

Residential Stair Lift Technician Regulations Department's Response to Public Commentary

1. Robert Danek

It is the Department's understanding that not every manufacturer of stair lifts provides product-specific installation training. However, the Commissioner will take under advisement the course you have referenced, and may approve such course pursuant to Section 21a-xxx-2 of the Regulations of Connecticut State Agencies (part of the proposed regulation).

2. Douglas Boydston

It is not standard practice for the Department to require specific liability insurance policies for those holding occupational trade credentials. The Department does not have the resources to track and audit compliance with such a rule. At this time, the Department will not condition the approval of a technician upon meeting any specific insurance requirement.

3. Theodore Zanker, M.D.

This comment was in support of the proposed regulation.

4. Mike Charteris – Stannah Stairlifts, Inc.

This comment was in support of the proposed regulation.

5. Paul Bergantino – Lifeway Mobility

This comment was in support of the proposed regulation.

6. Elevator Installation, Repair and Maintenance Work Examining Board

The Department reviewed these comments with the intent of advancing public health and safety while promoting quality services to consumers. Based upon the feedback received by the Department during the public comment period, it was shown that several populations, including

the disabled and the elderly, benefit from the installation of a stair lift. Limiting the pool of skilled workers capable of installing such systems would be a disservice to the public.

The extensive training requirements to obtain one of the new R-11 or R-12 licenses proposed within this comment stands in contrast to the testimony received from the industry. The comments included the fact that the neighboring states of New York, Massachusetts, New Jersey, Vermont, New Hampshire, and Maine do not have any licensing requirements for the installation of stair lifts. The Department believes that the addition of extensive licensing requirements above what is being required in our proposed regulation is not necessary to protect public safety, especially given that no reports of accidents involving stair lifts were included in any public comments received. The training requirements set forth in the published version of our regulation are deemed by the Department to be sufficient for the protection of public health and safety.

The suggested change limiting installations to single-family dwellings would be a disservice to many who would benefit from using a stair lift, so the current regulation language will remain.

7. Independent Electrical Contractors of New England, Inc./ Andrew Markowski

The change proposed by this comment is the addition of the following to the proposed regulation: “All electrical work shall commence at an outlet, receptacle or connection previously installed by a person holding the proper electrical license.” Said language is redundant, since such protection is already provided under Connecticut law.

QUESTION 1

Name: Danek, Robert
Submission Date: 11/30/2016
Agency: Department of Consumer Protection
Subject: Residential Stair Lift Installers License
Tracking Number: PR2016-057

Regarding the section on requirements, I think the regulation should also allow for "successful completion of a manufacturer's provided training course" as an alternative to the stated training requirements. I spent 4 days training at Acorn's facility in New Jersey specifically on the installation and service of their stairlifts. After this training I was fully prepared to install their lifts and I have successfully installed many of their lifts in New York, which is part of my territory.

QUESTION 2

Name: Boydston, Douglas
Submission Date: 11/30/2016
Agency: Department of Consumer Protection
Subject: Residential Stair Lift Installers License
Tracking Number: PR2016-057

I hold the R-5 License in CT. I am Vice-Chair of ASME A18.1. As I wrote supporting this change, on 2/22/16, I am in favor of this licensing rule change allowing technicians to obtain a license exclusively to install stairway chair lifts in private residence applications.

The only thing you might consider adding is a requirement that the technician be employed by a company with the proper liability insurance to install such equipment and for that certificate to be on file with the State or if self employed to submit to the State their insurance certificates. They would need to be annually updated of course. Companies not operating with adequate liability insurance creates a risk for consumers.

QUESTION 3

From: tzanker@cox.net
Sent: Sunday, December 04, 2016 8:48 PM
To: Washington, Tanya
Cc: Mike_Charteris@stannah.com
Subject: Definition and licensure of residential stirlift work

I am an 80 year old physician residing in Cheshire CT, still vigorous and in part time practice. I am writing in support of this new definition and licensure and I will give you a personal example of why it is so important. On this past Election Day I found myself on the operating table as a patient for emergency surgery which lasted 4 1/2 hours. It all went extremely well and with outstanding nursing care I was deemed ready for discharge that Friday, The reason for that early discharge was because I told my surgeon that I recently had a new stairlift installed for the benefit of my wife who has MS- they didn't want me climbing stairs that soon. When I arrived home, to my surprise and shock, the stairlift was malfunctioning. There ensued frustrated hour of trying to reach a Stannah technician to work the problem through by phone or visit, but to no avail. I finally had to take the risk and climb the stairs on my own. On Monday morning I finally got a callback and the technician was out within two hours to fix it. My first reaction on the weekend was frustration and anger, but as I thought further about it there seemed to be a curious factor- the company was family owned for 5 generations- different from the mega-corporations who care more about spreadsheets rather than customer service. I called the Manager to complain and he advised me that they do in fact routinely make such service calls in MA and RI but that quirks in the CT law impaired their ability to do so and they are working to change those regulations. So here am I writing my support and also wanting to point out that this is not just a decision with little economic risk, but from a physician viewpoint a safety issue. Stairlifts are primarily used by frail elderly and handicapped people and the need for service on a given day can affect not only quality of life but also safety. For example a frail person having to walk up stairs runs the risk if a fall and serious injury. Therefore I urge you to make these necessary changes and compliment you for picking up on this problem and moving toward a change. Theodore Zanker, M.D., Past President, Connecticut State Medical Society.

QUESTION 4

From: Mike Charteris <Mike_Charteris@stannah.com>
 Sent: Wednesday, December 07, 2016 10:15 AM
 To: Washington, Tanya
 Subject: Residential Stairway Chairlift Technician Draft Regulations-Public Act # 16-3

To whom it may concern.

I am writing in support of the Draft Regulation-Public Act. No. 16-3, Residential Stairway Chair Lift Technician. Connecticut is the 7th oldest state in the nation with the 3rd longest-lived constituency (Ref. Commission on Aging). This change will allow more elderly residents in the state to remain in their homes and "Age in Place". In the Report of the Task Force to Study Aging in Place (Special Act 12-6), one of their recommendations on how to improve Home Medical Care Options, was "to update the infrastructure needed to support aging in place" The alternative to a stair lift often requires individuals to move out of their homes, and often time, this means moving into a nursing home. The number of licensed installers cannot meet the demands of Connecticut's aging population. Because there is a lack of installers, and increased wait time for installation, consumers can purchase stair lifts online (in the secondary market) and install it themselves or have it installed by an unlicensed company. Both options pose safety issues. The change in the licensing requirements will help to prevent this situation. Approximately 50,000 stair lifts are installed in the U.S. each year. To date, there are no reported industry safety incidents that Stannah Stairlifts is aware of. (Ref. Stannah Stairlifts). In the Northeast, there are no licensing requirements for stair lift installers in Maine, Vermont, New Hampshire, Massachusetts, New York or New Jersey. The Residential Stairway Chair Lift Technician License will ensure that qualified individuals are available to properly install stair lifts. The license will require the supervised installation of not less than ten new residential installations. The license will also require the completion of a training program that meets all State and Federal law, codes, standards and work site safety requirements of not less than twenty hours. This training program will be approved by the Commissioner of Consumer Protection. There is no need to require an elevator license to install a residential stair lift due to ease of installation. A typical installation takes approximately 3 hours of labor to install properly. It is for these reasons that I am in support of Public Act No 16-3. I believe this will allow the elderly residents in Connecticut to remain in their homes longer and have access to safely installed stair lifts as part of their "Aging in Place".

Sincerely,
 Mike Charteris
 General Manager
 Stannah Stairlifts Inc.

Direct Dial 508-298-0241

Statement of Confidentiality

The information contained in this electronic message may be legally privileged and confidential under applicable law, and is intended only for the use of the individual or entity named above. If the recipient of this message is not the above-named intended recipient, you are hereby notified that any dissemination, copy or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify Stannah Stairlifts, Inc. at (508) 520-7878 and purge the communication immediately without making any copy or distribution.

QUESTION 5

12-04-16

Elevator Installation, Repair and Maintenance Work Examining Board

The granting of occupational trade licenses must be carried out with deliberation and extreme care.

Pursuant to Public Act No. 16-3, An Act Concerning Installers of Residential Stair Lifts, the Elevator Installation, Repair and Maintenance Work Examining Board (Elevator Board), proposes the below listed modifications to the proposed Regulations for the licensing categories of Residential Stair Lift Technician and Residential Stair Lift Contractor.

Our proposed modifications are offered in the spirit of protecting the public health, safety and welfare of Connecticut's citizens and the workers that install, maintain and repair this type of equipment.

The regulatory language proposed by the Elevator Board, will allow the new licensing category to be consistent with Chapter 393, and Title 20: Professional Licensing.

The following is a list of Connecticut General Statutes and Regulations of Connecticut State Agencies, which indicate that a contractor's license is required for all limited occupational licenses:

Statute: Chapter 393 - Sec. 20-338.	Regulations: Title 20 - Sec. 20-332-16. (b)
- Sec. 20-338a.	- Sec. 20-332-16. (d)
- Sec. 20-338b.	- Sec. 20-332-16. (h)
- Sec. 20-338c.	

Presently, all existing limited journeyperson license holders, are required to work under a licensed contractor. It follows logically, that the Residential Stair Lift category should include both a Contractor's License and a Journeyperson's License.

Please include the below language in the final regulation, regarding the occupational trade license categories of Residential Stair Lift Technician and Residential Stair Lift Contractor:

PLEASE NOTE:

Red colored lettering hereinafter, indicates language to be added

State of Connecticut
Regulation of
Department of Consumer Protection
Concerning
Residential Stair Lift Technician

Section 1. The Regulations of Connecticut State Agencies are hereby amended by adding Sections 21a—xxx-1 through to Sections 21a-xxx-3 as follows:

(NEW) Sec. 21a-xxx-1. Definitions

(1) "Apprentice trainee" means any person registered for an area of the trade which is not available through the Connecticut Department of labor, said contractor shall make his request to the appropriate Board prior to the employment of the apprentice (existing language Regulation 20-332-15(f)(3))

(2) "Private residence" means a single family residential dwelling where such residential stair lift is not for general public use.

(3) "Residential stair lift" means an inclined residential stairway chair lift with a fixed in place swivel single seat and its internal components, installed in or at a private single family residence.

(4) "Residential stair lift work" means the installation, repair, replacement, maintenance or alteration of residential stair lifts installed in or at a single family private residence for use on a stairway structure that shall be capable of safely supporting the loads imposed. Notwithstanding the foregoing, residential stair lift work shall not include surface cleaning of the equipment.

(NEW) Sec. 21a-xxx-2. Qualifications to obtain licensure

The minimum training standards shall include, but not be limited to:

- (a. 2,000 hours of On the Job Training (OJT).
- (b. 144 hours of related classroom instruction, which shall include, but not be limited to:
 1. Blueprint Reading for Construction
 2. Electrical Blueprint Reading
 3. Electrical Theory (Direct Current)
 4. Electrical Theory (Alternating Current)
 5. Stairway Chairlifts – Installation, Maintenance and Repair on all types of hydraulic, mechanical and cable-hauled stairway chairlifts

(i) Limited residential stair lift contractor's license (R-11).

This license shall be known as a residential stair lift contractor's license. The holder of this license may perform only work limited to installation, repair and maintenance work on all equipment as defined in Sec. 20-332-3b. of these regulations. The requirements to qualify for this license examination shall be two (2) years as a properly licensed residential stair lift journeyperson, or equivalent experience and training.

(j) Limited residential stair lift journeypersons license (R-12)

This license shall be known as a residential stair lift journeyperson's license. The holder of this license may perform only work limited to installation, repair and maintenance work on all equipment as defined in Sec. 20-332-3b. of these regulations and only while in the employ of a contractor licensed for such work. The requirements to qualify for this license examination, shall be the completion of a registered apprenticeship program, or equivalent experience and training.

Sec. 20-332-3b. Licensing of residential stair lift contractors and journeymen

Residential stair lift equipment refers to the inclined stairway chairlifts that are designed to transport persons with physical disabilities, designed in compliance with the current edition of the ASME A18.1 Safety Standard for Platform Lifts and Stairway Chairlifts, using hydraulic, mechanical or cable-hauled mechanisms installed in a single family residential facility. The exemption provided in Section 20-340(5) of the Connecticut General Statutes is not applicable to such equipment.

(NEW) Sec. 21a-xxx-3. License Transferability Licenses issued to residential stair lift technicians and residential stair lift contractors shall not be transferable or assignable and the failure to receive a notice of expiration or a renewal application for a license shall not exempt the licensee from the obligation to renew said license.

Statement of Purpose

(A) Pursuant to Public Act 16-3, this proposed new regulation establishes a residential stair lift technician's license.

(B) This regulation defines "residential stair lift work" and provides the guidelines for issuing a residential stair lift technician's license.

(C) This regulation enables the department of Consumer Protection to issue a residential stair lift technician's license

December 7, 2016

Jonathan A. Harris, Commissioner
Department of Consumer Protection
165 Capitol Avenue
Hartford, CT 06106

Dear Commissioner Harris:

I am writing with respect to the new Consumer Protection regulation re: residential stair lift technician licensing. We met last year and I had the opportunity to express my concerns regarding the previous process. The new language is appreciated as it provides much needed clarity and department oversight to the process. This change will now allow us to hire installers to accommodate the growing need in CT as our elderly population continues to grow.

Thank you for your decisive action to address this issue.

Regards,



Paul Bergantino
President
paul@lifewaymobility.com
860.292.1111 ext 106

QUESTION 7



An independent
family business
since 1867

Stannah

December 7, 2016

Jonathan A. Harris, Commissioner
Dept. of Consumer Protection, Room 103
State Office Bldg.
165 Capitol Avenue
Hartford, CT 06106

RECEIVED

DEC 12 2016

DEPT OF CONSUMER PROTECTION
OFFICE OF THE COMMISSIONER

Dear Mr. Harris,

I am writing in support of the Draft Regulation-Public Act. No. 16-3, Residential Stairway Chair Lift Technician. Connecticut is the 7th oldest state in the nation with the 3rd longest-lived constituency (Ref. Commission on Aging). This change will allow more elderly residents in the state to remain in their homes and "Age in Place". In the Report of the Task Force to Study Aging in Place (Special Act 12-6), one of their recommendations on how to improve Home Medical Care Options, was "to update the infrastructure needed to support aging in place" The alternative to a stair lift often requires individuals to move out of their homes, and often time, this means moving into a nursing home.

The number of licensed installers cannot meet the demands of Connecticut's aging population. Because there is a lack of installers, and increased wait time for installation, consumers can purchase stair lifts online (in the secondary market) and install it themselves or have it installed by an unlicensed company. Both options pose safety issues. The change in the licensing requirements will help to prevent this situation.

Approximately 50,000 stair lifts are installed in the U.S. each year. To date, there are no reported industry safety incidents that Stannah Stairlifts is aware of. (Ref. Stannah Stairlifts). In the Northeast, there are no licensing requirements for stair lift installers in Maine, Vermont, New Hampshire, Massachusetts, New York or New Jersey.

Stannah Stairlifts Inc.

20 Liberty Way, Suite A, Franklin, MA 02038-2577

Phone: 508.520.7878 • Fax: 508.520.7883

www.StannahStairlifts.com





- An independent family business since 1867

Stannah

The Residential Stairway Chair Lift Technician License will ensure that qualified individuals are available to properly install stair lifts. The license will require the supervised installation of not less than ten new residential installations. The license will also require the completion of a training program that meets all State and Federal law, codes, standards and work site safety requirements of not less than twenty hours. This training program will be approved by the Commissioner of Consumer Protection. There is no need to require an elevator license to install a residential stair lift due to ease of installation. A typical installation takes approximately 3 hours of labor to install properly.

It is for these reasons that I am in support of Public Act No 16-3. I believe this will allow the elderly residents in Connecticut to remain in their homes longer and have access to safely installed stair lifts as part of their "Aging in Place".

Sincerely,

Michael Charteris
General Manager

Stannah Stairlifts Inc.

20 Liberty Way, Suite A, Franklin, MA 02038-2577

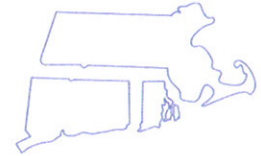
Phone: 508.520.7878 • Fax: 508.520.7883

www.StannahStairlifts.com





Independent Electrical Contractors of New England, Inc.



December 12, 2016

The Hon. Jonathan Harris
Commissioner
Department of Consumer Protection
State of Connecticut
165 Capitol Avenue
Hartford, CT 06106

Via electronic mail: Tanya.Washington@ct.gov

Re: Proposed Regulation Concerning Residential Stair Lift Technician (PR2016-057)

Dear Commissioner Harris:

On behalf of the Independent Electrical Contractors of New England (IEC-NE), I am writing with comments regarding the Department of Consumer Protection's proposed regulation concerning "Residential Stair Lift Technician" (PR2016-057). While IEC-NE does not take a position on the overall intent of the proposed regulation, should the regulation move forward IEC-NE strongly suggests that clarifying language to the effect of the following be added to the regulation, consistent with other statutes and regulations governing limited licenses and technicians:

"All electrical work shall commence at an outlet, receptacle or connection previously installed by a person holding the proper electrical license."

Licensing laws are designed to ensure that individuals performing certain work have the training and skills needed to perform work safely and consistent with state building codes as well as federal and state safety laws, in addition to ensuring that there is not any confusion regarding scopes of work amongst the various licensed trades. Including language as suggested above would help ensure these goals and ultimately protect the consumer as well. Such language should be added, perhaps at the end of subpart (4) of the "Definitions" section of the proposed regulation, in order to most effectively achieve this.

Thank you for your consideration of our comments and suggested language additions should the proposed regulations move forward.

Sincerely,

Cheryl E. Dudus
Executive Director

1800 Silas Deane Highway, Rear Building, Rocky Hill, CT 06067
(860) 563-4953 Fax (860) 529-4265 email: cheryl@iecne.org www.iecne.org