

ARKANSAS REGISTER

Transmittal Sheet

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Secretary of State

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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Arkansas Department of Health

Department Division for Local Public Health, Environmental Health

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Statutory Authority for Promulgating Rules Ark. Code §17-38-201

Rule Title: Repeal of Rules Pertaining to Restricted Plumbers License Hospital Maintenance

Intended Effective Date
(Check One)

☐ Emergency (ACA 25-15-204)

☒ 10 Days After Filing (ACA 25-15-204)

☐ Other _____
(Must be more than 10 days after filing date.)

Legal Notice Published

Final Date for Public Comment

Reviewed by Legislative Council

Adopted by State Agency

Date

05/03/2024

06/02/2024

08/23/2024

01/25/2024

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Laura Shue Laura.Shue@arkansas.gov

08/26/2024


Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)


Signature

501-661-2297

Laura.Shue@arkansas.gov

Phone Number

E-mail Address

General Counsel

Title

August 26, 2024

Date

RULES AND REGULATIONS PERTAINING

TO

RESTRICTED PLUMBERS LICENSE

HOSPITAL MAINTENANCE

SECTION I. AUTHORITY

The following regulation is duly adopted and promulgated by the Arkansas State Board of Health pursuant to the authority expressly conferred by the laws of the State of Arkansas in Act 200 of 1951 as amended and Act 96 of 1913 as amended. The Department may exercise such powers as are reasonably necessary to carry out the provisions of Act 200 of 1951 as amended. It may, among other things, issue restricted licenses limited to gas fitter, residential and governmental maintenance, service line installation, solar mechanic and hospital maintenance licenses providing that the licensee has demonstrated competency for the particular phase of plumbing for which the person is licensed and providing that the Board has adopted regulations defining restrictions in the type of work allowed, geographical area served and term of that type of restricted license.

SECTION II. PURPOSE

- (a) No person shall engage in work as a Master Plumber, Journeyman plumber, Apprentice plumber or restricted licensed holder called for under Act 200 of 1951 as amended unless first licensed or registered to do so by the Department of Health.

SECTION III. DEFINITIONS

- (a) The State Board of Health means the Arkansas State Board of Health.
- (b) The Department means the Plumbing and Natural Gas Section of the Arkansas Department of Health.
- (c) Hospital Maintenance Plumbing means the installation and repair of potable water piping, natural gas piping fixtures, appliances and appurtenances in the connection with the water supply, sanitary drainage or gas systems of a hospital and / or convalescent facilities.
- (d) Supervising Hospital Maintenance Plumber means any person skilled in the planning, superintending and practical work involved with hospital maintenance plumbing who is familiar with all laws, rules, and regulations pertaining to such plumbing and who is responsible for such work in the hospital where he is employed.

- ~~(e) Hospital Maintenance Plumber means any person other than a Supervising Hospital Maintenance Plumber who is engaged in practical hospital maintenance plumbing under supervision.~~
- ~~(f) Hospital Maintenance Trainee means any person who is engaged in learning, acquiring experience and assisting licensed Hospital Maintenance Plumbers in order to become a Hospital Maintenance Plumber.~~

~~SECTION IV. RESTRICTIONS~~

- ~~(a) Persons holding a Restricted Hospital Maintenance Plumber's License for the particular phase of Restricted Hospital Plumbing shall not perform any plumbing service other than the restricted phase for which is licensed.~~
- ~~(b) Persons holding a Restricted Hospital Maintenance Plumber's License shall not be eligible to use experience gained under such license to obtain credit toward other forms of licenses issued by the Department.~~
- ~~(c) Persons holding a Restricted Hospital Maintenance Plumber's License shall not transfer a license from one phase of plumbing to any other phase or move from one area of restriction to another without first resubmitting a new application to the Department.~~

~~SECTION V. QUALIFICATIONS~~

- ~~(a) The applicant for a Restricted Hospital Maintenance Plumber's License shall produce evidence of his training and experience in the phase of plumbing for which he is requesting a license.~~
- ~~(b) Applicants for a Restricted Supervising Hospital Maintenance Plumber's Licenses shall have a minimum of five (5) years hospital maintenance plumbing experience or it's equivalent, one (1) year as a licensed Restricted Hospital Maintenance Plumber.~~
- ~~(c) Applicants for a Restricted Hospital Maintenance Plumber's License shall have served four (4) years as a registered Restricted Hospital Maintenance Plumber Trainee.~~
- ~~(d) Restricted Hospital Maintenance Plumber Trainees shall register with the Department in order to record the training and experience gained under the Restricted Supervising Hospital Maintenance Plumber.~~

~~SECTION VI. APPLICATIONS AND EXAMINATIONS~~

- ~~(a) Information for a Restricted Hospital Maintenance Plumber's Licenses shall be on an application form showing the education experience and background of the applicant.~~

~~(b) — The application form for a Restricted Hospital Maintenance Plumber's License shall have a space to show the restriction requested by the Committee of Examiners.~~

~~(c) — All applicants shall be examined by the Department to determine competency to perform as a Restricted Hospital Maintenance Plumber and on the regulation that may affect his operation.~~

~~(d) — All applicants shall be examined on the basis of competency of the restricted phase of plumbing he may be performing and on laws, rules and regulations that may affect his operation.~~

SECTION VII. TERMS OF LICENSE AND RENEWALS

~~All Restricted Hospital Maintenance Plumber's Licenses issued under the provision of this regulation shall be renewed annually within thirty (30) days after the expiration date of the license. The Department may renew a license after the thirty (30) day period providing there is sufficient reason for not renewing such license in the specified and upon payment of penalties as prescribed by regulation.~~

SECTION VIII. REVOCATION OF LICENSE

~~(a) — The Committee of Examiners may on its own motion make investigation and conduct hearings and may on its own motion or upon complainant, suspend or revoke any Restricted Hospital Maintenance Plumber's License if it has reason to believe that the holder of such license has violated any provision of these regulations, any rule or order prescribed by the Board or has demonstrated in competency to act as a Restricted Hospital Maintenance Plumber.~~

~~(b) — The use of a Restricted Hospital Maintenance Plumber's License to do plumbing other than permitted by the license shall be grounds for automatic suspension and / or revocation of such license by the Committee of Examiners providing the licensee is duly notified within thirty (30) days of the violation and pending a full hearing under the Administrative Procedures Regulation of the Arkansas Department of Health.~~

SECTION IX. HEARINGS

~~In case of each final order issued by the Department, any affected party may within 30 days of such order submit a written request for a hearing to the Director of the Department. NOTICE. All hearings will be scheduled within a reasonable time and held after reasonable notice has been provided to all know affected parties.—~~

SECTION XI. SEVERABILITY

~~If any provision of these Regulations, or the application thereof to any person is held invalid, such invalidity shall not affect other provisions or applications of these Regulations which can give effect without the valid provisions of applications, and to this end the provision hereto are declared to be severable.~~

~~SECTION XI. REPEAL~~

~~All Regulations and parts of Regulations in conflict herewith are hereby repealed. _____~~