

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

MINUTES

The Board for Professional and Occupational Regulation met on Monday, September 12, 2016, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia.

The following members were present for all or part of the meeting:

Laurence Benenson
Matthew Benka
H. Scott Johnson, Jr. (arrived at 10:20 a.m.)
Martin Mooradian (arrived at 10:20 a.m.)
Waylin Ross
Shelly Simonds

Board members Suzanne Conrad, Eugene Goldman and James Head were not present at the meeting.

The following Board staff was present for all or part of the meeting:

Jay W. DeBoer, JD, Director
Mary Broz-Vaughan, Communications, Legislation & Consumer Education Director
Kathleen (Kate) R. Nobsch, Executive Director
Amy Goobic, Executive Assistant

Joshua Laws, Assistant Attorney General, was present from the office of the Attorney General.

Mr. Benenson called the meeting to order at 10:10 a.m. noting there was not a quorum present, therefore no action items could be addressed on the agenda.

Call to Order

Ms. Nobsch welcomed and introduced new Board member Waylin Ross. Board members and staff introduced themselves. Ms. Nobsch informed the Board that Joshua Laws, Assistant Attorney General, was in attendance as Elizabeth Peay was unable to attend. Ms. Nobsch expressed regrets from Ms. Conrad, Mr. Goldman, Mr. Head and Ms. Peay, as they were unable to attend the meeting.

Welcome & Introduction of New Board Member – Waylin Ross

Ms. Nobsch advised the Board of the emergency evacuation procedures.

Emergency Evacuation Procedures

There were no public comments made to the Board.

Public Comment

Mr. Benenson read the following resolution:

RESOLUTION TO

Patricia O. Kline

**Resolution for Former
Board Member – Pat
Kline**

WHEREAS, Patricia O. Kline, did faithfully and diligently serve as a member of the Board for Professional and Occupational Regulation from 2011 to 2016;

WHEREAS, Patricia O. Kline, did devote generously of her time, talent and leadership to the Board;

WHEREAS, Patricia O. Kline, did endeavor at all times to render decisions with fairness and good judgment in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Board for Professional and Occupational Regulation wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Board for Professional and Occupational Regulation this twelfth day of September 2016, that Patricia O. Kline, be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held by this Board.

The Board recessed from 10:20 a.m. until 10:25 a.m.

Recess

Mr. Johnson and Mr. Mooradian arrived at 10:20 a.m.

**Arrival of Board
Members Johnson and
Mooradian**

Ms. Broz-Vaughan provided a review of the 2016 General Assembly session with regards to DPOR. Ms. Broz-Vaughan explained that as an executive branch agency, DPOR may act as a resource for the General Assembly, as do other executive branch agencies, to provide reliable data, input and analysis on bills that may not be directly related to DPOR. However, as a representative of the Governor, the agency takes “no position” on these bills.

**2016 General Assembly
Session Review – Mary
Broz-Vaughan**

Ms. Broz-Vaughan also reviewed bills introduced in the 2016 session that either directly or indirectly affected DPOR boards and/or licensees. Ms.

Broz-Vaughan discussed home inspectors change from certification to licensure; the addition of language to contractors regulations pertaining to remediation of homes that may have been used as methamphetamine labs; sanctioning of amateur mixed martial arts organizations, providing oversight to the competitors; and exemptions to continuing education requirements for auctioneers and real estate. Ms. Broz-Vaughan also provided information regarding bills introduced in the 2016 session that will carry over and be addressed at the 2017 session after further review and discussion.

Ms. Nosbsich stated that with the arrival of Mr. Johnson and Mr. Mooradian, a quorum was present and action items could be addressed. Mr. Benka moved to approve the agenda. Ms. Simonds seconded the motion which was unanimously approved by members: Benenson, Benka, Johnson, Mooradian, Ross and Simonds.

Approval of Agenda

Ms. Simonds moved to approve the November 16, 2015 minutes. Mr. Benka seconded the motion which was unanimously approved by members: Benenson, Benka, Johnson, Mooradian, Ross and Simonds.

Approval of Minutes

Election of Officers was conducted by Ms. Nosbisch for the 2016-2017 term. Mr. Benka moved to nominate Mr. Benenson as Chair. There being no further nominations, Ms. Simonds seconded the motion which was unanimously approved by members: Benenson, Benka, Johnson, Mooradian, Ross and Simonds. Ms. Simonds moved to nominate Mr. Benka as Vice-Chair. There being no further nominations, Mr. Benenson seconded the motion which was unanimously approved by members: Benenson, Benka, Johnson, Mooradian, Ross and Simonds.

Election of Chair and Vice-Chair

The 2017 tentative meeting dates were presented: March 6, June 12, September 11, and November 13. Mr. Benka moved to approve the dates as presented. Mr. Ross seconded the motion which was unanimously approved by members: Benenson, Benka, Johnson, Mooradian, Ross and Simonds.

2016 Meeting Dates

Board members reviewed the current board guidelines for the evaluation of a petition for regulation of a profession, and a draft of new guidelines, incorporating language from the 2016 General Assembly session HB499 and § 54.1-310.1. Ms. Broz-Vaughan provided back ground information for HB499, and reviewed the changes made to the Board's guidelines. Mr. Benka moved to approve the guidelines as drafted by staff. Mr. Johnson seconded the motion which was unanimously approved by members: Benenson, Benka, Johnson, Mooradian, Ross and Simonds.

Review of Board Guidelines - Evaluation of Petitions for Regulation

Board members were provided a board roster for review. Ms. Nobsch **Other Business** asked that Board members provide any changes or corrections to Ms. Goobic.

Board members were provided board liaison assignments. Ms. Nobsch encouraged Board members to attend meetings of their assigned boards. Mr. Ross will be the liaison for boards formerly assigned to Ms. Kline.

Ms. Simonds provided a brief report on the Board for Branch Pilots meeting she attended in July. Mr. Benka stated that he attended a meeting of the Board for Professional Soil Scientists, Wetland Professionals and Geologists meeting September 1, and Mr. Benenson attended the Wastewater Management Facility Operators meeting December 3, 2015, and the Fair Housing Board meeting December 2, 2015.

Mr. Benka expressed thanks to staff for their hard work for the Board and the agency.

Conflict of Interest forms were completed by all board members present. **Conflict of Interest Forms**

The meeting was adjourned at 11:49 a.m. **Adjourn**

Laurence A. Benenson, Chair

Jay W. DeBoer, JD, Director