

13. Discussion and possible action on matters from the Executive Director.

A. Report on decisions of the Executive Director in contested cases and consent orders.

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B. Status of division functions.

Overview and Executive Office Activities

All agency functional areas began the new fiscal year with full schedules and workloads. Recent Executive Office activities of note include:

- ❖ Activities in preparation for the upcoming 2015 legislative session:
 - September 3rd: The executive office met with the Governor's liaison on September 3rd in preparation for the **joint budget hearing**.
 - September 4th: The Executive Director, Financial Services Manager, and Presiding Officer of the Commission attended the agency's **joint budget hearing**. Also in attendance were representatives from the Governor's Office, Lt. Governor's Office, Speaker of the House, Senate Finance Committee, House Appropriations Committee, the Legislative Budget Board, and Rep. Ron Simmons' Office.
 - October 15th: The Executive Director attended an **Urban Affairs Committee** meeting to serve as an information resource as needed.

- ❖ The **TCFP Administrative Attachment Study** team completed its analysis of data gathered during the study, and drafted its report in Late November. (The final report was completed and distributed in December.)

- ❖ Conferences:
 - The Executive Director conducted presentations at –
 - **Fire Instructors' Association of North Texas**, Grapevine, October 1st
 - **The Fire Chiefs' Academy**, Garland, October 6th
 - **The State Fire Marshals' Conference**, Austin, October 24th

- ❖ October 7th – 8th: Members of staff and several Commissioners attended **NFPA 1970/1851 Technical Committee** meetings in San Antonio. At issue for the agency was how it is currently managing requirements for departments to provide personnel with structure and/or proximity fire fighting protective equipment.

- ❖ The Commission's Presiding Officer directed the establishment of a **Structure/Proximity PPE work group** to discuss and provide recommendations regarding the agency's management of protective clothing requirements. The work group met on November 13th, and established recommendations to be presented to the Commissioners at their January meeting. Members of the work group included: Steve Tull, Robert Moore, Jim Reidy, Mike Wisko, Jessie Gentry (DFW Airport), Ron Krusleski (Houston Fire Dept), Paul Maldonado, and Tim Rutland.

- ❖ Other activities:
 - The Executive Director participated on the committee to determine award and distribution of **Hazardous Materials Emergency Preparedness (HMEP)** grant funds to Texas fire departments.
 - The Executive Director attended the annual **TIFMAS stakeholders' meeting** in College Station on October 23rd.

Certification, Renewal and Curriculum 1st Quarter Report, FY 2015

Certification/Renewal

- 2,118 certificates issued
- 1075 IFSAC seals issued
- 255 training facilities holding 1,470 active certifications
- 3,302 active individual certificate holders
- 29,656 certificate holders renewed
- 30 training facilities renewed
- 24 training facility certificates issued to 12 different entities

Other Activities:

- The continuing education audit program was on hiatus while the renewal of all certified personnel was being processed. We starting the program with the goal of auditing 50% of the individual certificate holders. There were 592 individuals audited in the 4rd qtr with a total of 1,390 audits completed so far this year.
- Prepared & notified all certified training facilities of upcoming renewal expiration date and the requirements.
- Amended HOD rules and presented to Advisory committee at December Meeting

Curriculum Development

Meetings

9/25/14 – FF Advisory Committee – discussed rule changes related to new levels of certification for Head of Department

10/6 - 10/7/14 – Hazmat Ad Hoc committee

10/8 - 10/10/14 – Curriculum and Testing Committee

10/16/14 – Commission: did not adopt suggested rule changes related to new levels of certification for Head of Department; approved some minor updates to all four Fire Officer reference lists

Committees

- **Hazmat Ad Hoc committee** – Committee met in October to finalize the updates to all levels of hazmat certification offered by the TCFP. The updated curricula will be reviewed by the commission in January of 2015. The tentative effective date for these updates is June 1, 2015. The committee has now begun the review of all hazmat test questions:
 - Awareness
 - Operations
 - Operations – Mission Specific Competencies
 - Technician
 - HM Incident Commander
- **Curriculum and Testing Committee**
 - Reviewed and approved curriculum updates to all hazmat levels
 - Reviewed the changes to NFPA 1031 (2014 Edition) and determined that an ad hoc committee would be formed in 2015 to update the Inspector I, II and Plans Examiner I curricula. (These curricula must be updated by June of 2016.)
 - Reviewed new test question banks created for Fire Officer I and II
- **Head Of Department** – proposed rules were submitted by the ad hoc committee to the FF Advisory Committee and were approved, but were not approved by the commission. The commission sent the rules back to the ad hoc committee for further review and adjustments.
- **Investigator** – no meetings were scheduled during this time, however committee members worked independently on updating test questions for a new test bank.

Test Development and Test Bank Maintenance

- Created 147 monthly certification exams.
- Continued regular review of test questions as required.
- Began updating several test question banks to new NFPA standard editions, new textbook editions, and/or new curricula becoming effective in 2015:
 1. Fire Officer I, II, III and IV
 2. Investigator
 3. Driver/Operator

Compliance Report for First Quarter FY 2015

Compliance Officer Position Vacancy

- Rick Wallace is the new Region 2, West Texas Plains Compliance Officer working out of Abilene. He started his fire service career with the Forest Hill Fire Department later moved to the Keller Fire Department then to the Lewisville Fire Department. After 25 years he retired. He had a short stint with TCFP then became the Fire Academy Coordinator for Weatherford College before becoming the Region 2 Compliance Officer. Rick has a Fire Science degree from Tarrant County College and is working towards his masters in Occupational Safety and Health from Columbia Southern University.

Large Department Inspections

- The Compliance officers working as a team successfully completed two large department inspections during this quarter. The 2014 Fort Worth Fire Department inspection file is closed and the 2014 Austin Fire Department biennial inspections file is tentatively closed pending the Commissioner's decision regarding the Proximity PPE related to NFPA 1851 requirements.

Training

- Each agency program area staff assisted with training the new compliance officer by providing program specific orientation and instruction. The Regional Compliance Officers provided Compliance program specific instruction to the new employee then he completed ride outs with Regional offices to learn the fire department inspection processes.

October NFPA 1851 Committee Meeting in San Antonio

- The Compliance Manager & Region 7 Compliance Officer accompanied the Executive Director in attendance at a NFPA 1851 Committee meeting. The agency staff attended with a particular interest in issues surrounding the risk assessment required for the selection of structural and proximity fire fighters ensembles. Agency staff also benefited by gaining familiarity with the processes and procedures employed by NFPA in the development of the standards adopted by the Commission and enforced by the agency.

Miscellaneous

- The Compliance Manager participated in the Structure and Proximity PPE Work Group meeting in preparation for discussion with the Commissioners at the next quarterly meeting.
- The Compliance Manager assisted with the drafting of revision recommendations to TAC 445, Administrative Inspections and Penalties for the purpose of streamlining and consistency of the processes used for enforcement.

**Commission Report
First Quarter FY 2015**

Training Approval and Testing Section

- **Test Administration, Training Approvals, Record Reviews, and Training and Skill Testing Audits Statistics – 1st Quarter, FY 2015**
 - Test Administration – 1777 exams were administered during this quarter with an average grade of 81.09% and a pass rate of 89.03%.
 - Training Approvals – Total of 202 training approvals were submitted during this quarter in the commission’s Training Facility Management System.
 - Record Reviews – Eighty-one (81) record reviews for equivalency were conducted (Twenty one paid) and 399 test packets were distributed in the 1st quarter. Eighty-two (82) Qual #s were issued in the Training Facility Management System.
 - Training and Skill Testing Audits –
 - Thirty (38) onsite training, record, and skill audits were conducted during this quarter. Three (3) deficiencies were found. The deficiencies identified dealt with incomplete records and failure to submit deviations as required. All deficiencies have been addressed.
 - Seventy-two (72) online training audits were conducted in which a few minor deficiencies were identified. These deficiencies dealt with expired passwords for online access and were quickly resolved.

- **Activities for the Next Quarter**
 - Continue to work with IT staff on the online test scheduling procedures, payment processes, and web-based testing project.
 - Continue working in conjunction with the Compliance Officers to focus on conducting more on-site training, record, and skill audits within their respective regions. The transition of the issuance of new training facilities certifications to the Training Approval and Testing Section has been completed.

FY 2015 Injury Reporting Program

	1Q	2Q	3Q	4Q	Totals
Reported Injuries	889				889
Burns	29				29
SOP-related*	9				9
Environmental-related	34				34

*Injuries involving SOP violations

<i>Publications/postings</i>					
AvoidInjury! blog posts	4				4

FY 2015 Library Program

	1Q	2Q	3Q	4Q	Totals
<i>Items loaned</i>					
AV items	71				71
Print items	14				14
<i>Research and reference requests</i>					
Internal	3				3
External	26				26
New library borrowers (new users)	8				8
Responses to borrower follow-up surveys	11				11
<i>Items cataloged</i>					
AV items	4				4
Print items	0				0
Desk copy items ordered and processed	3				3
<i>Publications/postings</i>					
Library newsletter	3				3

FY 2015 Other Public Information and Outreach Activities

	1Q	2Q	3Q	4Q	Totals
Fire department job postings	134				134
Number of departments requesting postings	122				122
Website home page articles	3				3
Facebook posts	20				20
Twitter "tweets"	25				25
Open records requests	10				10

13. Discussion and possible action on matters from the Executive Director.

- C. Report regarding discussion with Texas Department of Insurance on transfer of fire protection personnel injury information between the Commission and the Texas Department of Insurance (TDI).**

§ 419.048 Fire Protection Personnel Injury Data; Recommendations to Reduce Injuries

(a) Pursuant to Section 417.004, the commission and the commissioner of insurance as necessary to allow the agencies to perform their statutory duties, shall transfer information between the two agencies, including injury information from the Texas Fire Incident Reporting System and workers' compensation data showing claims filed by fire protection personnel.

(b) Personally identifiable information received by the commission under this section relating to injured fire protection personnel is confidential. The commission may not release, and a person may not gain access to, any information that could reasonably be expected to reveal the identity of injured fire protection personnel.

(c) The commission shall evaluate information and data on fire protection personnel injuries and develop recommendations for reducing fire protection personnel injuries. The commission shall forward the recommendations to the state fire marshal not later than September 1 of each year for inclusion in the annual report required by Section 417.0075.

(d) The commission shall establish criteria for evaluating fire protection personnel injury information to determine the nature of injuries that the commission should investigate. Based on these investigations, the commission shall identify fire departments in need of assistance in reducing injuries and may provide assistance to those fire departments.