

The New Mexico Construction Industries Commission approved for adoption by the Construction Industries Division of the Regulation and Licensing Department at its September 18, 2019 meeting, the decision to repeal its rule 14.9.5 NMAC, Medical Gas Installation and Certification and replace it with 14.9.5 NMAC, Medical Gas and Vacuum System Installation and Professional Qualifications Standards, approved for adoption on September 19, 2019 and effective November 15, 2019. The Construction Industries Division adopts as of September 18, 2019, the repeal and replacement effective November 15, 2019.

TITLE 14 HOUSING AND CONSTRUCTION
CHAPTER 9 MECHANICAL CODES
PART 5 MEDICAL GAS AND VACUUM SYSTEM INSTALLATION AND PROFESSIONAL QUALIFICATIONS STANDARDS

14.9.5.1 ISSUING AGENCY: The Construction Industries Division of the Regulation and Licensing Department.
[14.9.5.1 NMAC - Rp, 14.9.5.1 NMAC, 11/15/2019]

14.9.5.2 SCOPE: This rule shall apply to all individuals installing, altering, repairing, servicing, verifying, inspecting and maintaining medical gas and vacuum systems in Category 1,2 and 3 medical gas and medical vacuum piping systems in health care facilities.
[14.9.5.2 NMAC - Rp, 14.9.5.2 NMAC, 11/15/2019]

14.9.5.3 STATUTORY AUTHORITY: Construction Industries Licensing Act (CILA) Sections 60-13-9 and 60-13-44 NMSA 1978.
[14.9.5.3 NMAC - Rp, 14.9.5.3 NMAC, 11/15/2019]

14.9.5.4 DURATION: Permanent.
[14.9.5.4 NMAC - Rp, 14.9.5.4 NMAC, 11/15/2019]

14.9.5.5 EFFECTIVE DATE: 11/15/2019, unless a later date is cited at the end of a section.
[14.9.5.5 NMAC - Rp, 14.9.5.5 NMAC, 11/15/2019]

14.9.5.6 OBJECTIVE: The objective of 14.9.5 NMAC is to promote the general welfare of the people of New Mexico by providing for the protection of life and property through the adoption and enforcement of the current adopted New Mexico Plumbing Code, 14.8.2 NMAC.
[14.9.5.6 NMAC - Rp, 14.9.5.6 NMAC, 11/15/2019]

14.9.5.7 DEFINITIONS:

- A. "ASME" means American Society of Mechanical Engineering.
- B. "ASSE" means American Society of Sanitary Engineers.
- C. "Direct supervision" means reasonable oversight, inspection and evaluation of the work of a person by constant on the jobsite supervision by a certified journeyman.
- D. "NFPA" means National Fire Protection Association.
- E. "Unregistered apprentice" means a person who, for the purpose of learning a trade of journeyman and is not registered in an apprenticeship program recognized by the New Mexico state apprenticeship council.
- F. "WAGD" means Waste Anesthetic Gas Disposal.

[14.9.5.7 NMAC - Rp, 14.9.5.7 NMAC, 11/15/2019]

14.9.5.8 QUALIFICATION FOR JOURNEYMAN MEDICAL GAS ENDORSEMENT:

- A. Medical gas and vacuum systems installations, alterations, repairs, service and maintenance shall be performed by a properly New Mexico certified journeyman plumber (JP), journeyman gasfitter (JG), journeyman plumber-gasfitter (JPG) or journeyman pipefitter (JPF) who meets the minimum requirements of the ASSE-6010 professional qualification standard for medical gas and vacuum system installers.
- B. A New Mexico journeyman medical gas endorsement may be issued by the division to a properly certified journeyman upon proof of successful completion of a division approved minimum 32-hour medical gas and vacuum systems course that meets the requirements of ASSE 6010.
- C. The minimum 32-hour approved medical gas training course shall consist of two parts: (1) installer training and proctored exam, and (2) a brazing coupon sent to an independent third-party laboratory for testing pursuant to ASSE 6010, and Chapter 13 of the current adopted New Mexico plumbing code.

[14.9.5.8 NMAC - Rp, 14.9.5.8 NMAC, 11/15/2019]

14.9.5.9 [RESERVED]

14.9.5.10 RECERTIFICATION:

A. A journeyman shall take a division approved medical gas and vacuum systems re-certification training course every three years. The journeyman must also be qualified as per section IX of the ASME Boiler and Pressure Vessel Code or AWS B2.2 and maintain the brazing qualifications as per chapter 13 of the current adopted New Mexico Plumbing Code (NMPC), 14.8.2 NMAC.

B. All medical gas and vacuum system recertification courses shall be approved by the division and meet the requirements of ASSE 6010 and chapter 13 of the current adopted NMPC.

C. The approved course shall be a minimum of eight hours and is a prerequisite for the division approved proctored examination. The journeyman shall be able to provide to the division documentary proof of having successfully completed the minimum eight hour approved course.

[14.9.5.10 NMAC - Rp, 14.9.5.10 NMAC, 11/15/2019]

14.9.5.11 APPRENTICES: An apprentice, as that term is defined in CILA Section 60-13-2 NMSA 1978, may work under the direct supervision of a validly certified journeyman, holding a JP, JG, JPG, or JPF and who also holds an active medical gas certification pursuant to this regulation and who is under the employ of a contractor validly licensed with an MM-1, MM-2, MM-4 or an MM-98. Journeyman certifications shall be issued such that the certificates parallel the mechanical and plumbing license classification numbers and scopes. The ratio of certified journeyman to unregistered apprentices must not exceed: (1) one journeyman to two unregistered apprentices on commercial or industrial work, and (2) one journeyman to three unregistered apprentices on residential work.

[14.9.5.11 NMAC - Rp, 14.9.5.11 NMAC, 11/15/2019]

14.9.5.12 STATE AND LOCAL INSPECTOR:

A. State and local building inspectors inspecting medical gas and vacuum piping systems shall be division approved certified plumbing inspectors pursuant to 14.6.5.8 NMAC and shall also meet the requirements of ASSE 6020 professional qualification standard for medical gas and vacuum system inspectors;

B. Re-certification of state and local inspectors inspecting projects containing medical gas and vacuum piping systems shall meet the requirements of ASSE 6020 and shall take a division approved medical gas and vacuum systems re-certification training course every three years.

C. The approved course shall be a minimum of eight hours and is a prerequisite for the division approved proctored examination. The inspector shall provide to the division documentary proof of having successfully completed the minimum eight hour approved course.

[14.9.5.12 NMAC - Rp, 14.9.5.16 NMAC, 11/15/2019]

14.9.5.13 ASSE CERTIFIED VERIFIER:

A. Medical gas and vacuum systems shall be verified by third-party verifiers who meet the requirements of ASSE 6030 professional qualification standard for medical gas and vacuum system verifiers and Chapter 13 of the current adopted NMPC;

B. In addition to these requirements medical gas and vacuum system verifiers may also be required to meet the inspection standards and requirements of the health care facility in which the medical gas and vacuum system is being verified;

C. Medical gas and vacuum system verifiers shall not be, or work for, the installing contractor, design professional or manufacturer or represent an equipment distributor;

D. Re-certification of medical gas and vacuum system verifiers inspecting projects containing medical gas and vacuum systems shall meet the requirements of ASSE 6030.

E. The approved course shall be a minimum of eight hours and is a prerequisite for the division approved proctored examination. The verifier shall provide to the division documentary proof of having successfully completed the minimum eight hour approved course;

[14.9.5.13 NMAC - Rp, 14.9.5.13 NMAC, 11/15/2019]

14.9.5.14 PERMITTING AND INSPECTIONS OF MEDICAL GAS INSTALLATIONS:

A. Permits required for medical gas and vacuum systems shall be pursuant to 14.5.2 NMAC.

B. Plans and document submittals for medical gas and vacuum systems shall be pursuant to 14.5.2.10 NMAC.

C. Inspections for medical gas and vacuum piping systems shall be as follows:

(1) State and local buildings inspectors shall inspect medical gas and vacuum systems pursuant to Chapter 13 of the current adopted NMPC and Subsection E of 14.5.3.9 NMAC.

(2) No state or local building inspector shall issue a final inspection for a medical gas and vacuum system project, without first receiving proper and complete documentation from the medical gas and vacuum system verifier.

(3) If there is a dispute regarding code compliance between a medical gas and vacuum system verifier and a state or local inspector, the mechanical-plumbing bureau chief of the construction industries division shall make the final determination. The mechanical-plumbing bureau chief is the ultimate authority for interpretation of the current New Mexico adopted codes.

[14.9.5.14 NMAC - Rp, 14.9.5.12 NMAC, 11/15/2019]

14.9.5.15 APPLICABLE CODES:

A. All medical gas and vacuum piping systems shall be installed in compliance with Chapter 13 of the current adopted NMPC, NFPA 99, current adopted 14.9.5 NMAC and ASSE 6000.

B. A dental office, as defined in the NFPA 99, that administers piped nitrous oxide, shall comply with the requirements for the WAGD systems as required in the current referenced NFPA 99.

[14.9.5.15 NMAC - Rp, 14.9.14 NMAC, 11/15/2019]

14.9.5.16 FAILURE TO COMPLY WITH CODE STANDARDS OR REQUIREMENTS: All

individuals installing a medical gas and vacuum system shall comply with all applicable codes, standards, rules and regulations adopted by the construction industries division, and shall be subject to possible revocation or suspension of their licenses and certificates of competence, and assessment of an administrative penalty pursuant to the CILA Sections 60-13-23 and 60-13-23.1 NMSA 1978 for failure to comply.

[14.9.5.16 NMAC - Rp, 14.9.5.15 NMAC, 11/15/2019]

HISTORY OF 14.9.5 NMAC:

Pre NMAC History: None.

History of Repeated Material:

14.9.5 NMAC, Medical Gas Installation and Certification (filed 5/8/2007) repealed 11/15/2019.

NMAC History:

14 NMAC 9.5, Medical Gas Installation and Certification (filed 5/15/2000) was also renumbered, reformatted and amended to 14.9.5 NMAC, Medical Gas Installation and Certification, effective 6/6/2007.

14.9.5 NMAC, Medical Gas Installation and Certification (filed 5/8/2007) was replaced by 14.9.5 NMAC, Medical Gas and Vacuum System Installation and Professional Qualifications Standards, effective 11/15/2019.