**STATE BOARD OF PLUMBING**

**BUSINESS MEETING MINUTES**

**Date:** January 16, 2025

**Time:**  10:30 a.m.

**Location:** 100 S. Charles Street

 Cherry Hill Conference Room

Baltimore, MD 21201

Held via Video Conference

meet.google.com/qks-niad-yfo

By Phone via Teleconference

1-414-909-7588 (PIN: 385820141)

**Members Present:** Joseph Radtka, Chairman

 Gregory Schott, Industry Member

Hayward Hinkhaus, Industry Member

Craig Stokes, Consumer Member

Robert Parker, Consumer Member

**Absent:** Keith Horton, Vice-Chairman, Industry Member

 Richard Bowers, Consumer Member

 Leif Hancock, Industry Member

**LABOR Officials & Staff Present:** John Dove, Commissioner, Occupational and Professional

 Licensing

 Sarah McDermott, Assistant Commissioner, Occupational and

 Professional Licensing

 Charles Marquette, Executive Director, Mechanical Licensing

 Christopher Maclarion, Director, MD Apprenticeship and Training

 Council

Sloane Fried Kinstler, Assistant Attorney General

LaKissha Thornton, Administrative Officer III

**OTHERS PRESENT:** Wayne Fishpaw, Pipe Trades Technologies

 Kathy Stradley, MDPHCC

 Jonathan Sargeant, Omega Plex

 Dustin Kruger, Kruger’s Training Academy

 Jessie Fields, Mid-Atlantic Pipe Trades

**CALL TO ORDER**

Chairman Radtka called the January 16, 2025, Business Meeting of the Maryland State Board of Plumbing to order, virtually, at 10:36 a.m.

**APPROVAL OF MINUTES**

A motion to adopt the December 19, 2024, Business Meeting minutes was made by Mr. Hinkhaus, seconded by Mr. Stokes, and unanimously approved by the Board.

**PLUMBING COMPLAINT COMMITTEE**

Mr. Hinkhaus reported the following findings of the Complaint Committee:

|  |  |  |  |
| --- | --- | --- | --- |
| **Closed Complaint** | **Under Investigation** | **Sent for A.G. Pre-Charge** | **Criminally Charged** |
|  | 23-0020 |  |  |
|  | 24-0040 |  |  |
|  | 24-0041 |  |  |
|  | 24-0045 |  |  |

A motion to accept the findings of the Complaint Committee was made by Mr. Parker, seconded by Mr. Schott, and unanimously approved by the Board.

**REVIEW OF EXAMINATION STATISTICS AND LICENSE TOTALS**

PSI Exams submitted the following statistical summaries for December 2024:

 **Candidates Passed Failed Pass %**

 **Tested**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Journey Natural Gas Fitter | 4 | 2 | 2 | 50% |
| Journey Plumber/Gas Fitter | 18 | 5 | 13 | 28% |
| Master Natural Gas Fitter | 4 | 2 | 2 | 50% |
| Master Plumber/Gas Fitter | 24 | 9 | 16 | 38% |
|  **TOTAL** | 50 | 18 | 32 | 36% |

Ms. Thornton further reported that since January 2024, 763 candidates were tested, 289 candidates passed, 474 failed, for a pass rate of 38%. Since the inception of the test, 11,938 candidates were tested, 4,329 candidates passed, 7,609 failed, for a pass rate of 36%. There are currently 13,604 active licensees.

**CORRESPONDENCE**

Chairman Radtka introduced Charles “Chuck” Marquette, the new Executive Director of the Mechanical Licensing Unit, to the Board. Mr. Marquette thanked the Board for welcoming him. He stated that he had previously by the Maryland Department of Labor, with the Apprenticeship office of Workforce Development and was responsible for overseeing programs that led to state or industry certification. Director Marquette stated that he was excited about his new role and looked forward to working with the Board.

Ms. Thornton read correspondence submitted by Mr. J. Phelps, requesting information on how to have his program certified as an approved continuing education course by the State Board of Plumbing. Ms. Thornton advised the Board that she had contacted Mr. Phelps to inform him that the State Board of Plumbing is not authorized to require continuing education of licensees, and that the Board did note certify such training at this time.

**OLD BUSINESS**

Update on MD Apprenticeship Proposal:

Chairman Radtka reintroduced Christopher Maclarion, from the Maryland Apprenticeship and Training Council to discuss acquiring support from the Board regarding allowing completion of an Apprenticeship and Training Council “MATC” approved program that would also allow an individual to qualify for licensure as a journeyman plumber and gas fitter license without having to pass the state license examination. Mr. Maclarion thanked the Board for allowing him to address them. He continued stating that he was prepared to present the information that had been previously requested by the Board. Mr. Maclarion stated that he had provided several letters of support for the waiver from various groups as requested by the Board. Of the letters submitted, 10 letters were from industry members and one (1) letter was from a person outside of the industry.

Mr. Maclarion also advised the Board that a comparison of pass rates for people who had completed an apprenticeship program versus those who had not, both pass rates were in the high 20 to low 30 percent range. He advised that data showed that approximately 30 percent of journeyman license holders had completed an apprenticeship program.

Mr. Maclarion noted that the program was not intended to replace the examination requirement, but to add an alternative option. He cited that any approved program would require a person to complete 8000 hours of on-the-job training, 576 hours of classroom instruction, a backflow certification course, and then require them to pass an approved exam that was substantially similar to the state licensing exam. Mr. Maclarion stated that the apprenticeship program would be very similar to programs in place for the HVACR and Electrician Boards.

Regarding the Board’s request to obtain information about how the Board’s reciprocal agreements would be affected by approving a waiver by apprenticeship, Mr. Maclarion stated that the WSSC had not responded to his requests for comment. Baltimore County confirmed that it had largely stopped administering licensing exams and relied on the State license examination to license its journeyman through reciprocal licensing.

Chairman Radtka questioned whether the program would include instruction in gas fitting or if the program would focus solely on plumbing. He noted that the current state journeyman plumber/gas fitter exam consisted of questions regarding both plumbing and gas fitting. Chairman Radtka also noted that, according the reciprocity agreement with Baltimore County, passing the state license exam was required.

Mr. Schott asked who would provide the backflow instruction for people enrolled in an approved apprenticeship program. Mr. Maclarion replied that the programs would be required to comply with all existing state laws and regulations, including qualified instructors. He stated that unless the sponsor of the program had already been approved by the State Board to provide backflow instruction that they would not be able to provide backflow instruction to enrolled apprentices. Those apprentices would have to complete their backflow training with a state approved backflow instructor.

Mr. Schott questioned whether the exam required to complete the program would be standardized among all the approved apprenticeship programs or if each program would develop and administer its own exam. Mr. Maclarion stated that MATC would ensure that the exam material was substantively similar to the material on the Board’s PSI exam, and that requiring a standard exam for all of the approved programs would be at the discretion of the Board. Should the Board chose to require that the exam be the same for all the programs, and not allow a provider to customize it, they could do so. Counsel Kinstler raised a concern regarding stating that, while the Board could develop a standard test to be used by the apprenticeship programs, the Board did not have the authority to require that any program use the exam they provided. She noted that the Board would have to rely on MATC to implement any such requirement upon the recommendation of the Board. Mr. Maclarion agreed to act as a liaison.

Mr. Schott discussed the addition of a required 500 hours of on-the-job training (total of 8,000 hours as opposed to the 7,500 hours required to sit for the exam) to complete the program. Mr. Maclarion stated that the MATC office strived to provide the most qualified candidates possible and noted that the HVACR and Electrician apprenticeship programs had similar requirements.

Mr. Stokes questioned the impartiality of the testing requirement if the programs were allowed to administer their own completion exam without third-party standardization. He noted that requiring third-party testing ensured that all licensees met the same competency standard and that he felt the program could compromise that impartiality. Mr. Maclarion replied that the apprentices would not be tested by the master plumbers who provided their on-the-job training and that the programs would be structured in such a way as to ensure impartiality in testing.

Chairman Radtka questioned whether there was any pending legislation regarding the issue. Mr. Maclarion stated that he was aware that a bill in support of the program had been drafted but could not provide any other information regarding the bill. He stated that he would obtain a copy of the bill and share it with staff for distribution to the Board. Chairman Radtka requested that the issue be tabled until the bill and the letters of support had been reviewed by the Board.

Workplace Fraud Act:

Ms. Thornton informed the Board that the bill had been pulled from the legislative session and was no longer considered. As a result, Commissioner Virk would not be addressing the Board.

House Bill 503:

Chairman Radtka began a discussion on House Bill 503. Chairman Radtka stated that the bill would require that only CSST piping that meets the LC1027 standard be used in new construction or in renovations that affect more than 50% of the existing pipe structure. Chairman Radtka noted that the LC1027 standard is a manufacture’s standard and not a code standard. Chairman Radtka expressed that he felt that the Board should not support any manufacturer’s standard that was a not code standard. He noted that the bill would create a monopoly in the State of Maryland regarding CSST pipe sales, as only one manufacturer could comply with the requirements set forth by the bill. Jonathan Sargeant asked to address the Board regarding the issue. Mr. Sargeant noted that the bill number had been changed to HB 222 and SB 72 was set to be considered at a hearing on January 28, 2025, but was not substantively different from bills previously rejected in prior legislative sessions. Mr. Sargeant offered to send any information that he obtained on the bill to the Board and requested that the Board take a stance in opposition to the bill. Chairman Radtka expressed that he felt the Board should not support the bill based upon a manufacturer’s standard rather than reliance on a code language.

A motion to take opposition to the bills on behalf of the Board because they were not based on an established code standard was made by Mr. Hinkhaus, seconded by Mr. Parker and unanimously approved by the Board.

Code Adoption:

Chairman Radtka asked Counsel Kinstler if there was any new information regarding the concept proposal submitted to the Secretary’s Office regarding the code update. Counsel stated that she had no new information but would work with Executive Director Marquette to complete the approval process. She advised that she will work with Director Marquette to complete the incorporation by reference process for any codes adopted by the Board that required it.

**NEW BUSINESS**

There was no New Business to be discussed.

**EXECUTIVE DIRECTOR’S REPORT**

Director Marquette informed the Board that there was no new progress to report regarding the conversion of the PSI exam into a Spanish language version of the test. He advised that he would keep the Board abreast of any progress.

**COUNSEL’S REPORT**

Counsel did not offer a report.

**CHAIR’S REPORT**

Chairman Radtka did not offer a report but thanked the Board members for their participation and attendance.

**CLOSED SESSION**

The Board did not convene in a Closed Session.

**ADJOURNMENT**

Upon Mr. Schott’s Motion, and Mr. Parker’s second, and the Board unanimously voted to adjourn the meeting at 11:19 am.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Charles Marquette Date**

**Executive Director**

**Signed on behalf of the Board as voted and approved on: \_\_\_\_\_\_\_\_**