average age in the Examination & Licensing Strategy = 45.4; Average age in the Inspections & Enforcement Strategy = 53.0; Average age in the Indirect Administration Strategy = 53.8. Agency age range = from 23 to 74.

**Gender:** 11 Female = 39.3%, 17 Male = 60.7%.

**Race:** African American = 2 or 7.1%, Hispanic = 10 or 35.7%, American Indian = 1 or 3.6%, White = 15 or 53.6%.

**Tenure – Agency Service:** Average for Entire Agency = 8.5 years; Average for Examination & Licensing Strategy = 7.7 years; Average for Inspections & Enforcement Strategy = 7.3 years; Average for Indirect Administration Strategy = 14.6 years.

**Tenure - State of Texas Service:** Average for Entire Agency = 10.3 years; Average for Examination & Licensing Strategy = 11.4 years; Average for Inspections & Enforcement Strategy = 7.3 years; Average for Indirect Administration Strategy = 19.2 years.

**Percentage of Workforce Eligible to Retire Within the Next Five Years:** 13 employees, or 46.4%, could retire within the next five years. It is estimated that 11 of those eligible employees will retire within the next five years.

**Percentage of Workforce Eligible to Retire Within the Next Two Years:** 8 employees, or 28.6%, could retire within the next two years.

**Agency Turnover:** FY 2009 = 3 employees, or 13.0%; FY 2010 = 5 employees, or 20.8%; FY 2011 = 2 employees, or 8.7%; FY 2012 = 3 employees, or 11.1%; FY 2013 = 1 employee, or 3.7%; and for FY 2014 (to date) 1 employees, or 3.2%. The Board's turnover rate remains relatively low due to leadership and the dedication employees have towards the agency's mission to protect the health and safety of Texas citizens.

**Projected Employee Attrition Rate over the Next Five Years:** The agency estimates that one to two employees may retire each year over the next five years, and two additional employees may resign over the next five years. If these assumptions prove accurate, based on the projected total FTE cap of 31, the annual attrition rate would be approximately 4.0% to 5.0%.

**Workforce Skills Critical to the Mission and Goals of TSBPE:** Sixteen (16) of the Board's employees, including the Executive Director, Director of Enforcement, Chief Investigator, Investigators and Examiners, are licensed plumbers. The licensing requirement is critical, in addition to computer and public speaking skills, for these positions. Other administrative skills, common to other agencies, such as state accounting, purchasing, information technology skills, and administrative technical skills, are critical to the support of the agency's mission, goals and strategies.

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

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

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

**Anticipated Increase or Decrease in the Number of Employees Needed:** Because the population of the state is expected to increase and the economy to continue to improve, and based on the current mission of the Agency, additional Enforcement Department personnel will be needed.

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

## **GAP ANALYSIS**

**Anticipated Surplus or Shortage of Employees:** Because the population of the state is expected to increase and the economy improve, and based on the current mission of the Agency, additional personnel will be needed for all strategies. The agency anticipates an increase in the overall total customer base, including licensees, registrants, professional education providers, professional education instructors, industry and consumer complainants.

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

## STRATEGY DEVELOPMENT

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

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

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

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

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

**Succession Planning:** All of the factors indicated for organizational training; employee, leadership and career development are essential in planning for succession. Additionally, the Agency will maintain awareness of qualified sources outside of the Agency.



## APPENDIX F

### TEXAS STATE BOARD OF PLUMBING EXAMINERS

#### Survey of Employee Engagement Results and Utilization Plans

The Texas State Board of Plumbing Examiners participated in the 2014 Survey of Employee Engagement, previously titled the Survey of Organizational Excellence. The survey was conducted during February 2014. Of the 28 employees who were invited to participate in the survey, 27 employees responded, or 96.4%. As a general rule, rates higher than fifty percent (50%) generally indicate soundness of the Agency's health, according to the University of Texas at Austin School of Social Work. A 96.4% response rate is considered quite high.

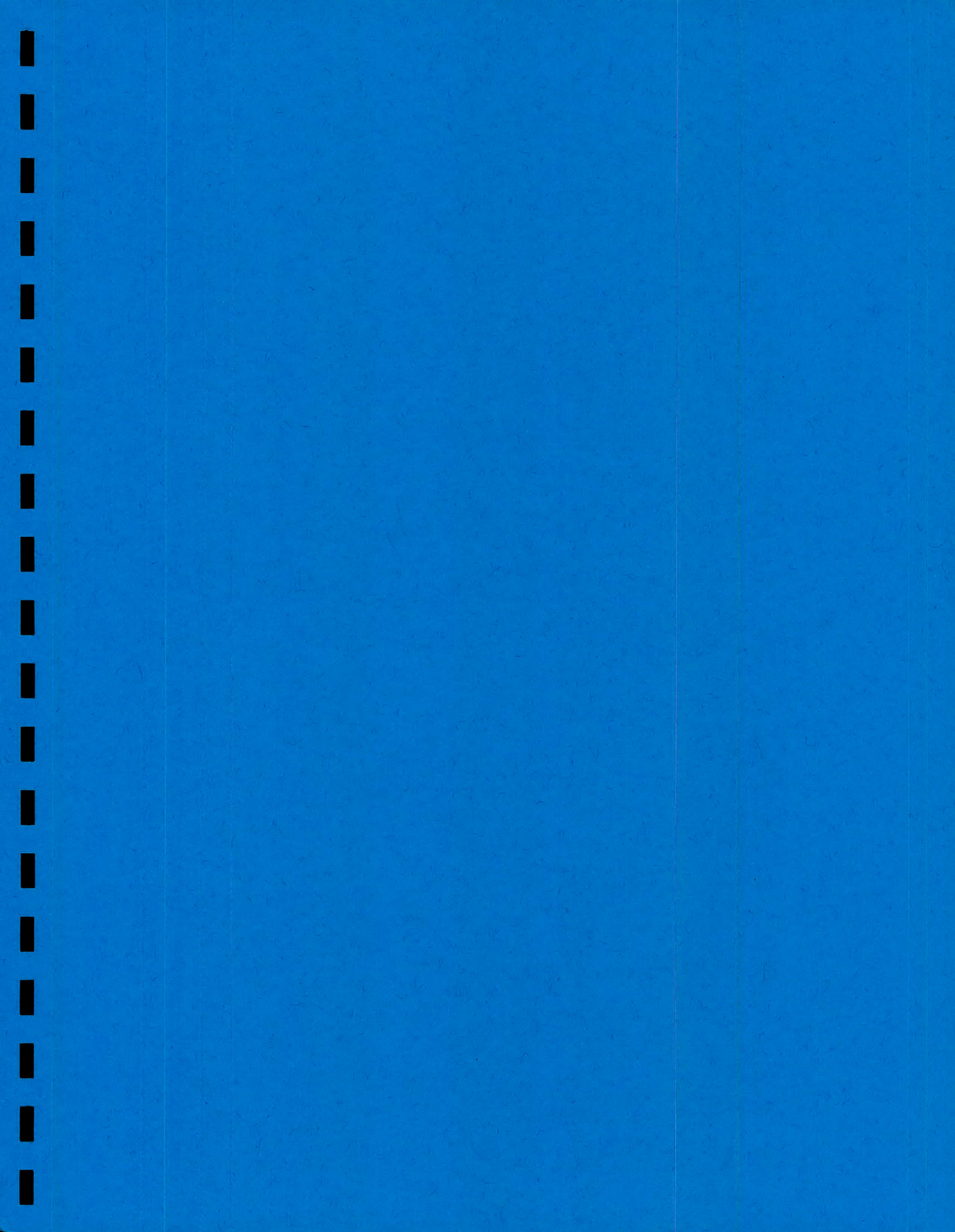
Compared to organizations similar in size and mission, and overall, the Agency rated above average in the dimension analysis of work group, accommodations, organizational features, information, and personal categories.

Overall, it appears the attitudes of most employees are generally good. These results are reflected in the Agency's turnover rate.

The main Agency weakness, as identified in this and previous surveys, is employee attitude regarding fair pay. The general consensus of employees is that their pay is not comparable to positions in other organizations and cost of living, or in relation to their job duties. Merit increases have been very limited.

Employee development, which was a weakness in prior surveys, showed marked improvement.

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







**Texas State Board of Plumbing Examiners**  
929 East 41<sup>st</sup> Street  
Austin, Texas 78751

**P.O. Box 4200**  
Austin, Texas 78765

**Protecting Texans Since 1947**

**(512) 936-5200**  
**(800) 845-6584**  
**Fax: (512) 450-0637**  
**[www.tsbpe.state.tx.us](http://www.tsbpe.state.tx.us)**