

CHAPTER 32**STATE BOARD OF EXAMINERS
OF MASTER PLUMBERS****Authority**

N.J.S.A. 45:14C-7.

Source and Effective DateEffective: May 21, 2015.
See: 47 N.J.R. 1344(a).**Chapter Expiration Date**

Chapter 32, State Board of Examiners of Master Plumbers, expires on May 21, 2022.

Chapter Historical Note

Chapter 32, State Board of Examiners of Master Plumbers, was adopted and became effective prior to September 1, 1969.

Pursuant to Executive Order No. 66(1978), Chapter 32 was readopted as R.1987 d.481, effective October 23, 1987. See: 19 N.J.R. 1630(a), 19 N.J.R. 2197(c).

Pursuant to Executive Order No. 66(1978), Chapter 32 was readopted as R.1992 d.457, effective October 21, 1992. See: 24 N.J.R. 2334(a), 24 N.J.R. 4270(b). As part of R.1992 d.457, effective November 16, 1992, Subchapter 2, regarding a "uniform penalty letter," was repealed and Subchapter 2, Fees, was adopted as new rules.

Pursuant to Executive Order No. 66(1978), Chapter 32 was readopted as R.1997 d.456, effective October 8, 1997. As part of R.1997 d.456, effective November 3, 1997, Subchapter 1, General Rules and Regulations, was renamed Purpose and Scope, Board Meetings; Subchapter 2, Fees, was recodified as Subchapter 5, Fees; and Subchapter 2, Application, Experience Requirements, Examination; Subchapter 3, Identification of Licensees; Bona Fide Representative; Supervision; and Subchapter 4, Miscellaneous, were adopted as new rules. See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Subchapter 6, Continuing Education, was adopted as R.2002 d.80, effective March 18, 2002. See: 33 N.J.R. 3731(a), 34 N.J.R. 1266(a).

Chapter 32, State Board of Examiners of Master Plumbers, was readopted as R.2003 d.165, effective March 28, 2003. See: 34 N.J.R. 3675(a), 35 N.J.R. 1671(a).

Subchapter 7, Medical Gas Piping, was adopted as new rules by R.2007 d.137, effective May 7, 2007. See: 38 N.J.R. 3737(a), 39 N.J.R. 1748(b).

Chapter 32, State Board of Examiners of Master Plumbers, was readopted as R.2008 d.260, effective August 4, 2008. See: 40 N.J.R. 1607(a), 40 N.J.R. 5045(b).

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 32, State Board of Examiners of Master Plumbers, was scheduled to expire on August 4, 2015. See: 43 N.J.R. 1203(a).

Chapter 32, State Board of Examiners of Master Plumbers, was readopted, effective May 21, 2015. See: Source and Effective Date.

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**SUBCHAPTER 1. PURPOSE AND SCOPE, BOARD
MEETINGS****13:32-1.1 Purpose and scope**

The rules contained in this chapter implement the provisions of the State Plumbing Licensing Law (N.J.S.A. 45:14C-1 et seq.) and provide for the licensing and regulation of master plumbers and the regulation of plumbing contractors.

Repeal and New Rule, R.1987 d.481, effective November 16, 1987.

See: 19 N.J.R. 1630(a), 19 N.J.R. 2197(c).

Old text replaced.

New Rule, R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Former N.J.A.C. 13:32-1.1, "Board Meetings" recodified to N.J.A.C. 13:32-1.2.

Amended by R.2001 d.12, effective March 3, 2001.

See: 31 N.J.R. 3984(a), 33 N.J.R. 56(a).

Inserted "and regulation" preceding "of master plumbers" and substituted "and the regulation of plumbing contractors" for "and qualified journeymen".

Amended by R.2003 d.165, effective April 21, 2003.

See: 34 N.J.R. 3675(a), 35 N.J.R. 1671(a).

Deleted "of 1968, P.L. 1978, c.362" following "State Plumbing Licensing Law"; revised the N.J.S.A. reference.

13:32-1.2 Board meetings

(a) Regular Board meetings shall be held in accordance with a schedule that is published yearly and filed with the Secretary of State.

(b) Special meetings may be held at the request of a Board member or called by the chairman with publication of appropriate notice pursuant to the requirements of the Open Public Meetings Act.

(c) A majority of the voting members of the Board shall constitute a quorum thereof and no action of the Board shall be taken except on the affirmative vote of a majority of the members of the entire Board.

(d) In the absence of the chairman, members shall select one of the members attending the meeting to serve as chairman for that meeting.

(e) Copies of the minutes of meetings shall be mailed to all members as soon as practicable after each meeting.

Repeal and New Rule, R.1987 d.481, effective November 16, 1987.

See: 19 N.J.R. 1630(a), 19 N.J.R. 2197(c).

Old text replaced.

Recodified from N.J.A.C. 13:32-1.1 by R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Former N.J.A.C. 13:32-1.2, "Application; qualifications; examination registration form" recodified to N.J.A.C. 13:32-2.1.

Case Notes

Remand to properly composed state board of examiners of master plumbers for reconsideration of imposition of sanctions upon master plumber was appropriate; four out of seven members of board originally imposing sanctions were not statutorily qualified to hold positions. *Matter of Fichner*, 144 N.J. 459, 677 A.2d 201 (1996).

13:32-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Apprentice plumber" means any person other than a master plumber or journeyman plumber who, as his or her principal occupation, is engaged in learning and assisting in the installation of plumbing.

"Board" means the State Board of Examiners of Master Plumbers.

"Bona fide representative" means a licensed master plumber who is the holder of not less than 10 percent of a plumbing contractor in the State of New Jersey.

"Journeyman plumber" means an individual who has completed four years engaged in learning and assisting in the installation of plumbing and who works under the supervision of a master plumber or supervisory journeyman plumber.

"Licensed master plumber" means a person licensed pursuant to N.J.S.A. 45:14C-1 et seq. who has the qualifications, training, experience and technical knowledge necessary to properly plan, lay out, install and repair plumbing apparatus and equipment and to supervise others in the performance of such work in accordance with the rules established in this chapter.

"Plumbing" means the practice, materials and fixtures used in the installation, maintenance, extension, alteration, repair and removal of all piping, plumbing fixtures, plumbing appliances and plumbing apparatus in connection with any of the following:

1. Sanitary drainage;
2. Storm facilities and building sewers to their respective final connection to an approved point of disposal;
3. Venting systems; and
4. Public and private water supply systems of any premises to and within the property line of any building or structure to their final connection with an approved supply system.

"Plumbing" also means the practice and materials used in the installation, maintenance, extension, alteration, repair or removal of storm water, refrigeration and air conditioning drains, liquid waste or sewage. "Plumbing" does not include the final connection to an approved point of disposal or an approved supply system which extends beyond three feet of a building or structure.

"Plumbing contractor" means any individual licensed master plumber operating as a sole proprietor who, or a firm, partnership, corporation or other legal entity, which undertakes for another the planning, laying out, supervising, installing or making of additions, alterations and repairs in the installation of plumbing who either acts, or has a licensed master plumber who acts, as a bona fide representative as required by N.J.S.A. 45:14C-2(d) and (h) and this chapter.

"Propane services" means the performing of safety and leak testing of, and the performing of installation, maintenance, repair, removal, adjustment, and other services to propane appliances including, without limitation, ranges, water heaters, heaters, furnaces, containers, and other propane fueled systems, for residential and commercial applications.

13:32-2.7 Credit towards licensure for education, training, and experience received while serving as a member of the Armed Forces

(a) An applicant who has served in the Armed Forces of the United States (Armed Forces) and who does not meet all of the training, education, and experience requirements for licensure under N.J.A.C. 13:32-2.2 may apply to the Board for recognition of the applicant's training, education, or experience received while serving as a member of the Armed Forces, which the Board shall consider, together with any training, education, and experience obtained outside of the Armed Forces, for determining substantial equivalence to the training, education, and experience required for licensure.

(b) The Board shall issue a license to the applicant, if the applicant presents evidence to the Board that:

1. The applicant has been honorably discharged from active military service;

2. The relevant training, education, and experience the applicant received in the military, together with any training, education, and experience obtained outside of the Armed Forces, is substantially equivalent in scope and character to the training, education, and experience required for licensure under N.J.A.C. 13:32-2.2.

i. An applicant seeking credit for military training and experience shall submit to the Board the applicant's Verification of Military Experience and Training (VMET) Document, DD Form 2586.

ii. An applicant seeking credit for education courses and/or training completed while in the military shall submit to the Board a Joint Services Transcript of his or her education/training for a determination that the education courses and/or training completed are substantially equivalent in level, scope, and intent to the program required for licensure under N.J.A.C. 13:32-2.2. For the purpose of determining substantial equivalence of the applicant's military education and/or training, the Board shall consider only those education courses and/or training relevant to the practice of plumbing that have

been evaluated by the American Council on Education for substantial equivalence to civilian plumbing education; and

3. The applicant complies with all other requirements for licensure, including successful completion of licensing examination.

(c) It is the applicant's responsibility to provide timely and complete evidence of the training, education, and experience gained in the military for review and consideration.

(d) If the applicant's military training, education, and experience, or a portion thereof, is not deemed to be substantially equivalent to that required for licensure, the Board shall credit whatever portion of the military training, education, and experience that is substantially equivalent towards meeting the requirements under N.J.A.C. 13:32-2.2 for the issuance of the license.

(e) Satisfactory evidence of such training, education, and experience shall be assessed on a case-by-case basis.

New Rule, R.2015 d.071, effective May 4, 2015.
See: 46 N.J.R. 2320(a), 47 N.J.R. 901(b).

**SUBCHAPTER 3. IDENTIFICATION OF LICENSEES;
BONA FIDE REPRESENTATIVE; SUPERVISION**

**13:32-3.1 Identification of licensed master plumber;
vehicles, stationery; advertising**

(a) All commercial vehicles used in the practice of State-licensed master plumbing shall be marked on both sides with the following information:

1. The name of the licensed master plumber in lettering at least one inch in height;

2. The words "Plumbing license number" or "Plumbing Lic. #" followed by the license number of the owner or qualified bona fide representative in lettering at least one inch in height; and

13:32-4.3 Actions on the surety bond

(a) Any person, partnership or corporation, including any political subdivision of State government who has been injured, aggrieved or damaged through the failure of a licensed master plumber to perform the duties required by N.J.S.A. 45:14C-1 et seq. or this chapter shall be eligible to receive the financial protection of, and may maintain an action on the surety bond.

New Rule, R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Amended by R.2003 d.165, effective April 21, 2003.

See: 34 N.J.R. 3675(a), 35 N.J.R. 1671(a).

Deleted former (a); recodified former (b) as (a); in new (a), substituted "a licensed master plumber" for "the obligor", and substituted "the surety bond" for "such bond".

Amended by R.2008 d.260, effective September 2, 2008.

See: 40 N.J.R. 1607(a), 40 N.J.R. 5045(b).

In (a), inserted a comma following "corporation" and substituted "this chapter" for "any rule of the Board".

13:32-4.4 Change of address; service of process

(a) Every licensed master plumber shall notify the Board in writing of his or her New Jersey office address. Every licensed master plumber shall notify the Board in writing of any change in his or her residence or office address within 10 days after such change.

(b) Service of an administrative complaint or other process initiated by the Board, the Attorney General or the Division of Consumer Affairs at the licensed master plumber's address on file with the Board shall be deemed adequate notice for the commencement of any inquiry or disciplinary proceeding against the licensed master plumber.

New Rule, R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Amended by R.2003 d.165, effective April 21, 2003.

See: 34 N.J.R. 3675(a), 35 N.J.R. 1671(a).

In (a), substituted "notify the Board in writing" for "give notice in writing to the Board"; substituted "licensed master plumber" for "licensee" throughout.

Amended by R.2008 d.260, effective September 2, 2008.

See: 40 N.J.R. 1607(a), 40 N.J.R. 5045(b).

In (a), substituted "his or her New Jersey" for "the licensed master plumber's" and "office address" for "business".

13:32-4.5 Unconscionable pricing

(a) A licensed master plumber of the Board shall not charge an excessive price for services. A price is excessive when, after review of the facts, a licensed master plumber of ordinary prudence would be left with a definite and firm conviction that the price is so high as to be manifestly unconscionable or overreaching under the circumstances.

(b) Factors which may be considered in determining whether a price is excessive include, but are not limited to, the following:

1. The time and effort required;
2. The novelty or difficulty of the job;

3. The skill required to perform the job properly;

4. Any special conditions placed upon the performance of the job by the person or entity for which the work is being performed;

5. The experience, reputation and ability of the licensed master plumber to perform the services; and

6. The price customarily charged in the locality for similar services.

(c) Charging an excessive price shall constitute occupational misconduct within the meaning of N.J.S.A. 45:1-21(e) and may subject the licensed master plumber to disciplinary action.

New Rule, R.1991 d.170, effective April 1, 1991.

See: 22 N.J.R. 784(a), 23 N.J.R. 1009(b).

Recodified from N.J.A.C. 13:32-1.12 by R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Amended by R.2003 d.165, effective April 21, 2003.

See: 34 N.J.R. 3675(a), 35 N.J.R. 1671(a).

Substituted "licensed master plumber" for "licensee" throughout.

Case Notes

Votes of members of State Board of Master Plumbers in disciplinary proceeding. Matter of Fichner, 282 N.J.Super. 422, 660 A.2d 545 (A.D.1995).

SUBCHAPTER 5. FEES**13:32-5.1 Fee schedule**

(a) The following fees shall be charged by the Board:

1. Application fee without prior registration (non-refundable)\$100.00
2. Application fee with prior registration (non-refundable)50.00
3. Initial license fee:
 - i. If paid during the first year of a biennial renewal period160.00
 - ii. If paid during the second year of a biennial renewal period80.00
4. License renewal fee, biennial160.00
5. Registration as an apprentice (non-refundable).....50.00
6. Registration as a journeyman without prior registration (non-refundable).....75.00
7. Registration as a journeyman with prior registration (non-refundable)50.00
8. Late renewal fee50.00
9. Reinstatement fee150.00
10. Initial pressure seal25.00
11. Replacement pressure seal25.00
12. Duplicate license fee25.00
13. Replacement wall certificate40.00
14. Verification of licensure25.00
15. Continuing education sponsor application fee.....100.00

(b) The following fees shall be charged by the Board in connection with the certification of medical gas piping in-

stallers, medical gas piping brazers and medical gas piping instructors:

1. Application fee\$75.00
2. Initial certification as medical gas piping installer:
 - i. If paid during the first year of a triennial renewal period\$150.00
 - ii. If paid during the second year of a triennial renewal period\$100.00
 - iii. If paid during the third year of a triennial renewal period\$50.00
3. Initial certification as medical gas piping brazer.....\$50.00
4. Initial certification as instructor in medical gas piping:
 - i. If paid during the first year of a triennial renewal period\$150.00
 - ii. If paid during the second year of a triennial renewal period\$100.00
 - iii. If paid during the third year of a triennial renewal period\$50.00
5. Certification renewal as a medical gas piping installer, triennial.....\$150.00
6. Certification renewal as a medical gas piping brazer, annual\$50.00
7. Certification renewal as a medical gas piping instructor, triennial\$150.00
8. Late renewal fee\$50.00
9. Reinstatement fee\$150.00
10. Inactive fee... (to be determined by Director by regulation)

Recodified from N.J.A.C. 13:32-2.1 by R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Amended by R.1999 d.212, effective July 6, 1999.

See: 31 N.J.R. 836(b), 31 N.J.R. 1816(b).

Rewrote (a).

Amended by R.2002 d.80, effective March 18, 2002.

See: 33 N.J.R. 3731(a), 34 N.J.R. 1266(a).

In (a), added 14.

Amended by R.2007 d.101, effective April 16, 2007.

See: 38 N.J.R. 4984(a), 39 N.J.R. 1487(a).

Added new (a)10; recodified former (a)10 through (a)14 as (a)11 through (a)15; and in (a)11, substituted "pressure seal" for "seal press" and "25.00" for "40.00".

Amended by R.2007 d.137, effective May 7, 2007.

See: 38 N.J.R. 3737(a), 39 N.J.R. 1748(b).

Added (b).

chapter or the falsification of any information submitted with the renewal application may result in an appearance before the Board, or the imposition of disciplinary sanctions pursuant to N.J.S.A. 45:1-21 et seq.

(c) Every licensee shall maintain, for a period of four years, a record of all verification of attendance forms for all continuing education courses the licensee has completed. Licensees who teach a continuing education course during a biennial period shall maintain, for a four year period, records which indicate that the licensee has taught a Board approved continuing education course.

(d) The Board may review the records of any licensee, at any time, in order to ensure that the licensee has complied with the continuing education requirements.

Amended by R.2003 d.165, effective April 21, 2003.

See: 34 N.J.R. 3675(a), 35 N.J.R. 1671(a).

Deleted former (c); recodified former (d) through (e) as (c) through (d).

Public Notice: Continuing education topics.

See: 35 N.J.R. 5168(b).

Public Notice: Continuing education topics.

See: 37 N.J.R. 4582(a).

Public Notice: Continuing education topics.

See: 39 N.J.R. 263(a).

Public Notice: Continuing education topics.

See: 42 N.J.R. 1092(c).

Public Notice: Continuing education topics.

See: 46 N.J.R. 1490(a).

Public Notice: Continuing education topics.

See: 47 N.J.R. 745(a), 1679(a).

13:32-6.2 Continuing education sponsors; Board approval; duties

(a) All sponsors of continuing education courses shall obtain Board approval prior to offering a continuing education course for an upcoming biennial period. The Board shall maintain a list of approved courses at the Board offices and shall furnish this information to licensees upon request.

(b) A sponsor seeking Board approval shall appear before the Board and submit, prior to that appearance, the following:

1. Detailed descriptions of course content and estimated hours of instruction;
2. Curriculum vitae of each instructor, including specific background which qualifies the individual as an instructor in specific areas; and
3. The continuing education sponsor application fee pursuant to N.J.A.C. 13:32-5.1(a)15.

(c) The sponsor of a continuing education course shall furnish each attendee a verification of attendance, which shall include the following:

1. The title, date and location of course or program offering;
2. The name and license number of the attendee;
3. The number of hours attended; and
4. The name and signature of the sponsor or instructor.

SUBCHAPTER 6. CONTINUING EDUCATION

13:32-6.1 License renewal, continuing education requirement

(a) Every licensee shall successfully complete five credits of continuing education at an approved course per biennial period. Licensees applying for their first biennial renewal are exempt from this continuing education requirement.

(b) A licensee shall indicate on the license renewal form that he or she has completed the continuing education requirements required by this subchapter. Failure to meet the continuing education requirements as set forth in this sub-

(d) The sponsor of a continuing education course shall monitor the attendance at each approved course and maintain an attendance log which lists the name and license number of every licensee who attends a course. The program sponsor shall submit the attendance log to the Board upon completion of the course. The log shall document that each licensee has completed the sponsor's course.

(e) The sponsor shall obtain course evaluations from both participants and instructors and maintain these evaluations as part of the sponsor records.

(f) The Board may evaluate the performance of any continuing education instructor through observation of the instructor during the presentation of a course or evaluate the qualifications and abilities of the instructor by conducting an interview during a Board meeting.

(g) A continuing education class shall consist of no more than 50 people.

Amended by R.2008 d.260, effective September 2, 2008.

See: 40 N.J.R. 1607(a), 40 N.J.R. 5045(b).

In (b)3, updated the N.J.A.C. reference.

13:32-6.3 Required course topics

(a) Three months prior to the beginning of a biennial period, the Board shall determine which topics shall be provided by program sponsors for the upcoming biennial period. The Board shall determine these topics at a regularly scheduled public Board meeting.

(b) The list of topics which shall be required by the Board for a biennial period shall be published as a public notice in the New Jersey Register and shall be available at the Board offices.

(c) During the biennial renewal period beginning July 1, 2015, and ending on June 30, 2017, sponsors of continuing education courses shall include one hour of education in propane services which includes substantially the same information covered in either the Fundamentals of LP manual, published by the Plumbing-Heating-Cooling Contractors Association, 2003 edition or the Gas Installation for UA Journeyworkers and Apprentices manual, published by the United Association, 2003 edition.

(d) After completion of the education in propane services required by (c) above, sponsors of continuing education courses shall administer a competency evaluation examination which tests a licensee's understanding of the information provided on propane services.

Public Notice: Continuing education topics.

See: 35 N.J.R. 5168(b).

Public Notice: Continuing education topics.

See: 37 N.J.R. 4582(a).

Public Notice: Continuing education topics.

See: 39 N.J.R. 263(a).

Public Notice: Continuing education topics.

See: 42 N.J.R. 1092(c).

Public Notice: Continuing education topics.

See: 46 N.J.R. 1490(a).

Public Notice: Continuing education topics.

See: 47 N.J.R. 745(a), 1679(a).

Amended by R.2016 d.036, effective April 18, 2016.

See: 47 N.J.R. 1287(a), 47 N.J.R. 2244(a), 48 N.J.R. 658(c).

Added (c) and (d).

13:32-6.4 Credit awarded

(a) One continuing education credit shall equal one hour of attendance at a continuing education course.

(b) A licensee who teaches a continuing education course shall earn five credits of continuing education for the biennial period in which he or she teaches.

13:32-6.5 Waiver of continuing education requirement

(a) The Board may waive continuing education requirements on an individual basis for reasons of hardship, such as illness, disability, military duty or other good cause which prevents the licensee from completing continuing education credits during a biennial period.

(b) Any licensee seeking a waiver of the continuing education requirements shall apply to the Board in writing and set forth in specific detail the reasons for requesting the waiver. The licensee shall provide the Board with such supplemental materials as will support the request for waiver.

SUBCHAPTER 7. MEDICAL GAS PIPING

13:32-7.1 Purpose and scope

(a) The purpose of this subchapter is to implement the provisions of P.L. 2003, c. 205 (N.J.S.A. 45:14C-28 et seq.), which requires medical gas piping installers and brazers to be certified by the Board.

(b) Except as set forth in (d) below, unless a person is certified by the Board he or she shall not install, improve, repair, or maintain medical gas piping located after the source valve and intended for patient or animal use within a health care facility licensed pursuant to P.L. 1971, c. 136 (N.J.S.A. 26:2H-1 et seq.), the office of a licensed dentist, or a dental clinic, as defined in section 1 of P.L. 1951, c. 199 (N.J.S.A. 45:6-15.1), or an animal or veterinary facility as defined in section 1 of P.L. 1983, c. 98 (N.J.S.A. 45:16-1.1).

(c) No person shall provide instruction regarding the installation, improvement, repair or maintenance of medical gas piping unless certified as an instructor by the Board.

(d) This subchapter shall not apply to any electrical contractor licensed pursuant to P.L. 1962, c. 162 (N.J.S.A. 45:5A-1 et seq.), or any person employed by such an electrical contractor, who is performing the duties of his or her employment and who is acting within the scope of his or her profession or occupation.

Amended by R.2015 d.044, effective April 6, 2015.

See: 46 N.J.R. 2007(a), 47 N.J.R. 724(b).

Rewrote (b).

13:32-7.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

“ASSE” means the American Society of Sanitary Engineering.

“AWS” means the American Welding Society.

“Board” means the State Board of Examiners of Master Plumbers.

“Brazing” means joining metals by the use of brass filler or intensely heating the metals to be joined and applying a high temperature melting solder which ranges in melting point from alloys rich in silver to pure copper.

“Medical gas piping” means the piping used for medical gases, located after the source valve and intended for patient or animal use, within:

1. A health care facility licensed pursuant to P.L. 1971, c. 136 (N.J.S.A. 26:2H-1 et seq.);
2. The office of a licensed dentist, or a dental clinic, as defined in section 1 of P.L. 1951, c. 199 (N.J.S.A. 45:6-15.1); or
3. An animal or veterinary facility as defined in section 1 of P.L. 1983, c. 98 (N.J.S.A. 45:16-1.1).

“NFPA” means the National Fire Protection Association.

“NITC” means the National Inspection Testing and Certification Corporation.

Amended by R.2015 d.044, effective April 6, 2015.

See: 46 N.J.R. 2007(a), 47 N.J.R. 724(b).

Rewrote definition “Medical gas piping”.

13:32-7.3 Certification as a medical gas piping installer

(a) To be eligible for certification as a medical gas piping installer an applicant shall be either:

1. A licensed master plumber in New Jersey;
2. A journeyman plumber who has successfully completed an apprenticeship program accredited by the United States Department of Labor;
3. An apprentice plumber who has successfully completed at least three years of an apprenticeship program accredited by the United States Department of Labor;
4. A steam fitter or pipe fitter employed by a plumbing contractor; or
5. An individual who holds certification from NFPA.

(b) An applicant for certification as a medical gas piping installer shall submit to the Board:

1. A completed application for certification;

2. Two affidavits attesting to the applicant’s good moral character;

3. Evidence that the applicant has met the qualifications of (a) above;

4. Evidence that the applicant has successfully completed 32 hours of classroom training, taught by an instructor certified pursuant to N.J.A.C. 13:32-7.5, in the January 19, 2004 ASSE Series 6010 Professional Qualifications Standards for Medical Gas Systems Installers, incorporated herein by reference, as amended and supplemented, published by the ASSE, 901 Canterbury Road, Suite A, Westlake, OH, 44145;

5. Evidence that the applicant has passed the examination requirements of (c) below; and

6. The application fee and initial certification fee pursuant to N.J.A.C. 13:32-5.1.

(c) To qualify for certification, an applicant shall either:

1. Successfully pass the NITC Medical Gas Installer examination; or
2. Successfully pass a brazer examination offered by the AWS and successfully complete a training program in installation approved by a major medical gas producer.

13:32-7.4 Certification to perform only brazing incidental to installation of medical gas piping

(a) To be eligible for certification to perform only brazing incidental to installation of medical gas piping, an applicant shall be either:

1. A licensed master plumber in New Jersey;
2. A journeyman plumber who has successfully completed an apprenticeship program accredited by the United States Department of Labor;
3. An apprentice plumber who has successfully completed at least three years of an apprenticeship program accredited by the United States Department of Labor;
4. A steam fitter or pipe fitter employed by a plumbing contractor; or
5. An individual who holds a certification from NFPA.

(b) An applicant for certification to perform only brazing incidental to installation of medical gas piping shall submit to the Board:

1. A completed application for certification;
2. Two affidavits attesting to the applicant’s good moral character;
3. Evidence that the applicant has met the qualifications of (a) above;

4. Evidence that the applicant has successfully completed 20 hours of classroom training related to the performance of brazing duties required to install, improve, repair or maintain medical gas piping taught by an instructor certified pursuant to N.J.A.C. 13:32-7.5, including 10 hours in practical, hands-on experience in brazing;

5. Evidence that the applicant has passed the examination requirements of (c) below; and

6. The application fee and initial certification fee pursuant to N.J.A.C. 13:32-5.1.

(c) To qualify for certification, an applicant shall either:

1. Successfully pass the NITC Brazing Processes; or
2. Successfully pass a brazer examination offered by the AWS and successfully complete a training program in brazing of medical gas piping approved by a major medical gas producer.

13:32-7.5 Certification of medical gas piping instructors

(a) To be eligible for certification as a medical gas piping instructor an applicant shall be either:

1. A licensed master plumber in New Jersey;
2. A journeyman plumber who has successfully completed an apprenticeship program accredited by the United States Department of Labor;
3. A steam fitter or pipe fitter employed by a plumbing contractor;
4. An individual who has engaged in the practice of installing medical gas piping for the past five years; or
5. An individual who holds certification from NFPA for the past five years.

(b) An applicant for certification as a medical gas piping instructor shall submit to the Board:

1. A completed application for certification;
2. Evidence that the applicant has met the qualifications of (a) above;
3. Evidence that the applicant has successfully completed a 40-hour course that covers the January 19, 2004 ASSE Series 6050 Professional Qualifications Standards for Medical Gas Systems Instructors, incorporated herein by reference, as amended and supplemented, published by the ASSE, 901 Canterbury Road, Suite A, Westlake, OH, 44145;
4. Evidence that the applicant has passed the examination requirements of (c) below; and
5. The application fee and initial certification fee pursuant to N.J.A.C. 13:32-5.1.

(c) To qualify for certification, an applicant shall:

1. Successfully pass the NITC Medical Gas Instructor examination; or

2. Successfully pass a brazer examination offered by the AWS and a training program in instructional training approved by a major medical gas producer.

13:32-7.5A Credit towards certification for education, training and experience received while serving as a member of the Armed Forces

(a) An applicant who has served in the Armed Forces of the United States (Armed Forces) and who does not meet all of the training, education, and experience requirements for certification under N.J.A.C. 13:32-7.3, 7.4, or 7.5 may apply to the Board for recognition of the applicant's training, education, or experience received while serving as a member of the Armed Forces, which the Board shall consider, together with any training, education, and experience obtained outside of the Armed Forces, for determining substantial equivalence to the training, education, and experience required for certification.

(b) The Board shall issue a certificate to the applicant, if the applicant presents evidence to the Board that:

1. The applicant has been honorably discharged from active military service;

2. The relevant training, education, and experience the applicant received in the military, together with any training, education, and experience obtained outside of the Armed Forces, is substantially equivalent in scope and character to the training, education, and experience required for certification under N.J.A.C. 13:32-7.3, 7.4, or 7.5.

i. An applicant seeking credit for military training and experience shall submit to the Board the applicant's Verification of Military Experience and Training (VMET) Document, DD Form 2586.

ii. An applicant seeking credit for education courses and/or training completed while in the military shall submit to the Board a Joint Services Transcript of his or her education/training for a determination that the education courses and/or training completed are substantially equivalent in level, scope, and intent to the program required for certification under N.J.A.C. 13:32-7.3, 7.4, or 7.5. For the purpose of determining substantial equivalence of the applicant's military education and/or training, the Board shall consider only those education courses and/or training relevant to the practice of installing or brazing medical gas piping, or acting as a medical gas piping instructor, that have been evaluated by the American Council on Education for substantial equivalence to civilian medical gas piping education; and

3. The applicant complies with all other requirements for certification, including successful completion of certification examination.

(c) It is the applicant's responsibility to provide timely and complete evidence of the training, education, and experience gained in the military for review and consideration.

(d) If the applicant's military training, education, and experience, or a portion thereof, is not deemed to be substantially equivalent to that required for certification, the Board shall credit whatever portion of the military training, education, and experience that is substantially equivalent towards meeting the requirements under N.J.A.C. 13:32-7.3, 7.4, or 7.5 for the issuance of the certificate.

(e) Satisfactory evidence of such training, education, and experience shall be assessed on a case-by-case basis.

New Rule, R.2015 d.071, effective May 4, 2015.
See: 46 N.J.R. 2320(a), 47 N.J.R. 901(b).

13:32-7.6 Certification for individuals engaged in practice prior to January 7, 2004

(a) An applicant who applies prior to May 7, 2009 and who has engaged in the installation, improvement, repair or maintenance of medical gas piping since at least January 7, 2001, shall be eligible for certification if he or she meets the requirements of N.J.A.C. 13:32-7.3(c).

(b) An applicant who applies prior to May 7, 2009 and who has engaged in brazing incidental to the installation, improvement, repair or maintenance of medical gas piping since at least January 7, 2001, shall be eligible for certification if he or she meets the requirements of N.J.A.C. 13:37-7.4(c).

13:32-7.7 Renewal of certificates

(a) Certificates for instructors and installers shall be renewed triennially on a form provided by the Board. Certificates to perform only brazing incidental to installation of medical gas piping shall be renewed annually on a form provided by the Board.

(b) The Board shall send a notice of renewal to each certificiant at least 60 days prior to the expiration of the certificate. The notice of renewal shall explain inactive renewal and advise the certificiant of the option to renew as inactive. If the notice to renew is not sent 60 days prior to the expiration date, no monetary penalty or fines shall apply to the holder for any failure to renew provided that the certificate is renewed within 60 days from the date the notice is sent or within 30 days following the date of certificate expiration, whichever is later.

(c) Certificants shall submit the renewal application and pay the renewal fee pursuant to N.J.A.C. 13:32-5.1 prior to the date of expiration of the certificate.

(d) A certificiant may renew his or her certificate by choosing inactive status. A certificiant with an inactive certificate shall not practice, or hold himself or herself out as eligible to practice, in New Jersey until such time as the certificate is returned to active status.

(e) If a certificiant does not renew the certificate prior to its expiration date, the certificiant may renew the certificate within 30 days of its expiration by submitting a renewal application, a renewal fee, and a late fee as set forth in N.J.A.C. 13:32-5.1. During this 30-day period, the certificate shall be valid and the certificiant shall not be deemed practicing without a certificate.

(f) A certificiant who fails to submit a renewal application within 30 days of certificate expiration shall have his or her certificate suspended without a hearing.

(g) A person who continues to practice or hold himself or herself out as a certificiant after being suspended pursuant to (f) above shall be deemed to have engaged in uncertified practice pursuant to N.J.S.A. 45:14C-28 and shall be subject to action consistent with N.J.S.A. 45:1-14 et seq., even if no notice of suspension has been provided to the person.

Amended by R.2008 d.260, effective September 2, 2008.
See: 40 N.J.R. 1607(a), 40 N.J.R. 5045(b).

In (d) and the introductory paragraphs of (e) and (f), inserted "pursuant to (c) above".

Amended by R.2016 d.147, effective November 7, 2016.
See: 48 N.J.R. 112(a), 48 N.J.R. 2371(b).

Rewrote the section.

13:32-7.8 Certificate reactivation

(a) A certificiant who holds an inactive certificate pursuant to N.J.A.C. 13:32-7.7(d) may apply to the Board for reactivation of the inactive certificate. A certificiant seeking reactivation of an inactive certificate shall submit:

1. A renewal application;
2. A certification of employment listing each job held during the period the certificate was inactive, which includes the names, addresses, and telephone number of each employer; and
3. The renewal fee for the period for which reactivation is sought as set forth in N.J.A.C. 13:32-5.1.

(b) If a Board review of an application establishes a basis for concluding that there may be practice deficiencies in need of remediation prior to reactivation, the Board may require the applicant to submit to, and successfully pass, an examination or an assessment of skills, a refresher course, or other requirements as determined by the Board prior to reactivation of the certificate. If that examination or assessment identifies deficiencies or educational needs, the Board may require the applicant as a condition of reactivation of certification to take and successfully complete education or training, or to submit to supervision, monitoring, or limitations, as the Board determines are necessary to assure that the applicant practices with reasonable skill and safety. The Board may restore the certificate subject to the applicant's completion of training within a period of time prescribed by the Board following the restoration of the certificate. In making its determination whether there are practice deficiencies requiring remediation, the Board shall consider the following non-exhaustive issues:

1. Length of time the certificate was inactive;
2. Employment history;
3. Professional history;
4. Disciplinary history and any action taken against the applicant's certificate by any professional or occupational board;
5. Actions affecting the applicant's privileges taken by any institution, organization, or employer related to practice as an instructor, installer, or individual who performs only brazing incidental to the installation of medical gas piping, or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction;
6. Pending proceedings against a professional or occupational certificate issued to the applicant by a professional or occupational board in New Jersey, any other state, the District of Columbia, or in any other jurisdiction; and
7. Civil litigation related to practice as an instructor, installer, or brazer, or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction.

New Rule, R.2016 d.147, effective November 7, 2016.
See: 48 N.J.R. 112(a), 48 N.J.R. 2371(b).

13:32-7.9 Certificate reinstatement

(a) A person who has had his or her certificate suspended pursuant to N.J.A.C. 13:32-7.7(f) may apply to the Board for reinstatement. A person applying for reinstatement shall submit:

1. A reinstatement application;
2. A certification of employment listing each job held during the period of suspended certificate, which includes the names, addresses, and telephone number of each employer;
3. The renewal fee set forth in N.J.A.C. 13:32-5.1 for the biennial period for which reinstatement is sought;
4. The past due renewal fee for the biennial period immediately preceding the renewal period for which reinstatement is sought; and
5. The reinstatement fee set forth in N.J.A.C. 13:32-5.1.

(b) If a Board review of an application establishes a basis for concluding that there may be practice deficiencies in need of remediation prior to reinstatement, the Board may require the applicant to submit to, and successfully pass, an examination or an assessment of skills, a refresher course, or other requirements as determined by the Board prior to reinstatement of the certificate. If that examination or assessment identifies deficiencies or educational needs, the Board may require the applicant as a condition of reinstatement of certification to take and successfully complete education or training, or to submit to supervision, monitoring, or limitations, as the Board determines are necessary to assure that the applicant practices with reasonable skill and safety. The Board may restore the certificate subject to the applicant's completion of training within a period of time prescribed by the Board following the restoration of the certificate. In making its determination whether there are practice deficiencies requiring remediation, the Board shall consider the following non-exhaustive issues:

1. Length of time the certificate was suspended;
2. Employment history;
3. Professional history;
4. Disciplinary history and any action taken against the applicant's certificate by any professional or occupational board;
5. Actions affecting the applicant's privileges taken by any institution, organization, or employer related to practice as an instructor, installer, or individual who performs only brazing incidental to the installation of medical gas piping, or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction;
6. Pending proceedings against a professional or occupational certificate issued to the certificant by a professional or occupational board in New Jersey, any other state, the District of Columbia, or in any other jurisdiction; and
7. Civil litigation related to practice as an instructor, installer, or brazer, or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction.

New Rule, R.2016 d.147, effective November 7, 2016.
See: 48 N.J.R. 112(a), 48 N.J.R. 2371(b).