

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

MINUTES

The Board for Professional and Occupational Regulation met on Monday, September 16, 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:

Sathish Anabathula
Grace Flores-Hughes
Jemmalyn Hewlett
Alice Kendrick
Charles Vaughters

Board members Enid Candelaria-Vega, Fernando Espinoza, H. Scott Johnson, and Gaby Rengifo were not present at the meeting.

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

Brian Wolford, Director
Jeb Wilkinson, Special Assistant to the Director
Steve Kirschner, Deputy Director
Joe Haughwout, Regulatory Affairs Manager
John Robertson, Communications & Digital Media Manager
Amy Goobic, Executive Assistant

Elizabeth Peay, from the Office of the Attorney General, was present.

Ms. Flores-Hughes called the meeting to order at 10:04 a.m.

Call to Order

Mr. Haughwout reviewed the emergency evacuation procedures.

Emergency Evacuation Procedures

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

Approval of Agenda

Mr. Vaughters moved to approve the March 18, 2024, board meeting minutes as amended. Ms. Kendrick seconded the motion which was unanimously approved by members: Anabathula, Flores-Hughes, Hewlett, Kendrick, and Vaughters.

Approval of Minutes

There were no public comments.

Public Comment

Mr. Haughwout welcomed new Board Member Sathish Anabathula, and recognized new DPOR Director Brian Wolford. Board members and staff introduced themselves.

Welcome & Introductions

Mr. Haughwout read the following resolution recognizing former Board member Laurence Benenson for his service to the Board:

Resolution for Laurence Benenson

Resolution to
Laurence Benenson

WHEREAS, Laurence Benenson, did faithfully and diligently serve as a member of the Board for Professional and Occupational Regulation from 2014 to 2024;

WHEREAS, Laurence Benenson, did devote generously of his time, talent and leadership to the Board;

WHEREAS, Laurence Benenson, 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 sixteenth day of September 2024, that Laurence Benenson, 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.

Ms. Kendrick moved to approve the resolution. Mr. Vaughters seconded the motion which was unanimously approved by members: Anabathula, Flores-Hughes, Hewlett, Kendrick, and Vaughters.

Mr. Haughwout provided a presentation updating the Board on DPOR operations. Mr. Haughwout provided an update on Universal License Recognition; decreased license processing times; ongoing translation efforts for exams and applications to other languages; activity reports for several programs; and the agency's compliance and investigations division. Mr. Haughwout provided an overview of DPOR's new licensing and enforcement software, EPICx, including software capabilities and the project timeline for release. Mr. Haughwout also provided an update on legislation from the 2024 General Assembly session, including agency bills as well as bills that affect DPOR regulants.

**Presentation attached*

Mr. Kirschner provided a presentation updating the Board on the regulatory reduction efforts at DPOR. Mr. Kirschner reported to the Board the process by which DPOR has reviewed and streamlined the

**Update on DPOR
Operations**

**Regulatory Reduction
Update**

regulatory review process. Mr. Kirschner also provided the Board details on the status of DPOR's Executive Directive One regulatory actions, and anticipated reductions in requirements.

**Presentation attached*

Mr. Robertson provided a presentation on DPOR communications, media, and outreach. He reviewed the internal and external communication methods, with regards to the DPOR website and intranet. Mr. Robertson also informed the Board that he handles all media inquiries. He also stated that his position assists in promoting consumer protection and awareness; also informing licensees of regulatory changes and licensure updates.

**Presentation attached*

Mr. Haughwout reminded the Board the 2024 Board Member Training Conference is October 10-11 in Williamsburg. He informed the Board the last day for lodging reservations was September 17.

Mr. Haughwout informed the Board regarding a new standing item for Board member reporting at meetings of the Board. The new item is designed to be an opportunity for each member of the Board to provide reporting to staff and for dialogue. The new item includes board liaison reports, board member recommendations for staff, and issues for the DPOR Director's or Administration's consideration.

Ms. Kendrick reported she attended the Real Estate Board meeting September 5, 2024. Ms. Kendrick stated the Board went into 'closed session' for an extended amount of time, and suggested a waiting room be available for those attending who must leave the room during closed session.

There were no other recommendations or issues reported by board members.

Mr. Wolford and Mr. Wilkinson departed the meeting at 11:25 am.

Mr. Haughwout opened the floor for nominations for Board Chair. Mr. Vaughters moved to nominate Ms. Flores-Hughes as Chair. Ms. Kendrick seconded the motion. There were no other nominations. Ms. Flores-Hughes was unanimously elected by the members: Anabathula, Flores-Hughes, Hewlett, Kendrick, and Vaughters.

Ms. Flores-Hughes moved to nominate Mr. Vaughters as Vice-Chair. Ms. Kendrick seconded the motion. There were no other nominations. Mr. Vaughters was unanimously elected by the members: Anabathula, Flores-Hughes, Hewlett, Kendrick, and Vaughters.

Mr. Haughwout provided Board members with new Board Liaison

Media/Outreach Update

2024 Board Member Training Conference Update

Board Member Reporting

Departure

Election of Officers

Board Liaison Assignments

assignments. He informed the Board that the new assignments would be effective that day, and that he would reach out to the Board sections to advise them of the liaison assignments.

Board members were provided tentative meeting dates for 2025:

- March 17
- June 16
- September 15
- December 8

Ms. Kendrick moved to accept the 2025 meeting dates as presented. Mr. Vaughters seconded the motion which was unanimously approved by members: Anabathula, Flores-Hughes, Hewlett, Kendrick, and Vaughters.

There was no other business.

Board members signed Conflict of Interest forms and travel vouchers.

Board members were reminded of the next 2024 meeting date:

- December 9

The meeting was adjourned at 11:32 pm.

2025 Meeting Dates

Other Business

**Conflict of Interest Forms
& Travel Vouchers**

Future Meeting Dates

Adjourn

Grace Flores-Hughes, Chair

Brian P. Wolford, Director

Department of Professional and Occupational Regulation

Update on Department Operations



September 16, 2024

Licensing and Regulatory Operations

DPOR has worked to implement Universal License Recognition (ULR), which became effective on July 1, 2023.

As of 9/11/24, DPOR has issued the following under ULR:

- 571 Total Licenses or Certifications for 38 Different Types, including
 - 149 Tradesman licenses
 - 106 Cosmetology and Barber licenses
 - 133 Real Estate Salesperson and Broker licenses
 - 33 Waterworks and Wastewater Works Operator licenses

Licensing and Regulatory Operations

DPOR has worked to improve processing time of applications for licenses and certifications; reduce delays and backlogs.

Average processing time from application receipt to issuing of license.

- 2021: 33 days
- 2022: 14 days
- 2023: 10 days
- 2024: 5.3 days

Licensing and Regulatory Operations

Other Board Activities

- 2024 Board Member Training Conference
- Ongoing Translation Efforts
- Remote Proctored Examinations
- Creating Uniformity where appropriate (board policies, regulations, procedures)
- Licensing System Upgrade

Licensing and Regulatory Operations

Status of Regulatory Reviews

- 33 Chapters of Regulations
 - 32 currently under Executive Directive 1 Review
 - 1 chapter review action finalized.
 - 32 comprehensive review/reduction actions underway
- 59 Pending Regulatory Actions on Town Hall (as of 9/3/24)
 - 33 Actions directly from Executive Directive 1
 - 7 Exempt Actions resulting from 2024 legislative changes
 - 4 Fee Actions (Review required every 2 years)
- 17% of all regulatory actions across the state are DPOR actions (out of 100 state agencies).

Compliance and Investigations

Other Activities

- Replaced two section managers due to retirements.
- Two sections –Investigations (CAR) and Common Interest Community Ombudsman (CICO) are moving to become near paperless.
- All teams are ramping up efforts with EPICx to prepare and implement the enforcement module.

Information Systems

- DPOR signed a Statement of Work (SOW) on November 14, 2023, with Tyler Technologies to replace DPOR's aging licensing and enforcement systems.
- This initiative, called EPICx (**E**fficient **P**rocessing, **I**ntuitive **C**ustomer **E**xperience) will streamline the agency's processes with the goal of more efficient license and complaint processing.
- EPICx implementation will provide digital licenses and certificates, eliminating the need to send in paper forms and applications. Customers will have the ability to complete applications online, view education requirements, update information, and access license and certification documentation.

Information Systems

EPICx Key Features and Capabilities

| For New Applicants | For Existing License Holders | For the Public |
|---|--|---|
| <ul style="list-style-type: none"> Ⓞ Apply Online | <ul style="list-style-type: none"> Ⓞ Renew or Reinstate License | <ul style="list-style-type: none"> Ⓞ Submit a Complaint |
| <ul style="list-style-type: none"> Ⓞ Check Education Requirements | <ul style="list-style-type: none"> Ⓞ Update Information | <ul style="list-style-type: none"> Ⓞ Lookup Public Licensee Info |
| <ul style="list-style-type: none"> Ⓞ Check Application Status 24/7 | <ul style="list-style-type: none"> Ⓞ Access a Digital Copy of License | |

Information Systems

EPICx Implementation Timeline

| Wave 1 - March 2025 | Wave 2 – December 2025 |
|---|--|
| <ul style="list-style-type: none"> • Board for Barbers and Cosmetology • Cemetery Board • Fair Housing Board • Board for Hearing Aid Specialists & Opticians • Real Estate Board • Real Estate Appraiser Board • Compliance and Investigation Division | <ul style="list-style-type: none"> • Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects • Board for Asbestos, Lead, and Home Inspectors • Auctioneers Board • Boxing, Martial Arts, and Professional Wrestling Advisory Board • Athlete Agent Advisory Board • Board for Branch Pilots • Common Interest Community Board • Board for Contractors • Polygraph Examiners Advisory Board • Board for Professional Soil Scientists, Wetland Professionals, and Geologists • Board for Waste Management Facility Operators • Board for Waterworks and Wastewater Works Operators and Onsite Sewage Professionals |

2024 General Assembly Session

Legislative Implementation

- 16 bills (3 agency bills)
- Legislation took effect July 1, 2024
- Each board section has communicated changes to regulants

2024 General Assembly Session Agency Bills

- **HB 350 (Owen)**

- A bill to adjust the quorum requirements for the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects. The legislation lowers the current quorum from two engineers, two architects, and two land surveyors to a minimum of one engineer, one architect, and one land surveyor. Additionally, the bill removes the requirement that licenses issued by the Board must be signed by at least four members. This bill is set to expire on July 1, 2026.

- **HB 1005 (Owen)/SB 560 (Hackworth)**

- A bill to remove the responsibility of the Board for Asbestos, Lead, and Home Inspectors to promulgate regulations concerning dust sampling technicians, renovators, and accredited renovation training programs (RRP Program). This change aims to streamline the Board's regulatory duties and refocus its efforts on other priorities.

- **HB 1182 (Ennis)**

- A bill to make changes to the certification requirements for Virginia's voluntary Professional Wetland Delineation Certification to align the statute with the Universal License Recognition (ULR) statute. The legislation reduces the experience requirement for professional wetland delineator certification from four years to three years for applicants with a relevant bachelor's degree or relevant experience in wetland science research or teaching at an accredited institution.

2024 General Assembly Session Legislation by Section

- **APELS**

- **HB 350 (Owen)** Architects, Professional Engineers, Land Surveyors, etc., Bd. for; quorum and signature requirements**

- **ALHI**

- **HB 1005 (Owen)** Asbestos, Lead, and Home Inspectors, Virginia Board for; dust sampling technicians, renovators.**
- **SB 560 (Hackworth)** Asbestos, Lead, and Home Inspectors, Virginia Board for; dust sampling technicians, renovators.**

- **BCHOP**

- **HB 322 (Glass)** Cosmetology Compact

** Denotes agency bill

2024 General Assembly Session Legislation by Section

- **PSSWPG**

- **HB 287 (Wiley) and SB 184 (Rouse)** Geology; expands definition of geological mapping.
- **HB 1182 (Ennis)** Professional wetland delineator; certification requirements. **

- **CIC**

- **HB 214 (Watts)** Common interest communities; residents providing certain services exemption.
- **HB 880 (Bulova) and SB 341 (Surovell)** Common interest communities; foreclosure remedy.
- **HB 1209 (Bulova)** Common interest communities; reserve studies, special assessment rescission or reduction.
- **HB 1241 (Wilt) and SB 600 (Obenshain)** Virginia Real Estate Time-Share Act; partial termination of certain time-shares.

**Denotes agency bill

2024 General Assembly Session Legislation by Section

- **RE**

- **HB 105 (Reaser)** Resale Disclosure Act; resale certificate, fees.
- **HB 383 (Reaser) and SB 330 (Jordan)** Real estate board; continuing education requirements for real estate brokers and salespersons.
- **HB 876 (Bulova) and SB 526 (Graves)** Resale Disclosure Act; delivery of resale certificate, remedies.
- **HB 917 (Shin) and SB 358 (VanValkenburg)** Real estate broker; definition.
- **HB 1237 (Willett) and SB 437 (Suetterlein)** Real estate brokers; definitions, prohibits certain locations from being used as places of business.

- **Other**

- **HB 120 (Sullivan)** DPOR and DHP; certain suspensions not considered disciplinary action.
- **SB 554 (Jordan)** Licenses or certificates; reciprocal licensing for neighboring states.

2024 General Assembly Session Bills of Interest

Bills Introduced but not advanced, or vetoed by Governor

- **HB 129 (Convirs Fowler)** Hair styling; added as a profession that is regulated by the Board of Barbers and Cosmetology.
- **HB 248 (Glass)** Autonomous agent; regulations for an applicant requesting licensure of an agent.
- **HB 1428 (Shin)** Regulatory boards; application review timelines.
- **HB 1190 (Thomas)** Contractors, Board for; offering exams, language counterparts.***
- **HB 576 (Glass) and SB 313 (VanValkenburg)** Contractors, Board for; required regulations and disclosures.***

***denotes bill was vetoed by the Governor



2024 BOARD MEMBER TRAINING CONFERENCE

**Regulatory Excellence
DPOR's Regulatory Reform**



Speakers



Joseph Haughwout

Regulatory Affairs Manager



Stephen Kirschner

**Deputy Director
Licensing and Regulatory
Programs**

Introduction



Regulatory Excellence

A look at DPOR's progress on regulatory reduction, and its plans for smarter, better regulation.

Agenda – DPOR’s Regulatory Reforms

 Where We Started

 Where We are Now

 Where We are Going

 Lessons Learned

 Goals for the Future

 Q&A/Discussion

Where We Started



Unknown Unknowns

- De-Centralized Regulatory Development
 - Five board sections with separate approach to regulatory development.
 - Little coordination or uniformity; inconsistent compliance with APA.
- Unknown universe of regulatory requirements
 - 2018-2021 Regulatory Reduction Pilot: 2,730 requirements.
 - DPOR credited with 26+% reduction; but reported 2,691 requirements.
 - Methodology unknown to program staff; opaque process.
- Regulatory Reduction Initiative
 - Standardized Framework and Counting Methodology
 - 18,900+ requirements
- Economic Reviews

Where We Are Now



Steady Progress

- Centralized Regulatory Office
 - Coordinate and track agency regulatory actions.
 - Provide consultation and assistance to regulatory boards.
 - Ensure compliance with regulatory development rules.
- Status of ED #1
 - 7 in NOIRA
 - 25 in Proposed
 - 1 in Final
- Pending Reductions
 - ~15% estimated reduction in DPOR regulations
- Economic Impacts

Where We Are Going



Complete the Task!

- Complete Regulatory Review
 - Complete all regulatory actions by Fall 2025.
- Revised Counts

| Board | August 2023 Updated Baseline – D/R | July 2024 Projected Count – D/R | Net Change | % Change |
|--|------------------------------------|---------------------------------|------------|----------|
| Real Estate Appraisers | 401 | 249 | -152 | -38% |
| Contractors | 920 | 700 | -220 | -24% |
| Auctioneers | 193 | 168 | -25 | -13% |
| Soil Scientists, Wetland Professionals, Geologists | 174 | 157 | -17 | -10% |
| Waterworks/Wastewater Works/ Onsite Sewage Professionals | 396 | 363 | -33 | -8% |

- Economic Impact Reporting

Lessons Learned



Get Organized First!

- Staff reviews prior to board reviews.
- Know how other boards do it.
- Send notes to board members 2-3 weeks in advance.
- Invite your stakeholders.
- Be prepared to listen.

Goals for the Future



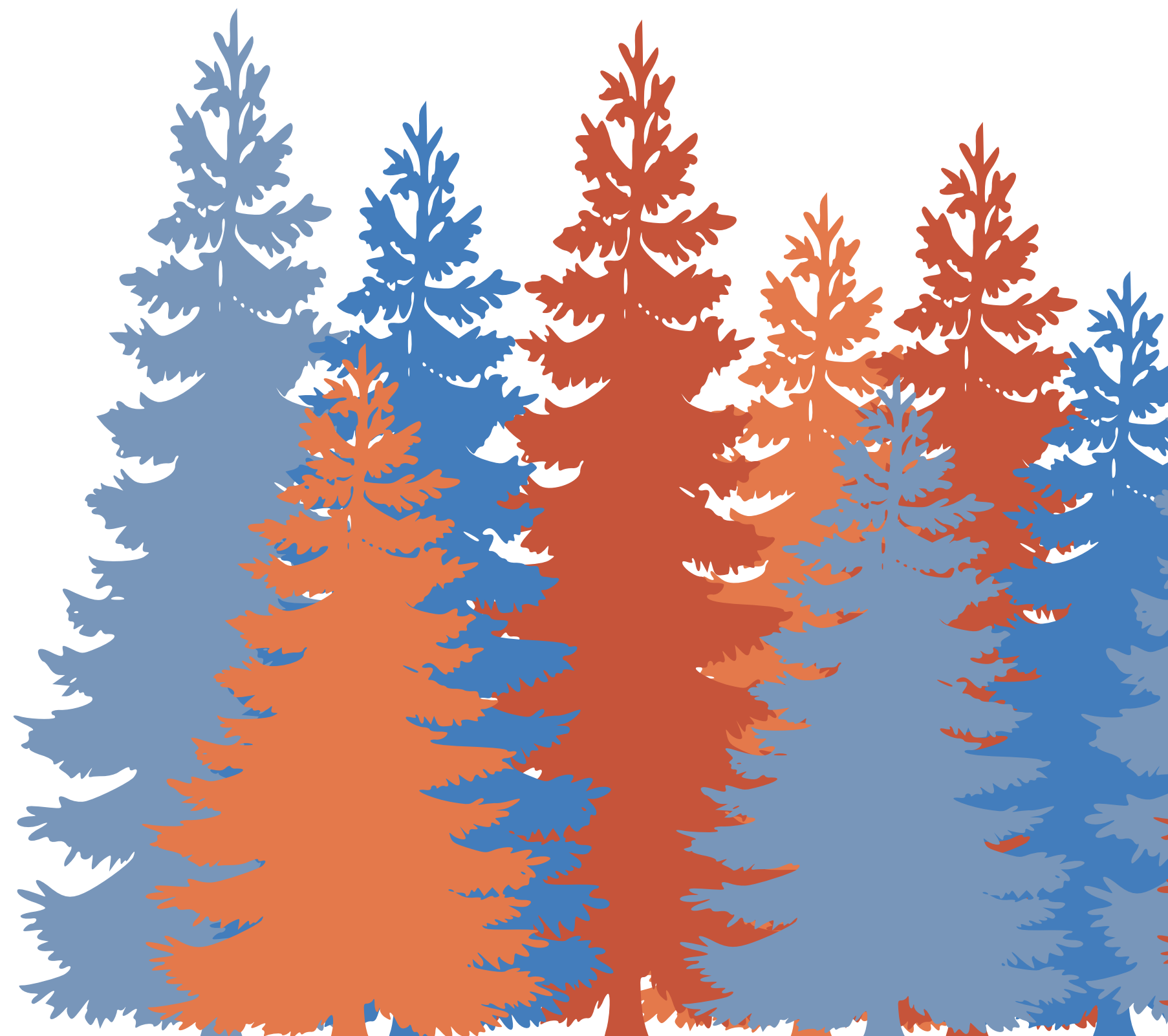
- Fee Actions and DPOR Funding
- Standardizing Language and EPICx Cleanup Actions
- Periodic Use of Regulatory Review Committees
- Economic Analysis as part of Regulatory Development



Question & Answer Session

Time for discussion! Please share
any questions you may have.

Thank You!



John Robertson

Communications & Digital Media Manager

- Internal & External Communications
- Communications Methods
- Website Maintenance & Optimization
- Media Inquiries
- Consumer Protection & Awareness



DPOR's Audiences



Staff



Licensees



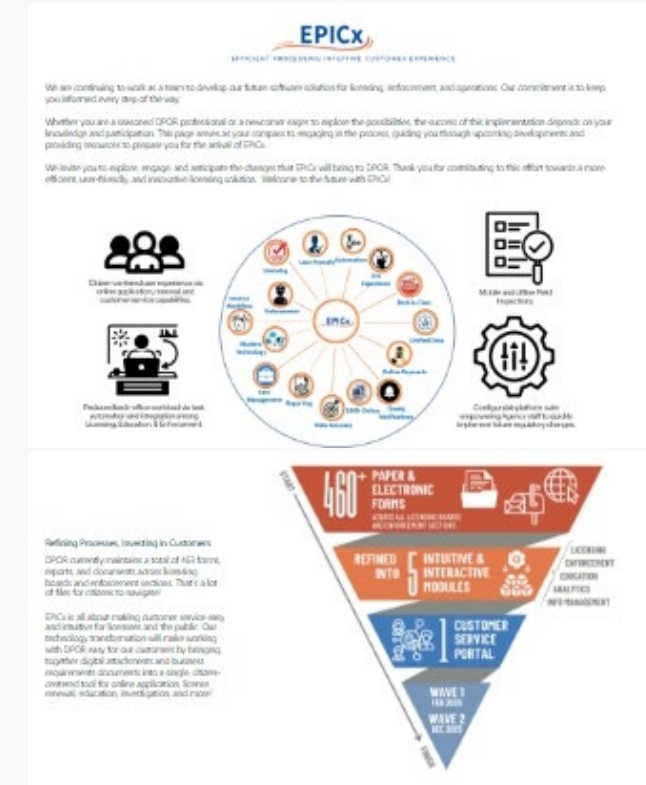
Citizens



Communication Methods



- DPOR Website
- Social Media
- Email Campaigns
- Media Relations
- Publications & Reports
- Intranet



Virginia Department of Professional and Occupational Regulation
Published by John Robertson
August 16 at 9:12 AM

Public Meeting! The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects meets Wednesday, August 21 at 10 a.m. For more information about joining us for a board meeting, visit: <https://www.dpor.virginia.gov/Contact/Visiting>

You can view the agenda for this meeting and other public meetings on Virginia Regulatory Town Hall: <https://www.townhall.virginia.gov/L/meetings.cfm>

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For Immediate Release

DPOR
Department of Professional & Occupational Regulation

CONTACT:
John Robertson IV
Communications Manager
Department of Professional & Occupational Regulation
Phone: 804-845-4971
Email: john.robertsoniv@dpor.virginia.gov

Governor Signs Bills to Streamline Regulations, Uphold Professional Standards

RICHMOND, April 18—In a meaningful step toward streamlining regulatory processes, Governor Glenn Youngkin has signed into law three bills affecting the Department of Professional and Occupational Regulation, signaling a commitment to fostering economic growth while upholding standards of professionalism and public safety.

PUBLIC MEETING

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS, AND LANDSCAPE ARCHITECTS

AUGUST 21, 2024 | 10 A.M.

Commonwealth Conference Center
9960 Mayland Drive
Richmond, Virginia 23233

DPOR Website: Citizen-Centered Information

The screenshot displays the Virginia Department of Professional and Occupational Regulation (DPOR) website. At the top left is the VA logo and the text "Virginia Department of Professional and Occupational Regulation" with a subtext "An official website of the Commonwealth of Virginia" and a link "Here's how you know". At the top right is a search bar labeled "Find a Commonwealth Resource". Below the header is the DPOR logo and the text "Department of Professional and Occupational Regulation". A navigation menu includes "Applicants", "Licensees", "Consumers", and a search bar. Below this are links for "LICENSING + SERVICES", "PROFESSIONS", "BOARDS", "DIVISIONS + OFFICES", and "ABOUT U". The main content area features three cards: 1. "New 1000 Hour Cosmetology Curriculum Requirements" with an image of scissors and text about new requirements effective September 1, 2024. 2. "Online Services Available" with an image of a person at a laptop and text about exploring online tools and services. 3. "Most Requested Resources" with an image of hands holding a document and text about updating information and obtaining documentation.

Virginia Department of Professional and Occupational Regulation
An official website of the Commonwealth of Virginia [Here's how you know](#)

Find a Commonwealth Resource

Applicants Licensees Consumers Search

LICENSING + SERVICES PROFESSIONS BOARDS DIVISIONS + OFFICES ABOUT U

Department of Professional and Occupational Regulation

New 1000 Hour Cosmetology Curriculum Requirements

Effective September 1, 2024, there will be new cosmetology curriculum requirements. Required training hours are posted on the [Board for Barbers and Cosmetology page](#), along with resources for implementation.

[LEARN MORE](#)

Online Services Available

Explore DPOR's online tools and learn about services available through third-party partnerships. [Access your online account](#), request certification of licenses through [MyVirginia](#), and learn more about digital licenses and certificates issued through [Merit](#).

[LEARN MORE](#)

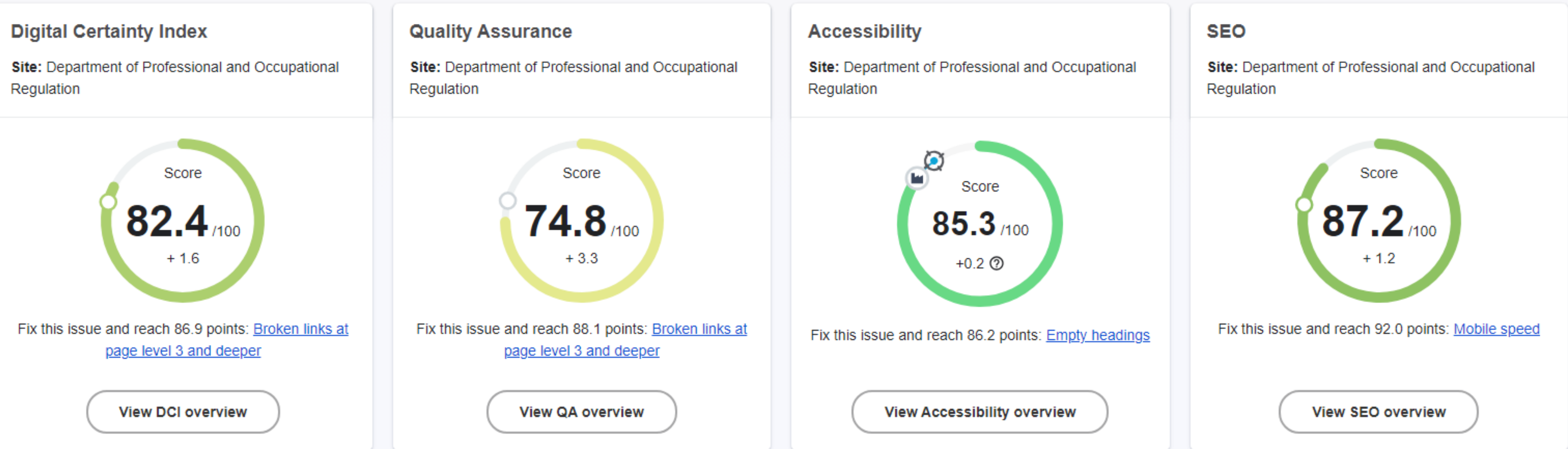
Most Requested Resources

From updating your information to obtaining documentation, visit our [frequently used forms](#) page for guidance and knowledge on our most common processes. Here, you can also access board-specific information related to your profession.

[READ MORE](#)



DPOR Website: Data-Driven Goals



Usability

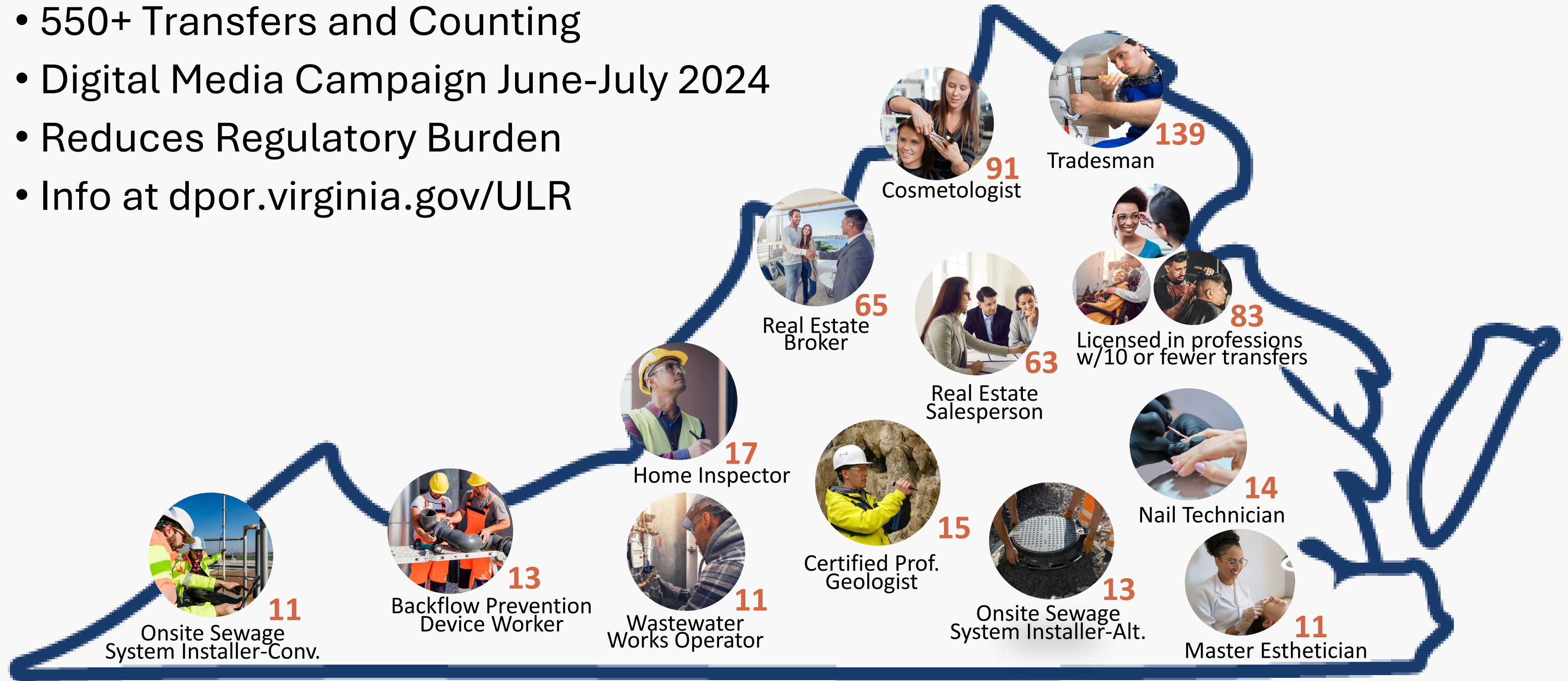
Quality Assurance

Accessibility



Universal License Recognition

- 550+ Transfers and Counting
- Digital Media Campaign June-July 2024
- Reduces Regulatory Burden
- Info at dpor.virginia.gov/ULR



Informing Licensees & Protecting the Public



- 320,000 + Licensees
- Prevention
- Investigations
- Revocations
- Crisis Communications
- Media Relations



The New York Times

She Made an Offer on a Condo. Then the Seller Learned She Was Black.

A Black woman claims a white homeowner tried to pull out of a sale because of her race.

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