

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

MINUTES

The Board for Professional and Occupational Regulation met on Monday, September 18, 2017, 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:

Chika Anyadike
Laurence Benenson
Eugene Goldman
H. Scott Johnson, Jr.
Martin Mooradian
Shelly Simonds

Board members Suzanne Conrad, Ryan O'Toole and Waylin Ross 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, Deputy Director, Communications and Board Operations
Kathleen (Kate) R. Nosbisch, Executive Director
Amy Goobic, Executive Assistant

Elizabeth Peay, Assistant Attorney General, was present from the office of the Attorney General.

Mr. Benenson called the meeting to order at 10:24 a.m.

Call to Order

Ms. Nosbisch welcomed and introduced new board member Chika Anyadike. New board member Ryan O'Toole was unable to attend the meeting. Board members and staff introduced themselves. Ms. Nosbisch expressed regrets from Ms. Conrad, Mr. Ross, and Mr. O'Toole, as they were unable to attend the meeting.

Welcome & Introduction of New Board Members – Chika Anyadike and Ryan O'Toole

Ms. Nosbisch also recognized audience members Tracey Smith and Jordan Paschal from the Joint Legislative Audit and Review Commission (JLARC), and Heather Gillespie, Ombudsman for the Common Interest Community Board.

Mr. Benenson advised the Board of the emergency evacuation procedures.

Emergency Evacuation Procedures

There were no public comments made to the Board.

Public Comment

Ms. Simonds moved to approve the agenda. Mr. Johnson seconded the motion which was unanimously approved by members: Anyadike, Benenson, Goldman, Johnson, Mooradian and Simonds.

Approval of Agenda

Mr. Mooradian moved to approve the September 12, 2016 minutes. Ms. Simonds seconded the motion which was unanimously approved by members: Anyadike, Benenson, Goldman, Johnson, Mooradian and Simonds.

Approval of Minutes

Election of Officers was conducted for the 2017-2018 term. Mr. Goldman moved to nominate Mr. Mooradian as Chair. There being no further nominations, Ms. Simonds seconded the motion which was unanimously approved by members: Anyadike, Benenson, Goldman, Johnson, Mooradian and Simonds. Mr. Mooradian moved to nominate Ms. Simonds as Vice-Chair. There being no further nominations, Mr. Johnson seconded the motion which was unanimously approved by members: Anyadike, Benenson, Goldman, Johnson, Mooradian and Simonds.

Election of Chair and Vice-Chair

Mr. Benenson read the following resolution:

Resolution for Former Board Member - Matthew Benka

**RESOLUTION TO
Matthew D. Benka**

WHEREAS, Matthew D. Benka, did faithfully and diligently serve as a member of the Board for Professional and Occupational Regulation from 2013 to 2017;

WHEREAS, Matthew D. Benka, did devote generously of his time, talent and leadership to the Board;

WHEREAS, Matthew D. Benka, 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 eighteenth day of September 2017, that Matthew D. Benka, be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens; and

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

The 2018 tentative meeting dates were presented: March 12, June 11, September 10, and November 5. Ms. Simonds moved to approve the dates as presented. Mr. Mooradian seconded the motion which was unanimously approved by members: Anyadike, Benenson, Goldman, Johnson, Mooradian and Simonds.

2018 Meeting Dates

Ms. Broz-Vaughan provided a review of the 2017 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.

2017 General Assembly Session Review – Mary Broz-Vaughan

Ms. Broz-Vaughan discussed SB1113, agency requested legislation regarding the option for contractors to post a surety bond in lieu of net worth financial statements. Ms. Broz-Vaughan also provided information on several attempted regulatory reform bills. She explained that several bills were based on ‘model law’ and not on administrative law that governs the agency. In administrative law, the legislature delegates authority to the executive branch. The agency is part of the executive branch.

Ms. Broz-Vaughan also discussed the need for ‘sunrise studies’ by the legislature prior to enacting laws. She provided an example in the passed legislation requiring certification of compressed natural gas fitters. The certification program is under the Board for Contractors. There are zero regulants and no applications have been submitted. Discussion was held on the push for deregulation. Mr. DeBoer commented that the talks on deregulation will continue, however the General Assembly would benefit from discussing with the agency those occupations that could be deregulated. Mr. DeBoer further stated that it would be constructive to have the Board for Professional and Occupational Regulation review occupations for possible certification or licensure.

Board members were provided board liaison assignments. Ms. Nobsbisch encouraged Board members to attend meetings of their assigned boards. Mr. Anyadike will be the liaison for boards formerly assigned to Mr. Benka, Mr. O’Toole will be the liaison for boards formerly assigned to Mr. Head. Ms. Simonds provided a brief report on the Board for Branch Pilots meeting she attended.

Board Liaisons

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


Other Business

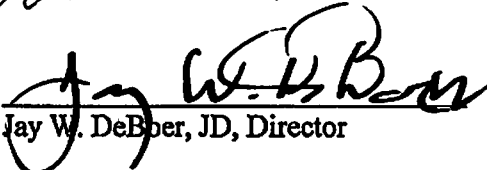
Conflict of Interest forms were completed by all board members present.

Conflict of Interest Forms

The meeting was adjourned at 11:37 a.m.

Adjourn


for Larry Benenson
Laurence A. Benenson, Chair


Jay W. DeBer, JD, Director

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Chika Anyadike
2. Title: Board Member
3. Agency: Board for Professional & Occupational Regulation
4. Meeting/IFF Date: Board Meeting September 18, 2017

5. I have a personal interest in the following transaction:

~~_____~~

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Chika Anyadike
Signature

9/18/2017
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Shelly Simonds
2. Title: Board Member
3. Agency: Board for Professional & Occupational Regulation
4. Meeting/IFF Date: Board Meeting September 18, 2017

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

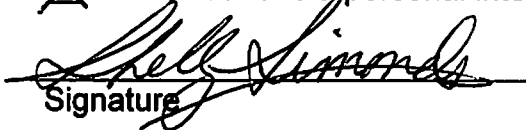
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

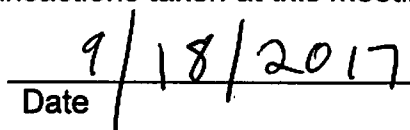
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature


Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Eugene Goldman
2. Title: Board Member
3. Agency: Board for Professional & Occupational Regulation
4. Meeting/IFF Date: Board Meeting September 18, 2017

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Eugene Goldman
Signature

9/18/17
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Martin Mooradian
2. Title: Board Member
3. Agency: Board for Professional & Occupational Regulation
4. Meeting/IFF Date: Board Meeting September 18, 2017

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.



Signature

9/18/17

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Laurence Benenson
2. Title: Board Member
3. Agency: Board for Professional & Occupational Regulation
4. Meeting/IFF Date: Board Meeting September 18, 2017

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

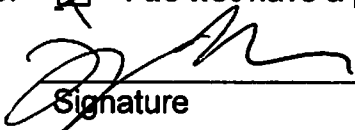
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I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.



Signature

9/18/17

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: H. Scott Johnson, Jr.
2. Title: Board Member
3. Agency: Board for Professional & Occupational Regulation
4. Meeting/IFF Date: Board Meeting September 18, 2017
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

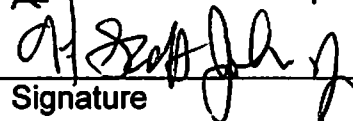
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

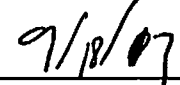
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature


Date