

Regulatory Reminder and Notice of Grace Period

Dear Certified Lead Professionals and Accredited Training Providers,

The California Department of Public Health (CDPH) – Childhood Lead Poisoning Prevention Branch (CLPPB) is providing this notice in response to questions about the timing-related requirements for the lead-related construction certification refresher/continuing education (CE) course for certification renewal. These requirements are imposed by the [California Code of Regulations at Title 17, section 35096, subdivisions \(f\)\(1\) - \(f\)\(2\)](#).

The purpose of this notice is to explain the requirements for certification renewal, and to address the confusion caused by incorrect or inconsistent statements from CDPH in the past related to the rules applicable to individuals who have not taken a refresher training once every two years (i.e., 24 months). CDPH realizes that we created confusion over when a refresher training is required to renew an expired certification, and we recognize that some of you may have relied on an incorrect time period that we gave. We are sending this notice to correct the confusion and to let you know how we are solving this.

CERTIFICATION RENEWAL REQUIREMENTS

1. Refresher Course

The first requirement (Section 35096(f)(1)) addresses refresher course timing. It states that in order to apply for certification renewal, an applicant must take refresher training once every two years (i.e., 24 months). If not, the applicant is not eligible for certification renewal and must apply for a new certification. To do so, an applicant must take the initial training and comply with all other requirements under [Title 17, section 35095](#).

- Example 1: If an applicant's last refresher date is 1/7/20, the 7 hours of CE must be completed by 1/7/22 for them to be eligible to apply for certification renewal. If they complete that CE, then they would be required to complete another 7 units of CE by 1/7/24 to continue to be eligible for certification renewal under Section 35096(f)(1).

2. Initial Training to Renew Expired Certificates

The second requirement (Section 35096(f)(2)) pertains to the certificate expiration date. It requires that an applicant retake the initial training before applying for certification renewal if more than three years have passed since the certification expiration date.

- Example 2: If an applicant had a certificate expire on 1/15/19, and the applicant applies for certification renewal after 1/15/22, the applicant must retake the initial training before submitting the application for certification renewal.

Please note that the two separate refresher course-related requirements imposed by Title 17, section 35096, subdivisions (f)(1) - (f)(2) must both be satisfied by an applicant in order to be eligible for certification renewal.

A third scenario has caused some confusion.

- Example 3: An applicant has a certificate expire on 1/15/19, applies for certification renewal before 1/15/22 (i.e., less than three years have passed since the certification expiration date), and has not taken a refresher training once every two years (i.e., 24 months).

Such an applicant fails to satisfy the continuing education requirement of Section 35096(f)(1) and is not eligible for certification renewal. In order to become certified, the applicant would need to apply for a new certification and satisfy the course-related requirements under [Title 17, section 35082, subdivisions \(a\)-\(d\)](#). That would include taking the initial training again.

GRACE PERIOD

In response to the confusion caused by the scenario in Example 3, CDPH is implementing a grace period for applicants to comply with the requirement in Section 35096(f)(1) to complete the refresher training every two years. Applications for certification renewal under California Code of Regulations, Title 17, section 35095, subdivision (b) will not be denied for failure to complete the refresher training every two years if the applicant satisfies all of the following requirements:

1. The applicant completes the refresher training no later than 14 days prior to the end date of the grace period; and submits the complete certification renewal application no later than 3 days prior to the end date of the grace period.
2. The expiration date for the applicant's current certificate is no later than April 29, 2019.

The grace period shall extend from the date of this notice to the earlier of the following dates:

1. April 29, 2022, or
2. Three years after the expiration date of the applicant's current certificate.

APPLICATION PROCESS

CDPH is in the process of correcting the renewal instructions for individuals with expired certificates in CDPH Form 8553 to make them consistent with the regulations listed above. The current version of the [CDPH Form 8553, Lead-Related Construction Renewal Forms and Instructions](#), is available on the CLPPB website. Once the CDPH Form 8553 is corrected, CDPH will place the new version at that website and require it be used for renewal applications.

Note that paper-based applications for certification renewal (as well as initial certifications) will no longer be accepted as of January 1, 2022. On-line applications will continue to be accepted at [Lead-Related Construction Online Certification](#).

If you have any questions, please contact CLPPB by calling the Lead-Related Construction Information Line at (800) 597-5323.