



An Audit Report on

Certification and Enforcement at the Commission on Fire Protection

- The Commission granted certifications to qualified individuals.
- The Commission did not perform continuing education audits as required.
- The Commission conducted enforcement activities as required, but it should strengthen its documentation of inspections.

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State Auditor

While the Commission on Fire Protection (Commission) granted certifications to qualified individuals, it did not conduct continuing education audits as required for individual certificate holders, and it did not consistently complete or document continuing education audits as part of its inspections of regulated firefighting entities.

The Commission generally ensured that its enforcement activities complied with requirements; however, it should strengthen its documentation requirements for inspections.

- [Background](#) | p. 3
- [Audit Objective](#) | p. 14

This audit was conducted in accordance with Texas Government Code, Sections 321.013 and 321.0132.

LOW



GRANTING OF CERTIFICATIONS

The Commission verified that individuals met the requirements for each initial and higher-level certification.

[Chapter 1-A | p. 5](#)

HIGH



CONTINUING EDUCATION AUDITS

The Commission did not conduct or consistently document continuing education audits, as required.

[Chapter 1-B | p. 6](#)

MEDIUM



ENFORCEMENT

The Commission's enforcement activities, such as inspections, audits, and investigations, generally complied with requirements.

[Chapter 2 | p. 9](#)

For more information about this audit, contact Audit Manager Jennifer Brantley or State Auditor Lisa Collier at 512-936-9500.

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Summary of Management's Response

Auditors made recommendations to address the issues identified during this audit, provided at the end of certain chapters in this report. The Commission agreed with the findings and recommendations in this report.

Ratings Definitions

Auditors used professional judgment and rated the audit findings identified in this report. The issue ratings identified for each chapter were determined based on the degree of risk or effect of the findings in relation to the audit objective(s).

PRIORITY: Issues identified present risks or effects that if not addressed could *critically affect* the audited entity's ability to effectively administer the program(s)/function(s) audited. Immediate action is required to address the noted concern(s) and reduce risks to the audited entity.

HIGH: Issues identified present risks or effects that if not addressed could *substantially affect* the audited entity's ability to effectively administer the program(s)/function(s) audited. Prompt action is essential to address the noted concern(s) and reduce risks to the audited entity.

MEDIUM: Issues identified present risks or effects that if not addressed could *moderately affect* the audited entity's ability to effectively administer the program(s)/function(s) audited. Action is needed to address the noted concern(s) and reduce risks to a more desirable level.

LOW: The audit identified strengths that support the audited entity's ability to administer the program(s)/function(s) audited or the issues identified do not present significant risks *or* effects that would negatively affect the audited entity's ability to effectively administer the program(s)/function(s) audited.

For more on the methodology for issue ratings, see [Report Ratings](#) in Appendix 1.

Background Information



Commission Overview

The mission of the Commission on Fire Protection (Commission) is to aid in the protection of lives and property of Texas citizens through the development and enforcement of professional standards for individuals and fire service organizations. The Commission monitors the safety, training, and credentialing of Texas firefighters and other fire protection personnel.



Certifications

The Commission's Certification Division works to ensure that certificates are provided only to qualified individuals and training facilities. The Certification Division also performs continuing education audits for individuals not employed by a regulated entity and manages the annual certification renewal process for all regulated departments and individuals.

As of February 2025, the Commission offered eight certifications that were required to perform certain duties and nine certifications that were optional. Required certifications include the Structure Firefighter certification that all paid firefighters must have. Additionally, the following certifications are required for designated roles: Aircraft Rescue Firefighter, Marine Firefighter, Arson Investigator, Fire Investigator, Inspector, Instructor, and Head of Department.



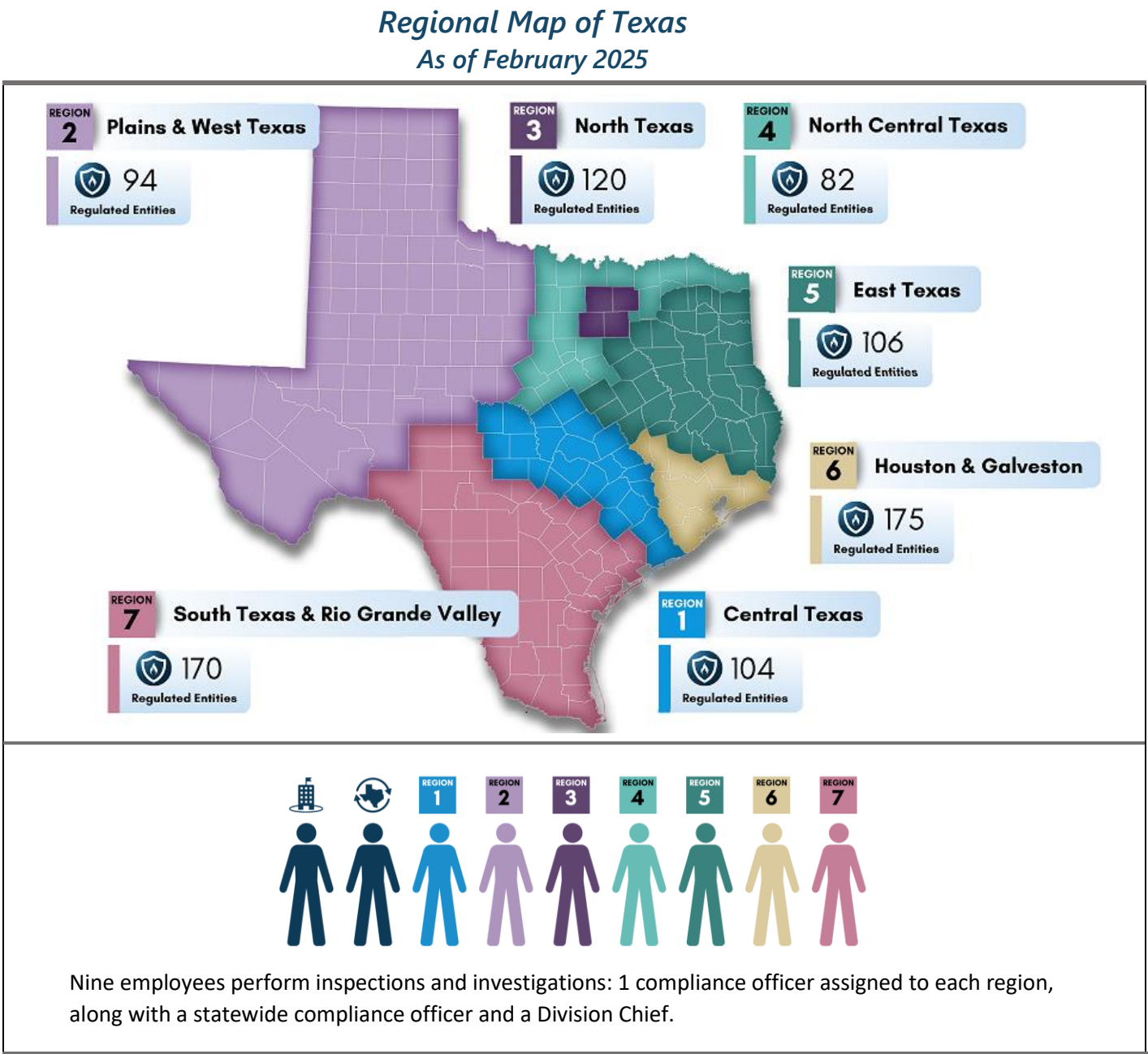
Enforcement

The Commission's Compliance Division enforces state laws and regulations related to the safety of fire protection personnel. It inspects regulated entities to confirm that they comply with requirements. Those inspections include reviewing continuing education records of employees of regulated entities and reviewing the records of courses that regulated training facilities provide.

Additionally, the Compliance Division investigates complaints and injury reports.

The Commission organizes its enforcement activities into seven regions (see Figure 1).

Figure 1



Source: The Commission.



LOW

Chapter 1-A Granting of Certifications



The Commission on Fire Protection (Commission) verified that individuals met applicable requirements before approving each initial and higher-level certification.

Certifications were granted to qualified individuals.

Texas Government Code, Section 419.032, prohibits a fire department from appointing fire protection personnel, except on a temporary or probationary basis, unless they (1) have completed a preparatory program of training in fire protection at a Commission-approved facility and (2) meet the qualifications established by the Commission. Between September 2022 and February 2025, the Commission granted 28,459 new or higher-level required certifications. The Commission verified that fire protection personnel had the required prerequisites for all 16,076 of those certifications that required them.

Fire protection personnel met the applicable qualifications for the 60 active required certifications approved between September 2023 and February 2025 that were tested. Fire protection personnel successfully completed certain training, examinations, and professional development activities, and they had the required amounts of service time.

Management's Response

TCFP Management agrees with the findings outlined in Chapter 1-A - Granting of Certifications. We strive to continue evaluating and updating the curriculums and processes as needed.

HIGH

Chapter 1-B Continuing Education Audits



The Commission did not conduct continuing education audits as required for individual certificate holders and did not consistently complete those audits of certificate holders that worked for regulated entities. Most certificate holders are employees of a regulated entity. (See text box for information about continuing education audit requirements.)

Continuing education is important because it helps provide training and information to firefighting personnel about new tools and techniques and reinforces safe firefighting practices. Not sufficiently verifying compliance with its continuing education requirements decreases the Commission's ability to identify when certificate holders are not obtaining the required number of training hours; having inadequate training could increase the risk of injury to firefighters and the public.

Continuing Education

Texas Administrative Code, Title 37, Section 441.5, requires that individuals the Commission selects for an audit must submit support for training obtained during the prior certification period. In addition, regulated entities are responsible for renewing certifications and certifying compliance with continuing education requirements on behalf of their employees. (Compliance is reviewed during biennial inspections; see Chapter 2).

The Commission did not perform continuing education audits of individual certificate holders as required.

Commission policy¹ requires annual continuing education audits for at least 20 percent of certified individuals not employed by a regulated entity. The Commission conducted continuing education audits for 6.5 percent of individual certificate holders in fiscal year 2023; it suspended those audits in June 2023 to update its methodology and did not resume them until March 2025. The updated methodology may provide better audit coverage than the prior methodology; however, not conducting any audits for 20 months significantly limits the Commission's ability to determine whether the individual certificate holders have obtained adequate training hours.

¹ Texas Government Code, Section 419.032(b), authorizes the Commission to establish rules for the continuing education requirements of firefighters.

The Commission did not consistently review continuing education compliance as required during inspections of regulated entities.

The Commission's policy for inspecting regulated entities requires audits of compliance with continuing education requirements for at least 10 percent of an inspected entity's employees. However, the Commission did not ensure that it met this requirement (see Figure 2). Specifically, of the 94 inspections tested:

- For 21 inspections, the Commission could not provide support showing that any continuing education audits were completed. As discussed in Chapter 2, the Commission did not require compliance officers to maintain documentation for all elements of an inspection.
- For 12 inspections, supporting documentation showed that continuing education audits were completed for fewer than the required number (10 percent) of the entity's employees.²
- For the remaining 61 inspections, the Commission completed the continuing education audits for at least 10 percent of the entity's employees.

Figure 2

Results of Testing Continuing Education (CE) Audits of Employees



² For 6 of the 12 inspections, the Commission's documentation supported that continuing education audits were conducted for at least 8 percent of the employees.

Recommendations

The Commission should:

- Consistently conduct at least the minimum number of continuing education audits of individual certificate holders as required by its policy.
- Develop and implement a process to verify that its compliance officers complete and document the required number of continuing education audits during inspections of regulated entities.

Management's Response

TCFP Management agrees with the findings and recommendations in Chapter 1-B – Continuing Education Audits. It is our opinion that CE needs to provide certificate holders with training on new & improved industry practices and emerging technologies. The individual audits were suspended for twenty months because it was unmanageable. The policy, created in 2005, was established when there were less than 1,000 individuals holding their certifications while not employed. We evaluated the process and established a revised model. This model has not been memorialized in policy because we wanted to experiment and evaluate the results.

We will continue to evaluate this entire policy and practices and will also taking a hard look at the continuing education (CE) requirement overall to identify ways to ensure a more practical and useful process.

Responsible Agency Party: Certification Division Chief

Staff will develop recommendations for our commissioners to consider and make improvements to the Administrative Code accordingly while also updating the internal policy. We anticipate the completion of this implementation before the end of FY26 Q4.

MEDIUM

Chapter 2

Enforcement

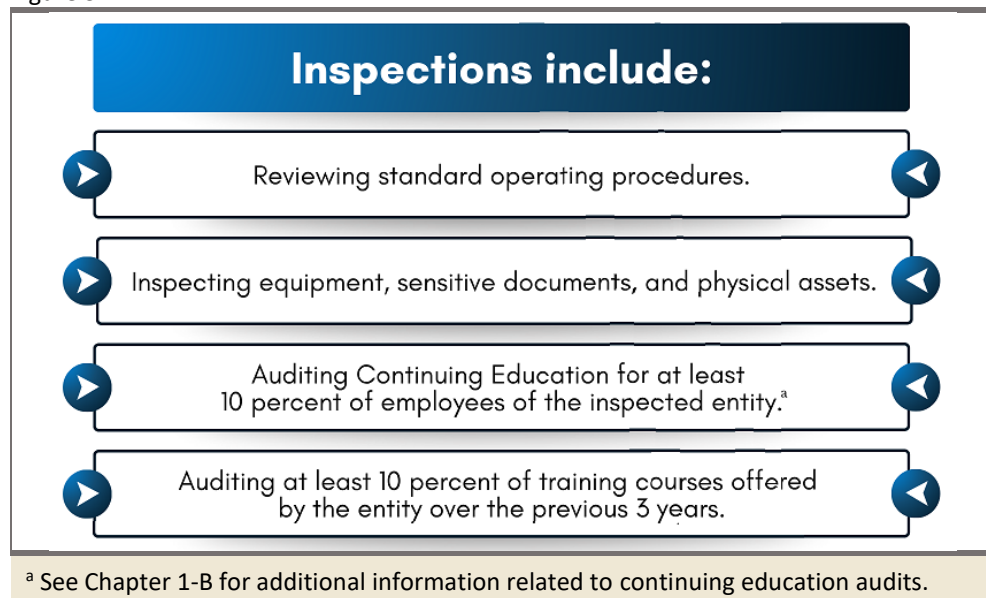


The Commission generally ensured that its enforcement activities, such as inspections, audits, and investigations, complied with requirements. Specifically, for all audits and most investigations tested, the Commission completed all required forms and documents. However, it should strengthen its requirements for documenting inspections.

The Commission inspected facilities as required, but it should strengthen its documentation requirements for inspections.

The Commission is required by Texas Government Code, Section 419.027, to visit and inspect (1) each institution or facility conducting training courses for fire protection personnel and recruits, (2) each fire department, and (3) each local governmental agency providing fire protection (such as arson investigators at police departments or fire marshals) at least biennially to determine if they are complying with statutes and Commission rules. See Figure 3 for more information about the inspections.

Figure 3



Source: The Commission.

From September 2022 through February 2025, the Commission completed the required biennial inspections for 756 (89 percent) of the 851 regulated entities.³ In addition, the compliance officers who conducted inspections were independent from the regulated entity, as required by Commission policy.

However, the Commission did not always have certain documentation that its policy requires to be completed and retained. Specifically, for 29 (30 percent) of the 98 inspections tested that were completed between September 2023 and February 2025, the Commission could not provide one or more of the following four required documents:

- A notice of inspection.
- A signed acknowledgement form.
- A notice of alleged violations.
- A closure letter.

The Commission requires inspectors to upload these documents, except for the notice of inspection, into its Fire Administrative Records Management (FARM) system. However, the Commission did not adequately monitor the FARM system to verify that compliance officers were uploading the documents as required.

Supporting Documentation. Additionally, the Commission did not require that supporting documentation be developed or retained to demonstrate that all required elements of an inspection had been reviewed. For example, the Commission developed a checklist for inspections, but it did not require compliance officers to use or retain that checklist. As a result, the compliance officers were inconsistent in the amount and type of supporting documentation they retained in their files, which limits the Commission's ability to monitor the completeness of the inspections.

In addition, the Commission requires that inspections of training facilities include a review of 10 percent of the training courses that the facility provided during the prior 3 years to monitor whether the training complied with requirements. However, the Commission did not require compliance officers to maintain supporting documentation for those reviews. As a result, 31 (91 percent) of 34 inspections of training facilities tested lacked documentation showing that compliance officers performed those reviews. In addition, for 1 (33 percent) of the 3 inspections that did have supporting documentation, the

³ This was the number of regulated entities as of February 2025.

documentation showed that the compliance officers reviewed less than the required 10 percent of the training courses.

Not requiring sufficient supporting documentation, and not reviewing that documentation when it is available, limits the Commission's ability to determine whether compliance officers are inspecting regulated entities in accordance with requirements. This could result in regulated entities having outdated and unsafe equipment and increase the risk that firefighters are not adequately trained.



The Commission completed and documented audits of online training courses.

In addition to inspections, the Commission conducted audits of online training courses to determine whether they meet requirements. These audits included reviewing course information (such as a syllabus or schedule), accessibility, and instructor information. Between September 2022 and February 2025, the Commission completed audits for 207 online training courses; for the 26 audits between September 2023 and February 2025 that were tested, all required forms and documents were completed.



The Commission conducted investigations as required, but it did not document required reviews and approvals.

The Commission followed requirements for conducting and documenting final reports for 20 (95 percent) of the 21 investigations tested (see text box for more information about investigations). The Commission's policy requires the Compliance Division Chief to review and approve final reports. However, the policy does not require that this review be documented, and none of the 21 investigations had evidence of having been reviewed. Not requiring documentation to show that reports are being reviewed increases the risk of investigations being inappropriately closed.

Investigations

The Commission investigates complaints and injury reports.

Complaints can be submitted through the Commission's website and during inspections, or they can be identified through media reports.

Injury reports made are investigated to (1) identify issues with equipment or entity policies and procedures that could prevent future injuries and (2) identify any trends in specific equipment failures.

Sources: Texas Administrative Code, Title 37, Section 435.19; Texas Government Code, Section 419.048, and the Commission.

The Commission opened an investigation for 46 (24 percent) of the 190 complaints it received between September 2022 and February 2025. For the remaining 144 complaints, the Commission properly closed the complaint without opening an investigation.⁴

Recommendations

The Commission should:

- Develop and implement a process to ensure that required documents are uploaded to the FARM system prior to closing the inspection or investigation.
- Strengthen its inspection and audit processes by:
 - Retaining documentation that its policy requires compliance officers to complete during inspections.
 - Requiring compliance officers to adequately document their inspections, including those of training courses, to support that those inspections covered all requirements.
- Strengthen its investigation processes by requiring that the Compliance Division Chief's review and approval of investigation reports be documented and that documentation be retained.

Management's Response

TCFP Management agrees with the findings and recommendations outlined in the draft report related to Chapter 2 – Enforcement. This has been an area of concern for our management team as well. The current staffing situation creates an unmanageable scenario requiring the Compliance Officers to balance multiple tasks without adequate resources, support and supervision. While I am extremely proud of the Compliance Division employees' continued diligence and commitment, I understand the reality of their situation and submitted LAR requests

⁴ The Compliance Division may not open an investigation if a complaint is outside the Commission's jurisdiction, a duplicate complaint, should be referred to another division within the Commission, or about an individual and not an entity.

that will enable us to correct these issues. Fortunately, the 89th Legislature agreed with our assessment and requests which should enable us to begin improvements on September 1, 2025.

Responsible Agency Party: Compliance Division Chief

Staff will soon begin the planned improvements which start with the creation of an Inspection Section and an Investigations Section within Compliance. Each section will be managed by a Section Chief who will report to and work with the Compliance Division Chief. There will be eight Compliance Officers assigned to Inspections, three assigned to Investigations and two new Admin. Support positions.

The Compliance Division management staff will develop new forms, update existing forms and update reporting processes to meet the recommendations outlined. The anticipated completion of this project is FY26 Q3.



Appendix 1

Objective, Scope, and Methodology

Objective

The objective of this audit was to determine whether the Commission on Fire Protection (Commission) has processes and related controls to ensure that it conducts certification and enforcement functions in accordance with applicable requirements.

Scope

The scope of this audit included active certifications, inspections closed, and investigations closed between September 1, 2022, through February 28, 2025.

The scope also included a review of significant internal control components related to certifications, inspections, investigations, and the information technology systems supporting those activities.

The following members of the State Auditor's staff performed the audit:



- Krista L. Steele, MBA, CPA, CFE, CIA, CGAP (Project Manager)
- Pamela A. Bradley, CPA, CFE (Assistant Project Manager)
- Vanessa Delgado
- Alanna C. Glor
- Cole Hass
- Mikayla Polio
- Robby Webb
- Chase Dierschke, CIA (Data Analyst)
- Robert G. Kiker, CFE, CGAP (Quality Control Reviewer)
- Jennifer D. Brantley, MS, CPA (Audit Manager)

Methodology

We conducted this performance audit from January 2025 through July 2025 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. In addition, during the audit, matters not required to be reported in accordance with *Government Auditing Standards* were communicated to Commission management for consideration.

Addressing the Audit Objective

During the audit, we performed the following:

- Interviewed Commission personnel to gain an understanding of the certification, inspection, and investigation processes.
- Identified the relevant criteria:
 - Texas Government Code, Chapter 419.
 - Texas Administrative Code, Title 37, Part 13.
 - The Commission’s policies and procedures.
- Collected and reviewed documentation for active certifications and for inspections and investigations closed from September 2023 through February 2025, including the testing of:
 - A sample of active required certifications to determine whether all requirements—including those related to training, certification examinations, continuing education, service time, and prerequisite certifications—had been met for initial certifications and renewals.
 - A sample of closed inspections of regulated entities to determine whether the Commission conducted and documented compliance with selected requirements.
 - A sample of the Commission’s audits of online training courses to determine whether it documented the audits and provided results to the training facilities.

- A sample of closed investigations (complaints and injury investigations) to determine whether the Commission followed selected requirements for conducting and documenting the results of investigations.

Auditors selected the nonstatistical samples of certifications, inspections, audits, and investigations primarily through random selection. The sample designs were chosen to ensure that the sample included a cross-section of the populations. In addition to random samples, additional inspections, audits, or investigations were selected for testing based on certain characteristics. The test results for the random and targeted samples were combined, so it would not be appropriate to project to the populations. See Figure 4 for additional details about the samples tested for this audit.

Figure 4

Methodologies, Populations, and Samples Selected

Data Set	Population	Random Sample Size	Targeted Sample Size
Active Certifications	77,353	60	0
Closed Inspections ^a :			
• Fire Departments	585	60	2
• Online Training Providers ^b	123	24	2
• In-person Training Providers	41	8	2
Completed Audits of Online Training Providers ^b	120	24	2
Closed Investigations	167	17	4

^a Inspections closed between September 2023 and February 2025 were stratified between (1) fire departments, which included fire marshals, police departments, local, state and federal agencies; (2) online training providers; and (3) in-person training providers.

^b The Commission inspects the facilities for online training providers, which includes reviewing training courses offered on at least a biennial basis. Additionally, the Commission audits online training providers to ensure compliance with requirements for online courses.

- Performed data analysis on active certifications, completed continuing education audits, and inspections and investigations closed from September 2022 through February 2025 to determine whether:
 - The Commission verified that all certified individuals met prerequisites for certification.
 - The Commission audited compliance with continuing education requirements for at least 20 percent of all certified individuals (those not employed by a regulated fire department) annually.
 - The Commission inspected or audited each regulated entity at least once during the period reviewed.
 - The Commission appropriately assigned and investigated or appropriately closed all complaints received through its website.

Data Reliability and Completeness

For each data set in the Commission's Fire Administration Records Management (FARM) system, auditors (1) performed data analysis, (2) reviewed the queries used to extract data, (3) analyzed the population, and (4) tested samples of active certifications and closed inspections and investigations. In addition, for the population of closed audits of online training providers, auditors tested samples of completed audits.

Auditors determined that the following data sets from September 2022 through February 2025 were sufficiently reliable for the purposes of the audit:

- FARM data.
 - All active certifications.
 - All closed inspections of regulated entities.
 - All closed investigations.
 - All continuing education audits of certified individuals.
 - All complaints received.
- Population of closed audits of online training providers.

Report Ratings

In determining the ratings of audit findings, auditors considered factors such as financial impact; potential failure to meet program/function objectives; noncompliance with state statute(s), rules, regulations, and other requirements or criteria; and the inadequacy of the design and/or operating effectiveness of internal controls. In addition, evidence of potential fraud, waste, or abuse; significant control environment issues; and little to no corrective action for issues previously identified could increase the ratings for audit findings. Auditors also identified and considered other factors when appropriate.



Copies of this report have been distributed to the following:

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The Honorable Dustin Burrows, Speaker of the House, Joint Chair

The Honorable Joan Huffman, Senate Finance Committee

The Honorable Robert Nichols, Member, Texas Senate

The Honorable Greg Bonnen, House Appropriations Committee

The Honorable Morgan Meyer, House Ways and Means Committee

Office of the Governor

The Honorable Greg Abbott, Governor

Commission on Fire Protection

Members of the Commission on Fire Protection

Mr. Michael Wisko, Agency Chief



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