

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

MINUTES

The Board for Professional and Occupational Regulation met on Monday, March 18, 2024, 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:

Larry Benenson
Grace Flores-Hughes
Jemmalyn Hewlett
Alice Kendrick
Gaby Rengifo

Board members Enid Candelaria-Vega, H. Scott Johnson, and Charles Vaughters were not present at the meeting.

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

Kishore Thota, Director
Brian Wolford, Chief Deputy Director
Steve Kirschner, Deputy Director
Joe Haughwout, Regulatory Affairs Manager
Jennifer Sayegh, Policy & Legislative Affairs Manager
Anika Coleman, Executive Director
Marjorie King, Executive Director
Kate Nosbisch, Executive Director
Kelley Smith, Executive Director
Amy Goobic, Executive Assistant

There was no representative present from the Office of the Attorney General.

Ms. Flores-Hughes called the meeting to order at 10:23 a.m.

Call to Order

Mr. Haughwout reviewed the emergency evacuation procedures.

**Emergency Evacuation
Procedures**

Mr. Benenson moved to approve the agenda. Ms. Kendrick seconded the motion which was unanimously approved by members: Benenson, Flores-Hughes, Hewlett, Kendrick, and Rengifo.

Approval of Agenda

Ms. Rengifo moved to approve the November 27, 2023, board meeting minutes. Ms. Kendrick seconded the motion which was unanimously approved by members: Benenson, Flores-Hughes, Hewlett, Kendrick, and Rengifo.

Approval of Minutes

There were no public comments.

Public Comment

Ms. Rengifo reported on her attendance at the Board for Contactors meeting March 12, 2024, Ms. Hewlett reported on her attendance at the Board for Branch Pilots meeting in Norfolk, March, 14, 2024. Ms. Flores-

Board Liaison Reports

Hughes reported on her attendance at the Virginia Board for Asbestos, Lead, and Home Inspectors meeting November 30, 2023, and commented that there was a robust discussion when considering one of the disciplinary cases.

Jennifer Sayegh, Policy and Legislative Affairs Manager, provided an in depth review of the 2024 General Assembly session, focusing on agency bills, and bills pertaining to DPOR programs. Ms. Sayegh informed the Board that the three agency bills passed the General Assembly with amendments.

2024 General Assembly Update

Mr. Kirschner informed the Board that Governor Glenn Youngkin and Secretary of Labor Bryan Slater, made a visit to the agency on March 12, speaking to agency staff, and also meeting with agency leadership. Mr. Kirschner provided the Board with the presentation that was shown to Governor Youngkin and Secretary Slater. Topics covered included:

Update on DPOR Operations

- Regulatory Board Activity
- Update on Agency Objectives and Key Results
- Backlog Reduction
- IT Project: EPICx
- Universal Licensing Recognition

Within the presentation, Mr. Kirschner called attention to the number of licenses issued through the new Universal License Recognition (ULR). Since implemented there have been 300 licenses issued, all without much promotion of the new law. Mr. Kirschner stated that John Robertson, Communications and Digital Media Manager was developing a promotional campaign for ULR, and could provide an update at the next board meeting.

Mr. Haughwout informed the Board the 2024 Board Member Training Conference will be held October 10-11 in Williamsburg.

Board Member Training Conference

The Board received presentations from the agency's regulatory Executive Directors:

Executive Directors

Anika Coleman (Real Estate; Real Estate Appraisers; Cemetery; Fair Housing; and Common Interest Community Board)

Marjorie King (Contractors; Waste Management Facility Operators; Asbestos, Lead and Home Inspectors; Polygraph Examiners; Waterworks, Wastewater Works Operators and Onsite Sewage System Professionals Boards)

Kate Nobsch (Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects; Branch Pilots; Auctioneers; Professional Soil Scientists, Wetland Professionals, and Geologists; and Boxing, Martial Arts, and Professional Wrestling Boards; and Athlete Agents registration)

Kelley Smith (Barbers and Cosmetology; Hearing Aid Specialists and

Opticians Boards).

The Executive Directors provided updates on each of their respective boards including: staffing, call and email stats, back log issues, disciplinary and licensing cases, and outreach opportunities.

The Board recessed from 12:35 pm until 12:45 pm.

Recess

Board members were provided a handout with a legislative proposal for the 2025 General Assembly session regarding the powers and duties of the Board. Mr. Haughwout explained that staff reviewed the current statutory powers and duties of the Board, which include evaluating whether unregulated professions or occupations should be regulated, and the degree of such regulation; and advising the Governor and DPOR Director on matters relating to the regulation of professions and occupations. Mr. Haughwout stated that the review also included comparison to the powers and duties of the Board's sister board within the Department of Health Professions, the Board for Health Professions (BHP). BHP duties and powers allow for BHP to advise on deregulation of professions and occupations.

Request for Legislative Proposal

Mr. Haughwout recommended requesting legislation amending the Board's current powers and duties in § 54.1-310 of the Code of Virginia to (i) authorize the Board to periodically review DPOR-regulated professions and occupations to determine whether these professions and occupations should be regulated at a different level of regulation, or be deregulated; (ii) allow for the Board to advise the Governor, General Assembly, and DPOR Director on the deregulation of professions and occupations; and (iii) authorize the Board to review and comment on the agency budget. Mr. Kirschner commented if any profession was to be considered for regulation or deregulation, staff would review and report to the Board.

Ms. Rengifo moved to approve the legislative proposal. Ms. Kendrick seconded the motion which was unanimously approved by members: Benenson, Flores-Hughes, Hewlett, Kendrick, and Rengifo.

Ms. Flores-Hughes commented on the importance of attending board meetings to ensure a quorum and to conduct Board business. Board members also discussed the process of being appointed to the Board by applying with the Secretary of the Commonwealth's office.

Other Business

Board members signed Conflict of Interest forms and travel vouchers.

Conflict of Interest Forms & Travel Vouchers

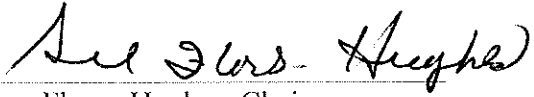
Board members were reminded of the future 2024 meeting dates:

- June 10
- September 16
- December 9

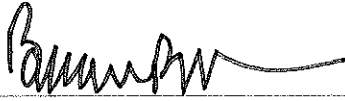
Future Meeting Dates

The meeting was adjourned at 1:06 pm.

Adjourn



Grace Flores-Hughes, Chair



~~Kishore S. Thota, Director~~ Brian Wolford, Director

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

- 1. Name: Grace Flores-Hughes
- 2. Title: Board Member
- 3. Agency: Board for Professional & Occupational Regulation
- 4. Meeting/IFF Date: Board Meeting March 18, 2024

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.

Grace Flores-Hughes
Signature

March 18, 2024
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 March 18, 2024

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

Nature of Personal Interest Affected by Transaction:

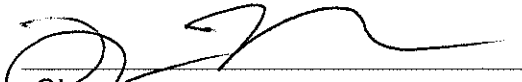
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

3/18/24

Date

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

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

- 1. Name: Gaby Rengifo
- 2. Title: Board Member
- 3. Agency: Board for Professional & Occupational Regulation
- 4. Meeting/IFF Date: Board Meeting March 18, 2024

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

NONE

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

03/18/2024
Date

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

- 1. Name: Jemmalyn Hewlett
- 2. Title: Board Member
- 3. Agency: Board for Professional & Occupational Regulation
- 4. Meeting/IFF Date: Board Meeting March 18, 2024

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

3-18-24

Date

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

- 1. Name: Alice Kendrick
- 2. Title: Board Member
- 3. Agency: Board for Professional & Occupational Regulation
- 4. Meeting/IFF Date: Board Meeting March 18, 2024

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.

Alice Kendrick
Signature

3/18/2024
Date