



State of Idaho  
Division of Occupational and Professional Licenses  
Idaho Heating, Ventilation and Air Conditioning Board

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**Draft Minutes of 06/11/2024**

<b>Board Members</b>	Ted Sermon, Chair	<b>Division</b>	Justin Touchstone, Executive Officer
<b>Present:</b>	Bill Carter, Vice-Chair	<b>Staff:</b>	Jill Randolph, Legal Counsel
	Mike LaPray		Amy Lorenzo, BCRE Bureau Chief
	Garret Christoffersen		Jessica Spoja, Licensing Program Sup.
	Judy Van Cleave		Bryan Mulleneaux, Investigator
			Erin Einarsson, Board Support Specialist
			Jorge Perez, Board Support Specialist

The meeting was called to order at 9:00 AM MT by Chair Ted Sermon.

**APPROVAL OF 02/21/2024 MINUTES**

A motion was made and seconded to approve the February 21, 2024, meeting minutes. The motion carried unanimously.

**PUBLIC COMMENT:** Jeff Hermon and David Shulman of IPEX USA, LLC, along with Doug Beldon of Ridgeline Mechanical Sales, presented information about Flue Gas Venting Systems. The team will forward information to Executive Officer (EO) Justin Touchstone.

**DIVISION BUSINESS**

**OASIS Update:** To accommodate the extremely busy summer schedules of the trade groups, there will be a two-tiered launch for the Division of Occupation and Professional Licenses (DOPL) OASIS Licensing System. The Building, Construction and Real Estate (BCRE) division trade boards including HVAC, Building, Damage Prevention, Electrical, Factory Built Structures, Plumbing and Public Works OASIS Launch will be in November 2024.

**Financial Report:** The Idaho HVAC Board's Financial Report, REVENUES AND EXPENDITURES as of April 1, 2024, was presented to the Board.

**Public Member Training:** Legal Counsel (LC) Jill Rudolph provided a PowerPoint presentation titled "Public Members-Board Training". LC Rudolph will review the vacant seats to see if there is anything to act on. Chair Sermon invited suggestions from the Board and public for candidates.

**BOARD BUSINESS**

**Notice of Violation (NOV) Report:** The Notice of Violation (NOV) Report from February 13, 2024 through June 5, 2024, was presented to the Board. Chair Sermon asked if there is a dedicated Compliance Officer at DOPL, to which EO Touchstone replied that currently DOPL does not have one. However, EO Touchstone and BCRE Bureau Chief (BC) Amy Lorenzo are reviewing areas

within DOPL that need additional support and will be presenting their findings to the Administrator. EO Touchstone will work with Investigator Bryan Mulleneaux to create an email that can be sent to contractors with instructions on how to submit compliance complaints through DOPL

**National HVAC Exam:** As DOPL moves towards using national standard exams for trades licensing, Licensing Program Supervisor (LPS) Jessica Spoja presented two national exams for the Board to consider: North American Technician Excellence (NATE) Certification and the HVAC Excellence Certification through the ESCO Group. LPS Spoja offered to contact the testing agencies to discuss modifying their exams towards the Idaho standards and present them to the Board at a future meeting.

Dennis Fox of Fox Heating and Cooling noted that the NATE and HVAC Excellence exams focus on technical skills while the Idaho HVAC Board exam focuses on Idaho Code. Board Member Christoffersen suggested that DOPL search for a national code-based exam that is certified by the International Code Council (ICC). Board Member LaPray asked how far out the schedule for testing at DOPL is and LPS Spoja replied that DOPL is currently scheduling for end of July. Jerry Stafford of the College of Western Idaho asked if the test could be administered through an online testing program. LPS Spoja responded that DOPL has contracted with PSI to have all DOPL exams built into their testing system. With PSI, online testing would not be available, but it would provide a series of proctor centers across Idaho, which would dramatically increase the availability of testing facilities.

If a nationally accredited exam is not an option, DOPL can convert the HVAC licensing exam into the PSI system. LPS Spoja will investigate whether ICC has a code related exam, but if not, DOPL will continue with the current code related exam and will update the Board when the transition to PSI begins.

**Sheet Metal Certificate of Competency:** DOPL licensing staff discovered a legacy practice from the former Division of Building Safety (DBS) of issuing HVAC Journeyman licenses to applicants who submitted a Certificate of Competency from Sheet Metal programs. LPS Spoja presented the following data: In 2023, seven out of 166 applications who were issued a Journeyman License submitted a Certificate of Competency from a Sheet Metal program. In 2022, that number was 14 out of 121 applications. In 2021, that total was 16 out of 126 applications. EO Touchstone noted that there are several large projects that are scheduled to begin in Idaho and a lack of qualified candidates available. With the goal of creating reciprocity for the Sheet Metal workers required for these projects, DOPL presented the Board with a proposed temporary rule for the Waiver of Exam for the Sheet Metal Certificate of Competency.

Dennis Fox of Fox Heating and Cooling asked for clarification as to what is taught and tested for the Sheet Metal Certificate of Competency and is it the same standard as the HVAC Journeyman License. JR Finley of Sheet Metal Workers Local 55 noted that HVAC is a core element included in the four-year Sheet Metal Apprenticeship training program and added that the United States Department of Labor (USDOL) Registered Apprenticeship Program for Sheet Metal Workers is recognized throughout the United States as a Completion Certificate of Competency of a

Journeyman in the Sheet Metal trade. Mr. Finley is asking the Board to recognize the USDOL Certificate.

Board Member Van Cleave asked for clarification as to what is covered with the USDOL Certification and if there was equivalency with the hours of apprenticeship training and education. Mr. Finley replied that the total is 2000 per year for four years. Chair Sermon requested the Board be provided with a copy of the Sheet Metal curriculum for their review.

BC Lorenzo noted that the Board has the discretion to tackle the two issues separately and that edits can be made to the proposed temporary rules before they are submitted to Governor Brad Little. BC Lorenzo emphasized that because the HVAC program does not have the same level of reciprocity as other trades boards, as larger commercial projects commence in Idaho, DOPL is reviewing ways to reduce the barriers to licensure and ensuring there is access to qualified workers.

Deputy General Counsel for the Governor Josh Scholer emphasized that even with the direction from Governor Little to reduce regulations, the safety of Idahoans is still the priority. The Board is being asked to consider waiving the Idaho exam for those who have achieved the required hours worked. The HVAC Board can then review this in further detail during the next negotiated rulemaking session.

LPS Spoja reviewed the reciprocity process for Electrical and Plumbing, noting that those who have achieved a Journeyman license in another state have met the same conditions that Idaho requires. The Board is being asked to consider running a temporary rule allowing the same reciprocity that would expire at the next legislative session. DOPL would work with the Board during the next rulemaking session to create definitive language about HVAC reciprocal agreements.

**Exam Waiver:** A motion was made and seconded to approve the temporary rule "Waiver of Exam: Applicants from another state who have demonstrated successful completion of an approved US Department of Labor HVAC Apprenticeship or Sheetmetal Apprenticeship are not required to take a written examination." The motion carried unanimously.

**LCSC For Credit HVAC:** J.R. Kok, MS., Associate Professor of HVACR Technology at Lewis-Clark State College requested clarification from the Board as to the definition of "Lab Hours", specifically what defines the lab, the contact time and if lab activities must adhere to the International Society for Technology in Education (ISTE) standards. Chair Sermon requested that the action item be tabled so that historical information about Lab Hour credits can be presented at the next meeting.

**Public Comment:** Public comments were made throughout the meeting.

#### **EXECUTIVE SESSION – DISCIPLINE (GROSS VIOLATION(S))**

**Motion to Enter into Executive Session:** A motion was made and seconded for the board to enter into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session is to discuss documents relating to the fitness of a licensee to obtain or retain a

license or registration. Roll call vote: Chairman Sermon-aye, Vice Chairman Carter-aye; Board Member Christoffersen-aye; Board Member Van Cleave-aye and Board Member LaPray-aye. The motion carried unanimously.

**Motion to Exit Executive Session:** A motion was made and seconded to exit executive session. The motion carried unanimously.

**MOTION(S) RESULTING FROM THE EXECUTIVE SESSION**

**Motion(s) re: Discipline** – A motion was made and seconded to send to the Prosecuting Attorney Case Numbers HVC2307-0001 and HVC2212-001. The motion carried unanimously.

**ADJOURNMENT**

There being no further business, the Chair adjourned the meeting at 1:40 PM.