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## Proposed Regulation Agency Background Document

<b>Agency name</b>	Board For Contractors
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	18 VAC50-30
<b>VAC Chapter title(s)</b>	Individual License and Certification Regulations
<b>Action title</b>	Continuing Education Amendment
<b>Date this document prepared</b>	June 19, 2023

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

### Brief Summary

*Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.*

The Board for Contractors proposes to amend the Individual License and Certification Regulations to revise the requirements for renewal and reinstatement of licenses, including requirements for continuing education.

The proposed amendments make various changes to the renewal, reinstatement, and continuing education provisions of the regulation. These changes include removing provisions related to the activation and inactivation of tradesman licenses. The changes also remove requirements that are not necessary or are burdensome. Other changes are made to make the regulation clearer and ensure the regulation complements current Virginia law.

### Acronyms and Definitions

Define all acronyms used in this form, and any technical terms that are not also defined in the "Definitions" section of the regulation.

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"APA" means Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

"CE" means continuing education.

"DPOR" means Department of Professional and Occupational Regulation

"HVAC" means heating, ventilation, and air conditioning.

"USBC" means Virginia Uniform Statewide Building Code (13VAC5-63).

## Mandate and Impetus

*Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."*

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This regulatory change is not the result of a mandate.

The initial impetus for this action was Executive Directive Number One (2022), which directs Executive Branch entities under the authority of the Governor "...to initiate regulatory processes to reduce by at least 25 percent the number of regulations not mandated by federal or state statute, in consultation with the Office of the Attorney General, and in a manner consistent with the laws of the Commonwealth."

As initially conceived, the Board intended to remove requirements for tradesman to complete CE in order to renew a license. During the public comment period of the previous stage, the Board received significant feedback regarding the initial goal of the regulatory action. In response to this feedback, the Board elected not to move forward with removing CE requirements. The Board, however, elected to make other beneficial changes to the regulation. These changes seek to update and clarify the regulation; ensure the regulation complements current Virginia, and is clearly written and understandable; and remove requirements in the regulation pertaining to renewal and reinstatement of licenses, and CE that are not necessary to protect the public welfare.

## Legal Basis

*Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.*

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The agency is the Board for Contractors. Chapter 11 of Title 54.1 of the Code of Virginia enumerates the legal authority for the Board to administer the licensure and certification programs for tradesmen, gas fitters, liquefied petroleum gas fitters, natural gas fitter providers, water well systems providers, elevator mechanics, residential building energy analysts, backflow prevention device workers, and automatic fire sprinkler inspectors.

Section 54.1-1102 of the Code of Virginia states, in part:

B. The Board shall promulgate regulations not inconsistent with statute necessary for the licensure of contractors and tradesmen and the certification of backflow prevention device workers, and for the relicensure of contractors and tradesmen and for the recertification of backflow prevention device workers, after license or certificate suspension or revocation.

In addition, § 54.1-201 of the Code of Virginia provides, in part:

A. The powers and duties of regulatory boards shall be as follows:

1. To establish the qualifications of applicants for certification or licensure by any such board, provided that all qualifications shall be necessary to ensure either competence or integrity to engage in such profession or occupation.

5. To promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) necessary to assure continued competency, to prevent deceptive or misleading practices by practitioners and to effectively administer the regulatory system administered by the regulatory board. The regulations shall not be in conflict with the purposes and intent of this chapter or of Chapters 1 (§ 54.1-100 et seq.) and 3 (§ 54.1-300 et seq.) of this title.

### Purpose

*Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety or welfare of citizens, and (3) the goals of the regulatory change and the problems it is intended to solve.*

The General Assembly has charged the Board with the responsibility for regulating those who (i) engage, or offer to engage in, work as a tradesman (electrician, plumber, and HVAC technician), gas fitter, liquefied petroleum gas fitter, or natural gas fitter provider; (ii) engage in the drilling, installation, maintenance, or repair of a water well or water well system; (iii) engage in, or offer to engage in, work as an elevator mechanic or accessibility mechanic; (iv) engage in, or offer to engage in, work as a residential building energy analyst; (v) present themselves as a certified backflow prevention device worker; and (vi) perform or offer to perform inspections of automatic fire sprinkler systems, by requiring that such individuals obtain the appropriate licensure or certification.

The performing of trade-related work by those who lack sufficient expertise poses a risk to the public health, safety, and welfare. These risks include the potential for significant damage to property, personal injury, and death. In addition, the improper performing of trade-related work can pose a substantial risk of financial harm to property owner who will be responsible for assuming costs to correct or complete work that is defective.

As mandated by the General Assembly, the Board protects the public health, safety, and welfare, in part, by establishing through regulation the minimum qualifications for entry into the profession, as well as the minimum standards of conduct.

The goals of this regulatory action are to:

1. Update and clarify provisions of the regulation, this includes ensuring the regulation reflects current agency procedures and practices;
2. Ensure the regulation complements current Virginia law, and is clearly written and understandable;

3. Remove requirements in the regulation pertaining to renewal and reinstatement of licenses and certificates, and continuing education that are not necessary to protect the public welfare.

## Substance

*Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the "Detail of Changes" section below.*

1. Section -10 is revised to remove the definition for "inactive tradesman." This definition is removed because sections -73 and -75 pertaining to the inactivation and activation of tradesman licenses are being repealed. Accordingly, this definition is no longer necessary.
2. Sections -73 and -75 pertaining to the activation and inactivation of tradesmen licenses are repealed. The Board determined that the inactivation and activation of tradesman licenses provided for in sections -73 and -75 is no longer necessary. Since the period of licensure for a tradesman license is currently three years, these provisions are no longer applicable, as an individual license may only be on inactive status for a maximum of three years. According to the Board's records, licensees seldom make use of these provisions.
3. Section -130 is revised to add a new provision that would allow an individual who failed to reinstate a license to be deemed eligible to re-take the license examination in the same category and specialty as the expired license.
4. Section -210 is revised to remove the provision which requires a training provider to receive Board approval of the training course subject prior to offering the course. This change was made to make the regulation less restrictive.
5. Sections -210 and -230 are revised to remove the requirement that student records and course completion information sent to the Board contain a student's social security number. This change is being made to comport with federal requirements regarding use of social security numbers.
6. Section -240 which requires the posting of CE provider and CE course certificates of approval be available at the location a course is taught is repealed. The requirements of this section are unnecessary and burdensome.
7. A new section (-270) is added. The new section provides that the Board may conduct an audit of any Board-approved education course to ensure compliance with the regulation. The Board has the inherent authority to audit approved training courses. Adding this provision provides notice to regulants that the Board has the authority to audit courses to ensure the courses meet standards.

## Issues

*Identify the issues associated with the regulatory change, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.*

The primary advantages to the public and the regulated community are that the amendments to the regulation will:

1. Provide needed updating and clarification to the regulation;
2. Ensure the regulation complements current Virginia law, and is clearly written and understandable; and
3. Remove requirements in the regulation pertaining to renewal and reinstatement of licenses and certificates, and continuing education that are not necessary to protect the public welfare.

There are no identifiable disadvantages to the public. It is not anticipated that the regulatory change will create any substantial disadvantages to the regulated community.

The primary advantage of the regulatory change to the Commonwealth is that it will permit the agency to more ably administer the licensure program. There are no identifiable disadvantages to the Commonwealth.

**Requirements More Restrictive than Federal**

*Identify and describe any requirement of the regulatory change which is more restrictive than applicable federal requirements. Include a specific citation for each applicable federal requirement, and a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements, or no requirements that exceed applicable federal requirements, include a specific statement to that effect.*

There are no applicable federal requirements.

**Agencies, Localities, and Other Entities Particularly Affected**

*Consistent with § 2.2-4007.04 of the Code of Virginia, identify any other state agencies, localities, or other entities particularly affected by the regulatory change. Other entities could include local partners such as tribal governments, school boards, community services boards, and similar regional organizations. "Particularly affected" are those that are likely to bear any identified disproportionate material impact which would not be experienced by other agencies, localities, or entities. "Locality" can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulation or regulatory change are most likely to occur. If no agency, locality, or entity is particularly affected, include a specific statement to that effect.*

Other State Agencies Particularly Affected

No other state agencies are particularly affected by the regulatory change.

Localities Particularly Affected

No localities are particularly affected by the regulatory change.

Other Entities Particularly Affected

No other entities are particularly affected by the regulatory change.

**Economic Impact**

*Consistent with § 2.2-4007.04 of the Code of Virginia, identify all specific economic impacts (costs and/or benefits) anticipated to result from the regulatory change. When describing a particular economic impact, specify which new requirement or change in requirement creates the anticipated economic impact. Keep in mind that this is the proposed change versus the status quo.*

**Summary:**

The Board is amending the governing of the contractors to remove the option to place a license on inactive status. The continuing education regulatory package repeals the regulations permitting

individuals to place the tradesman license on inactive status. The package clarifies language regarding continuing education renewal requirements or licenses and education providers. Individual tradesman were the only licensed individuals permitted to place their license on inactive status for up to three years. The individual tradesman license is valid for three years instead of two, therefore the inactive status is no longer applicable. The continuing education regulatory change provides clarity for individual licenses on renewals, reinstatement requirements, board approved education providers and courses as no requirements will change. There is no direct economic or fiscal impact to other state agencies.

All costs incurred in support of board activities and regulatory operations are paid by the Department of Professional and Occupational Regulation (DPOR) and funded through fees paid by applicants and regulants. All boards within DPOR must operate within the Code provisions of the Callahan Act (54.1-113), and the general provisions of 54.1-201. Each regulatory program's revenues must be adequate to support both its direct costs and a proportional share of agency operating costs. DPOR allocates costs to its regulatory programs based on consistent, equitable, and cost-effective methodologies. The Board has no other source of income.

**Impact on State Agencies**

<p><i>For your agency:</i> projected costs, savings, fees, or revenues resulting from the regulatory change, including:                  a) fund source / fund detail;                  b) delineation of one-time versus on-going expenditures; and                  c) whether any costs or revenue loss can be absorbed within existing resources.</p>	<p>There are no savings and no changes to costs, fees, or revenues of DPOR resulting from this regulatory change.</p>
<p><i>For other state agencies:</i> projected costs, savings, fees, or revenues resulting from the regulatory change, including a delineation of one-time versus on-going expenditures.</p>	<p>There are no savings and no changes to costs, fees, or revenues of other state agencies resulting from this regulatory change.</p>
<p><i>For all agencies:</i> Benefits the regulatory change is designed to produce.</p>	<p>There are no savings and no changes to costs, fees, or revenues for all agencies resulting from this regulatory change.</p>

**Impact on Localities**

*If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a or 2) on which it was reported. Information provided on that form need not be repeated here.*

<p>Projected costs, savings, fees, or revenues resulting from the regulatory change.</p>	<p>There are no savings and no changes to costs, fees, or revenues for the localities resulting from this regulatory change.</p>
<p>Benefits the regulatory change is designed to produce.</p>	<p>There are no benefits for the localities resulting from the regulatory change.</p>

**Impact on Other Entities**

*If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a, 3, or 4) on which it was reported. Information provided on that form need not be repeated here.*

<p>Description of the individuals, businesses, or other entities likely to be affected by the regulatory change. If no other entities will be affected, include a specific statement to that effect.</p>	<p>There are no savings and no changes to costs, fees, or revenues for other entities resulting from this regulatory change.</p>
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<p>Agency's best estimate of the number of such entities that will be affected. Include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that:</p> <ul style="list-style-type: none"> <li>a) is independently owned and operated, and;</li> <li>b) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.</li> </ul>	<p>As of May 1, 2023, there are 30,188 licensed individuals and 287 education providers that will be affected. The education providers include community colleges and employers that offer continuing education.</p>
<p>All projected costs for affected individuals, businesses, or other entities resulting from the regulatory change. Be specific and include all costs including, but not limited to:</p> <ul style="list-style-type: none"> <li>a) projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses;</li> <li>b) specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the regulatory change;</li> <li>c) fees;</li> <li>d) purchases of equipment or services; and</li> <li>e) time required to comply with the requirements.</li> </ul>	<p>There are no projected costs for affected individuals, business, or other entities resulting from this regulatory change.</p>
<p>Benefits the regulatory change is designed to produce.</p>	<p>The individual tradesmen licenses are now valid for three years, and placing the inactive status is no longer applicable. This will allow the tradesman to complete continuing education and not have to put their license on inactive status.</p>

**Alternatives to Regulation**

*Describe any viable alternatives to the regulatory change that were considered, and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the regulatory change. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulatory change.*

Licenses and certifications issued under this regulation are issued to individuals, and not to business entities. However, many licensees and certificate holders are likely owners or employees of business entities that meet the definition of "small business" in § 2.2-4007.1 of the Code of Virginia. In addition, CE providers are likely business entities that meet the definition of "small business" in § 2.2-4007.1 of the Code of Virginia. No less intrusive or less costly alternatives to achieve the purpose of the regulatory change were identified.

*If this analysis has been reported on the ORM Economic Impact form, indicate the tables on which it was reported. Information provided on that form need not be repeated here.*

**Regulatory Flexibility Analysis**

*Consistent with § 2.2-4007.1 B of the Code of Virginia, describe the agency's analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) establishing less stringent compliance or reporting requirements; 2) establishing less stringent schedules or deadlines for compliance or reporting*



*requirements; 3) consolidation or simplification of compliance or reporting requirements; 4) establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the regulatory change.*

Licenses and certifications issued under this regulation are issued to individuals, and not to business entities. However, many licensees and certificate holders are likely owners or employees of business entities that meet the definition of "small business" in § 2.2-4007.1 of the Code of Virginia. In addition, CE providers are likely business entities that meet the definition of "small business" in § 2.2-4007.1 of the Code of Virginia.

As mandated by the General Assembly, the Board protects the public health, safety, and welfare, in part, by establishing through regulation the minimum qualifications for entry into the profession and minimum standards to assure continued competency.

These proposed amendments do not pose an unreasonable administrative or financial burden. The enabling statutes establishing the licensing and certification programs covered by this regulation provide no exemption for small business; therefore there are no such exemptions contained in the proposed change.

*If this analysis has been reported on the ORM Economic Impact form, indicate the tables on which it was reported. Information provided on that form need not be repeated here.*

**Periodic Review and  
Small Business Impact Review Report of Findings**

*If you are using this form to report the result of a periodic review/small business impact review that is being conducted as part of this regulatory action, and was announced during the NOIRA stage, indicate whether the regulatory change meets the criteria set out in EO 19 and the ORM procedures, e.g., is necessary for the protection of public health, safety, and welfare; minimizes the economic impact on small businesses consistent with the stated objectives of applicable law; and is clearly written and easily understandable. In addition, as required by § 2.2-4007.1 E and F of the Code of Virginia, discuss the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation; (3) the complexity of the regulation; (4) the extent to which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, discuss why the agency's decision, consistent with applicable law, will minimize the economic impact of regulations on small businesses.*

This action is not being used to conduct a periodic review or small business impact review.

**Public Comment**

*Summarize all comments received during the public comment period following the publication of the previous stage, and provide the agency's response. Include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. If no comment was received, enter a specific statement to that effect.*

Commenter	Comment	Agency response
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<p>Chris Biondi, Washington D.C. Joint Plumbing Apprenticeship Committee (Comment received by email through Secretary of Labor’s Office)</p>	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The noted that the materials, methods, and construction code are constantly updating and evolving. CE is critical in keeping current in the trades.</p> <p>The commenter indicated the change was “ill-advised” and that the worker shortage would not be resolved by “cutting corners or lowering standards.” Rather, it would be addressed by “building highly skilled tradesmen and tradeswomen from the ground up.”</p>	<p>The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.</p>
<p>W. Robert O’Neal, W.R. O’Neal Electric, Inc. (Comment received by email through Secretary of Labor’s Office)</p>	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted that continuing education should remain mandatory. Continuing education is needed for skilled trades construction workers to stay abreast of changes that occur in the construction industry.</p> <p>The commenter noted that the updates to the National Electrical Code are enormous and electrical workers need to be required to have continuing education in order to protect people and property.</p>	<p>The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.</p>
<p>Lawrence R. Moter, Jr., Executive Director, National Electrical Contractors Association, East Coast Chapter (Comment received by letter through Secretary of Labor’s Office)</p>	<p>The commenter opposes the elimination of mandatory continuing education for electricians.</p> <p>The commenter noted that the National Electrical Code changes every three years and that continuing education is a must for craftpersons in the industry as technological advances and code updates occur.</p> <p>The commenter noted that “[t]here are good regulations and bad regulations.” The ACC NECA is all for eliminating bad regulations. However, the elimination of continuing education is “a prime example of bad regulations.” The ACC NECA is in support of retaining continuing education requirements.</p>	<p>The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.</p>
<p>Edward Hazelwood, Hazelwood Electrical &amp; General Services (Comment received by email through Secretary of Labor’s Office)</p>	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted that compliance requirements and codes are “ever changing” and training is necessary to keep up and keep personnel and property safe.</p>	<p>The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.</p>

<p>E.G. Middleton III, E.G. Middleton, Inc. (Comment received by letter through Secretary of Labor's Office)</p>	<p>The commenter is "strongly opposed" to the elimination of continuing education for electricians.</p> <p>The commenter noted that by eliminating the requirement, trade people will have no knowledge of changes in the code, and will perform work that is not up to current code standards. As a result, the protection of the public will be compromised.</p>	<p>The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.</p>
<p>James Avery, IBEW Local 1340 (retired) (Comment received by letter through Secretary of Labor's Office)</p>	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted that the purpose of continuing education requirements is to ensure tradesmen are aware of changes national codes for safety.</p> <p>The commenter indicated that with developing technology, manufacturing techniques, new products, and installation methods, there is a need to ensure that the latest and safest outcomes are being used.</p> <p>The commenter noted that elimination of the continuing education requirement would "essentially freeze" a tradesman's knowledge of the code at the point in time when the tradesman first passed examination, without updating knowledge to the most current best practices; and is vital to the safety of all, in both residential and commercial applications.</p> <p>The commenter urged the Board to keep the requirement for continuing education.</p>	<p>The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.</p>
<p>James "Lou" Spencer, Assistant Business Manager, Plumbers and Gas Fitters Local Union #5 (Comment received by email through Governor's Office)</p>	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted that it would make it more difficult for attract qualified workers, meet consumer needs, and contribute to economic growth. It will also have consequences for public health and safety, and will injure consumer confidence.</p> <p>The commenter noted that Virginia's contractor and tradesmen regulations are some of the least restrictive in the nation, and need enhancement and improvement, not diminution and downgrading.</p> <p>The commenter noted that it would harm the competitiveness of Virginia workers and companies in their ability to do business in other states and would threaten license reciprocity with other states.</p>	<p>The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.</p>
<p>Independent Electrical Contractors (IEC) Chesapeake</p>	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted that reduction of education requirements is not the way to address workforce</p>	<p>The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.</p>

	<p>shortages. Consumers need assurance that their electrical workers are qualified. The electrical industry has rapidly changing technology and it makes no sense to eliminate continuing education requirements for the electrical industry.</p>	
<p>Francis McGonegal, President, Virginia Plumbing-Heating-Cooling Contractors Association</p>	<p>The commenter requests the Board carefully consider any modification to existing continuing education requirements.</p> <p>PHCC previously vigorously supported retaining the requirement for continuing education. If continuing education is eliminated, PHCC encourages the Board to adopt rigorous examinations for journeyman candidates and that contractors be assigned rigorous remedial training for cases brought before the Board. The material should be robust, as it will be beneficial to the Board and the industry to preserve consumer trust.</p>	<p>The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.</p>
<p>Richard Padilla, Executive Director, Atlantic Coast Chapter National Electrical Contractors Association (Comment received in letter format, and on TownHall)</p>	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted the removal of education requirements would impede progress of individuals and is a step in the wrong direction. It's also noted the monetary cost of continuing education is an imperative cost to ensure tradesmen are staying abreast on the latest codes, standards and safety practices.</p> <p>The commenter also noted the three-hour continuing education requirement is the bare minimum that should be required of someone in the trade to ensure the individual is performing their craft in a safe and responsible manner with the most relevant information at their disposal.</p>	<p>The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.</p>
<p>Joseph A. DiAna, President, Servicon Facilities &amp; Mechanical Services (Comment received by email)</p>	<p>The commenter supports the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted the continuing education presents no additional advancements to the licensing regulations, and the information provided in the continuing education classes is repetitive and not necessary.</p>	<p>The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.</p>
<p>The Associated General Contractors of Virginia</p>	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted construction can be a hazardous task, and continuing education requires all contractors to take a minimal level of education to keep workers safe. The continuing education requirement helps to ensure contractors stay up to date on the latest changes to regulations, building</p>	<p>The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.</p>

	<p>codes, gas-fitting codes, and other requirements in modern day construction.</p> <p>The commenter also noted that continuing education is a compliance issue, as laws and regulations regarding construction are not static.</p>	
Eric Lambert (Comment received on TownHall)	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted the codes are always updating and changing, and so should the training of the trades as well.</p>	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Vance Ayres (Comment received on TownHall)	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted the requirement has been in place for a long time, and makes Virginia one of the best and safest states to live.</p>	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Anonymous (Comment received on TownHall)	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted codes and equipment are continuously changing and updating, and removing the requirements puts many people at risk.</p>	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Jason Wheeler (Comment received on TownHall)	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted removing the education requirement would endanger the lives of workers as well as those who occupy the buildings.</p> <p>The commenter also noted flooding the industry with uneducated licensed trades people will result in injuries and the loss of lives.</p>	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Jason Parker (Comment received on TownHall)	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted best practices continue to be discovered, technology continues to advance, and these continue to change the building code.</p>	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Gregg Spicer, Richmond Electricians' JATC (Comment received on TownHall)	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted construction codes are always changing due to safety standard, new technology and technological improvements, and it's imperative for the safety of the public and for the tradesperson to stay up to date with the changing industry.</p>	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Sam Houchins (Comment received on TownHall)	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted continuing education is vital for the integrity and safety of the industry, as it's rapidly changing and evolving.</p>	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.

	The commenter also noted removing continuing education degrades the quality of the work installed and puts the safety of tradesmen in jeopardy.	
Carson W. Rogers (Comment received on TownHall)	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted removing continuing education requirement will not aide the advancement of a tradesperson.</p> <p>The commenter also noted the building codes are minimum requirements and they change frequently, and continuing education is the only means and method for competency verification.</p>	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
A Zion (Comment received on TownHall)	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted continuing education keeps everyone involved in staying up to date and will benefit the workforce and the end product.</p>	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Nate Davenport (Comment received on TownHall)	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted continuing education makes a stronger safer workforce.</p>	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Tim Morris (Comment received on TownHall)	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted continuing education is how client ensure the people they hire have completed the minimum to obtain and maintain their license, and also allows employers to ensure the person they're hiring cares enough to keep up with their license.</p> <p>The commenter also noted other states are a bit more rigorous.</p>	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Bobby Mann (Comment received on TownHall)	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted it's important that tradesman educate themselves on new products and safety regulations which are incorporated into The National Electric Code.</p> <p>The commenter also noted safety will be at risk, installations will falter and customers will be effected.</p>	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Adam Boles (Comment received on TownHall)	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted there have been 4,440 revisions to the NEC over the last three editions spanning the last nine years, and because of the continuing education tradesmen are aware of critical updates.</p>	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.

	The commenter also noted the electrical industry is an ever-evolving field, and the absence of training and continuing education requirements would be detrimental to energy conservation, system dependability, and safety.	
Sebastian Ponce (Comment received on TownHall)	The commenter opposes the elimination of mandatory continuing education for tradesmen.	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Neri Canahui-Ortiz (Comment received on TownHall)	The commenter opposes the elimination of mandatory continuing education for tradesmen.	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
James Bragg (Comment received on TownHall)	The commenter opposes the elimination of mandatory continuing education for tradesmen.	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Anonymous (Comment received on TownHall)	The commenter opposes the elimination of mandatory continuing education for tradesmen.	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Josh VanDyke (Comment received on TownHall)	The commenter opposes the elimination of mandatory continuing education for tradesmen.  The commenter noted removing the continuing education requirement will endanger the lives of workers completing construction projects, as well as those who occupy those buildings.	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Kat Harville (Comment received on TownHall)	The commenter opposes the elimination of mandatory continuing education for tradesmen.	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Dan Taylor (Comment received on TownHall)	The commenter opposes the elimination of mandatory continuing education for tradesmen.  The commenter noted removing continuing education requirements will increase the likelihood of workplace injuries and would be harmful to the individuals who occupy building these worked on by less educated people.	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Sean Cassar (Comment received on TownHall)	The commenter opposes the elimination of mandatory continuing education for tradesmen.  The commenter noted continuing education makes processes safer, quicker and output a better quality product.  The commenter noted continuing education ensure that a workforce is well equipped to do their job, able	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.

	<p>to adapt to unexpected situations and engenders innovation.</p> <p>The commenter also noted that removing the continuing education requirement would put workers health, the health of those who use any public building, and the marketability of infrastructural jobs at severe risk.</p>	
Anonymous (Comment received on TownHall)	The commenter opposes the elimination of mandatory continuing education for tradesmen.	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
James Firebaugh (Comment received on TownHall)	<p>The commenter didn't take a position on the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted continuing education should be easier to obtain and should not come from one source.</p>	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Anonymous (Comment received on TownHall)	<p>The commenter supports the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted continuing education does little to nothing to improve safety.</p> <p>The commenter also noted there is no testing requirement within the continuing education, and in the many years they've taught the code update class, students have never expressed in value in them, but instead it was a hurdle they must complete the maintain their license.</p>	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Anonymous (Comment received on TownHall)	The commenter opposes the elimination of mandatory continuing education for tradesmen.	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Anonymous (Comment received on TownHall)	The commenter supports the elimination of mandatory continuing education for tradesmen.	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Gary F. Burner (Comment received on TownHall)	The commenter supports the elimination of mandatory continuing education for tradesmen.	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.
Charles Skelly, IBEW 666 (Comment received on TownHall)	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted the continuing education requirement ensure trade workers are familiar with some of the most important code changes, and that the code changes every three years.</p>	The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.



<p>Leo Herbert (Comment received on TownHall)</p>	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p> <p>The commenter noted continuing education should be strengthened, and removing the requirement puts them at risk for electrical shock, fire, or electrocution.</p> <p>The commenter also noted removing continuing education requirement will enable contractor to perform dangerous work.</p>	<p>The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.</p>
<p>Anonymous Electrician Apprentice 2-2 RJATC (Comment received on TownHall)</p>	<p>The commenter opposes the elimination of mandatory continuing education for tradesmen.</p>	<p>The Board thanks the commenter and will consider this comment prior to adoption of proposed regulation.</p>

As a result of the significant amount of feedback received during public comment, the Board sought additional comment by circulating a questionnaire to interested parties, including some who had provided comments. The questionnaire sought input on the current CE requirement. At the end of the questionnaire, these individuals had the opportunity to disclose their contact information should they be interested in a one-on-one meeting with a Board member and Board staff to express and outline their concerns. Thirty (30) responses were received, and 11 of the respondents indicated they would like to meet with an individual board member.

On March 7, 2023, Board Member Donald Groh and Board staff met with three (3) separate groups of individuals. On March 9, 2023, Board Member Bif Johnson and Board staff met with five (5) separate groups of individuals. During these one-on-one sessions, the groups of individuals discussed and relayed various concerns as outlined below.

Each group opposes the elimination of mandatory continuing education for tradesmen because of safety and because each licensee must know the applicable code to their trade.

- During 2020-2023 there were over 1,100 code changes that may or may not be significant, but include new technology such as car charges, and energy storage systems.
- Associated code books are for safety, not quality and failure to know the code creates an unsafe workforce.
- The CE requirement should be revamped and revamping the program would create more engagement.
- The CE requirement allows Virginia’s workforce to be more aware of the code and changes associated with it.

**Public Participation**

*Indicate how the public should contact the agency to submit comments on this regulation, and whether a public hearing will be held, by completing the text below.*

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The Board is providing an opportunity for comments on this regulatory proposal, including but not limited to (i) the costs and benefits of the regulatory proposal, (ii) any alternative approaches, (iii) the potential impacts of the regulation, and (iv) the agency's regulatory flexibility analysis stated in that section of this background document.

Anyone wishing to submit written comments for the public comment file may do so through the Public Comment Forums feature of the Virginia Regulatory Town Hall web site at: <https://townhall.virginia.gov>.

Comments may also be submitted by mail, email or fax to:

Marjorie King  
 Executive Director  
 9960 Mayland Drive, Suite 400  
 Richmond, VA 23233  
 Contractors@dpor.virginia.gov  
 (866) 430-1033 (fax)

In order to be considered, comments must be received by 11:59 pm on the last day of the public comment period.

A public hearing will be held following the publication of this stage, and notice of the hearing will be posted on the Virginia Regulatory Town Hall website (<https://townhall.virginia.gov>) and on the Commonwealth Calendar website (<https://commonwealthcalendar.virginia.gov/>). Both oral and written comments may be submitted at that time.

### Detail of Changes

*List all regulatory changes and the consequences of the changes. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Use all tables that apply, but delete inapplicable tables.*

*If an existing VAC Chapter(s) is being amended or repealed, use Table 1 to describe the changes between the existing VAC Chapter(s) and the proposed regulation. If the existing VAC Chapter(s) or sections are being repealed and replaced, ensure Table 1 clearly shows both the current number and the new number for each repealed section and the replacement section.*

**Table 1: Changes to Existing VAC Chapter(s)**

Current chapter-section number	New chapter-section number, if applicable	Current requirements in VAC	Change, intent, rationale, and likely impact of new requirements
30-10	N/A	Provides definitions that are necessary to make the regulation clear and understandable, and provides definitions for other specific terms used throughout the regulation.	Adds definition for “Department” which means Department of Professional and Occupational Regulation.  Removes definition for “Inactive tradesman.” This definition is removed because sections -73 and -75 pertaining to the inactivation and activation of tradesman licenses are being repealed. Accordingly, this definition is no longer necessary.
30-73	N/A	This section provides that an individual who is not currently	This section is being repealed.

		employed as a licensed tradesman and is not performing regulated activities may be licensed as an "inactive" tradesman by completing a Board-approved form.	The Board determined that the inactivation and activation of tradesman licenses provided for in sections -73 and -75 is no longer necessary. Since the period of licensure for a tradesman license is currently three years, these provisions are no longer applicable, as an individual license may only be on inactive status for a maximum of three years. According to the Board's records, licensees seldom make use of these provisions.
30-75	N/A	This section provides that an inactive tradesman may activate a license by completing a Board-approved form and completing continuing education requirements for the current licensing cycle. A tradesman that has not had an active license for three or more years must meet current pre-licensing eligibility criteria.	This section is being repealed.  Please refer to the explanation and justification provided for section -73.
30-120	N/A	<p>This section provides for the renewal of licenses and certifications.</p> <p>The section provides that licenses for electricians, gas fitters, HVAC tradesmen, and plumbers expire three years from the last day of the month in which the license was issued. For all other licensees or certificate holders, licenses or certifications expire two years from the last day of the month in which the license or certificate was issued.</p> <p>The section also provides for all license issued or renewed after December 31, 2007, licensees must complete CE as follows:</p> <ul style="list-style-type: none"> <li>• Tradesmen with designations for plumbing, electrical, and HVAC must complete three (3) hours of CE for each designation.</li> </ul>	<p>Subsection C is revised to remove language referring to the effective date of the CE requirement for renewal of tradesman and gas fitter licenses. This language is no longer necessary.</p> <p>Subsection J is revised to clarify that a regulant has the right to request further review of any action to deny renewal of a license or certification in accordance with the APA.</p> <p>Subsection K is revised to remove the provision that failure to timely pay a monetary penalty, reimbursement of cost, or other fee imposed as the result of a disciplinary action will result in withholding of exam administration. This change is made to conform the regulation to current agency practice.</p> <p>Minor stylistic changes are made to replace the word "shall" with "must" or "will" where appropriate. Other changes are made for the purposes of clarity or style.</p>

	<ul style="list-style-type: none"> <li>• Individuals licensed as liquefied petroleum gas fitters or natural gas fitter providers must complete two (2) hours of CE.</li> <li>• CE must be related to the applicable building code and from a Board-approved provider.</li> </ul> <p>The section also provides certified elevator mechanics and certified accessibility mechanics must complete eight (8) hours of CE related to applicable provisions of the USBC.</p> <p>The section also provides that certified water well systems providers must complete eight (8) hours of CE related to the practice of water well construction.</p> <p>The section also provides that certified automatic fire sprinkler inspectors complete eight (8) hours of CE related to the Virginia Statewide Fire Prevention Code.</p> <p>The section provides for procedures for renewal of license and certifications.</p> <p>The section provides that the Board will mail a renewal notice to the regulant that outlines the procedures for renewal.</p> <p>A regulant's failure to receive the renewal notice does not relieve the regulant of the obligation to renew. In such instance, a licensee may submit a copy of the license with the required fee as an application for renewal.</p> <p>The section also provides that certificates for automatic fire sprinkler inspectors may not be renewed once 30</p>	
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		<p>days have passed since the expiration of the certificate.</p> <p>The section also provides that residential building energy analysts must provide documentation of continued membership, in good standing, of a certifying organization approved by the Board, and proof of insurance as required by section -40 I 4 of the regulation.</p> <p>This section outlines the fees for renewal of a license or certification. The section further provides that the date on which a renewal fee is received by the Department will determine whether the regulant is eligible for renewal or required to apply for reinstatement.</p> <p>The section contains provisions for a temporary reduction of renewal fees effective until August 31, 2023.</p> <p>The section further provides that the Board may deny renewal of a license or certification for the same reasons that it may refuse initial issuance or discipline a regulant. The regulant has the right to appeal any such action in accordance with the APA.</p> <p>The section further provides that failure to timely pay any monetary penalty, reimbursement of cost, or other fee assessed in a disciplinary action will result in delaying or withholding services by the Department, including renewal, reinstatement, processing of a new application, or exam administration.</p>	
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<p>30-130</p>	<p>N/A</p>	<p>This section provides for the reinstatement of licenses and certifications.</p> <p>The section provides that should the Department not receive a renewal application or renewal fee within 30 days of the expiration date, the regulant must apply for reinstatement of the license or certification.</p> <p>The section provides that applicants for reinstatement must meet the general qualifications for licensure or certification outlined in section -30.</p> <p>The section provides that reinstatement is not permitted once two years from the license or certification expiration date have passed. Individuals must apply for a new license or certification and meet the current entry requirements.</p> <p>The section further provides that the Board may deny reinstatement of a license or certification for the same reasons that it may refuse initial issuance or discipline a regulant. The regulant has the right to appeal any such action in accordance with the APA.</p> <p>The section further provides that failure to timely pay any monetary penalty, reimbursement of cost, or other fee assessed in a disciplinary action will result in delaying or withholding services by the Department, including renewal, reinstatement, processing of a new application, or exam administration.</p> <p>This section outlines the fees for reinstatement of a license</p>	<p>Subsection A is revised to clarify that if all the applicable requirements for renewal of the license or certification specified in section -120 are not completed within 30 days of the expiration date, a reinstatement fee will be required.</p> <p>Subsection A is also revised to provide that reinstatement provisions are not applicable to certified automatic fire sprinkler inspectors.</p> <p>The provisions of subsection C requiring an applicant for reinstatement to meet the general qualifications for licensure in section -30 are removed. The requirements imposed by this subsection are not necessary.</p> <p>The existing provisions in this section that allow the Board to deny reinstatement of a license or certification for the same reasons as it may refuse initial licensure or discipline a regulant are sufficient to address individuals who may no longer meet the requirements for licensure or certification.</p> <p>The provisions of current subsection E are revised to clarify that a license or certification may be reinstated for up to two years following the expiration date of the license or certification. An individual who fails to reinstate within 24 months of the expiration date must apply for a new license and meet entry requirements in effect at the time of submittal of the new application.</p> <p>In addition, a new provision is added that would allow an individual who failed to reinstate a license to be deemed eligible to re-take the license examination in the same category and specialty as the expired license.</p> <p>The provisions of current subsection F pertaining to regulated activity conducted after a license is expired are revised to clarify that such activity may be subject to prosecution under Chapter 1 (§ 54.1-100 et seq.) or Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1 of the Code of Virginia.</p>
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		<p>or certification. The section further provides that the date on which a reinstatement fee is received by the Department will determine whether the license or certification is reinstated, or whether a new application is required.</p> <p>The section contains provisions for a temporary reduction of reinstatement fees effective until August 31, 2023.</p> <p>The section further provides that any regulated activity conducted subsequent to the expiration of a license or certification may constitute unlicensed activity and may be subject to prosecution under applicable statute.</p>	<p>Current subsection H is revised to remove the provision that failure to timely pay a monetary penalty, reimbursement of cost, or other fee imposed as the result of a disciplinary action will result in withholding of exam administration. This change is made to conform the regulation to current agency practice.</p> <p>Minor stylistic changes are made to replace the word “shall” with “must” or “will” where appropriate. Other changes are made for the purposes of clarity or style.</p>
30-210	N/A	<p>This section provides for the approval of providers of CE courses.</p> <p>The section provides for the application requirements for those who provide a building code-related CE course must submit an application for approval on a Board-provided form. The application must include:</p> <ul style="list-style-type: none"> <li>• Provider name.</li> <li>• Provider contact person, address, and telephone number.</li> <li>• Course contact hours.</li> <li>• Schedule of courses.</li> <li>• Instructor names.</li> </ul> <p>The section provides that CE providers must have their subjects approved by the Board prior to initially offering the course. Courses that are delivered by correspondence or distance learning must include appropriate testing</p>	<p>Subsection B is revised to remove the provision which requires a training provider to receive Board approval of the training course subject prior to offering the course. This change was made to make the regulation less restrictive.</p> <p>Subsection C is revised to remove the requirement that student records contain the student’s social security number. This change is being made to comport with federal requirements regarding use of social security numbers. In addition, this requirement is not necessary and helps mitigate the risk of loss or misuse of personal information.</p> <p>Minor stylistic changes are made to replace the word “shall” with “must” or “will” where appropriate. Other changes are made for the purposes of clarity or style.</p>



		<p>procedures to verify completion of the course.</p> <p>The section further provides for recordkeeping requirements. Providers must establish and maintain a record for each student. The record must include the (i) student's name; (ii) student's social security number or Board license number; (iii) course name and clock hours attended; (iv) course syllabus or outline; (v) instructor names; (vi) date of successful completion; and (vii) Board's course code.</p> <p>Providers must maintain records for a minimum of five years. Such records must be available for inspection by authorized representatives of the Board during normal business hours.</p>	
30-220	N/A	<p>This section provides for the approval of CE courses.</p> <p>The section provides that all CE courses must cover articles of the current edition of the building code for the applicable license specialty. The section further specifies the building code articles that are applicable to each specialty.</p> <p>The section requires an approved CE provider to submit an application for course approval on a Board-provided form. The application must include:</p> <ul style="list-style-type: none"> <li>• Provider name, and approved provider number.</li> <li>• Course name.</li> <li>• Date, time, and location of the course.</li> <li>• Instructor information.</li> <li>• Course and material fees.</li> </ul>	<p>Subsection A is revised to clarify that a course content must include any changes to the articles of the building code that are applicable to each license or certification. This change is made to conform the regulation to current agency practice.</p> <p>Subsection C is revised to remove the provision that courses may be approved retroactively. This change is made because the provision is unnecessary.</p> <p>Minor stylistic changes are made to replace the word "shall" with "must" or "will" where appropriate. Other changes are made for the purposes of clarity or style.</p>

		<ul style="list-style-type: none"> <li>• Course syllabus.</li> </ul> <p>The section further provides that courses may be approved retroactively, but that a regulant will not receive credit toward CE requirements until the course is approved by the Board.</p>	
30-230	N/A	<p>This section provides for reporting requirements for CE providers.</p> <p>Providers must electronically transmit course completion data to the Board within seven (7) days of completion of each individual course. The format of the transmission must be approved by the Board.</p> <p>The transmittal must include the (i) student's name; (ii) student's social security number or Board license number; (iii) date of successful completion; and (iv) Board's course code.</p>	<p>The section is revised to remove the requirement that the transmittal contain the student's social security number. This change is being made to comport with federal requirements regarding use of social security numbers. This requirement is not necessary and helps mitigate the risk of loss or misuse of personal information.</p> <p>Minor stylistic changes are made to replace the word "shall" with "must" or "will" where appropriate. Another change is made for the purposes of clarity.</p>
30-240	N/A	<p>This section requires that CE provider and CE course approval certificates be available at the location where the course is taught.</p>	<p>This section is repealed. The requirements of this section are unnecessary and burdensome.</p>
30-250	N/A	<p>This section provides for reporting of changes by approved CE providers.</p> <p>The section provides that any change to the information provided by a training provider in its application to the Board must be reported to the Board within 30 days of the change. However, changes in the course schedule must be reported within 10 days of the change.</p> <p>The section further provides that failure to report changes</p>	<p>The provision in this section pertaining to withdrawal of approval for failure to report a change is removed. The substance of this provision is moved to section -260.</p>

		may result in withdrawal of approval of a CE provider by the Board.	
30-260	N/A	<p>This section outlines the grounds upon which the Board may withdraw the approval of a CE provider.</p> <p>The Board may withdraw approval for the following reasons:</p> <ul style="list-style-type: none"> <li>• The courses being offered no longer meet the standards established by the Board.</li> <li>• The provider advertises its services in a fraudulent or deceptive way.</li> <li>• The provider, instructor, or designee of the provider falsifies any information relating to the application for approval, course information, or student records; or fails to produce records as required by section - 210.C.</li> </ul>	<p>The section is revised to add failure to comply with the reporting requirements in section -250 as grounds for withdrawal of approval.</p>
N/A	30-270	N/A – No current requirements.	<p>This new section provides that the Board may conduct an audit of any Board-approved education course to ensure compliance with the regulation.</p> <p>The Board has the inherent authority to audit approved training courses. Adding this provision provides notice to regulants that the Board has the authority to audit courses to ensure the courses meet standards.</p>