

Board for Professional and Occupational Regulation Meeting

MINUTES

The Board for Professional and Occupational Regulation met on Monday, March 6, 2006, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. The following members were present for all or part of the meeting:

Nancy Finley Barbour (arrived at 10:47 a.m.)
Julie Clifford, Chair
James M. Demmel
Maxime A. Frias
Ronald E. Lushbaugh, Vice-Chair
William Alfred Tucker

The following members were absent from the meeting:

E. Wilson Clary, Jr.
Walter Fore
Maxwell B. Larcen

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

Louise Fontaine Ware, Director
Brian Hannigan, Chief Deputy Director
Karen O'Neal, Deputy Director for Licensing and Regulation
Nick A. Christner, Deputy Director for Compliance and Investigations
Mary Broz, Director of Communications, Legislation and Consumer Education
C. W. Lawrence, Director of Investigations
Pratt Stelly, Human Resources Director
Terri Wilkins, Director of Performance Analysis
Mark N. Courtney, Executive Director
Michelle Gowen, Administrative Assistant

There was no representative from the Office of the Attorney General present at the meeting

Julie Clifford, Chair, called the meeting to order at 10:08 a.m., noting that a quorum was present.

Call to Order

Mr. Tucker moved to approve the agenda. Mr. Frias seconded the motion, which was unanimously approved by members: Clifford, Demmel, Frias, Lushbaugh, and Tucker.

Agenda
Approval

Mr. Tucker moved to approve the November 14, 2005, minutes and Mr. Demmel seconded the motion, which was unanimously approved by members: Clifford, Demmel, Frias, Lushbaugh, and Tucker. No comments were made to the Board members at this time.

Minutes
Approval

Public
Comment

Chief Deputy Director Hannigan reported to the Board that DPOR is still awaiting the news of a new Director. Director Ware has agreed to stay on with the agency until a replacement has been named. After briefing the new Secretary of Commerce and Trade, Mr. Hannigan reported that the new Secretary, Patrick Gottschalk, indicated that all Boards within DPOR have been doing a good job as there is nothing on the radar screen needing their attention.

Brian
Hannigan,
Chief Deputy
Director's
Report

Ms. Stelly reported to the Board all aspects of employment at the agency. Some of the topics Ms. Stelly covered were employee commute, dialects of languages spoken by employees within the agency, the number of employees eligible for retirement and early retirement, as well as the competitive salaries and benefits the agency offers and the percentages of races working within the agency.

Agency
Reports –
Pratt Stelly,
Human
Resources
Director

Ms. Wilkins reported to the Board on the importance of data in the agency's commitment to process improvement, training development, and budget analysis. Ms. Wilkins also spoke of performance management and the establishment of goals and objectives.

Terri Wilkins,
Director of
Performance
Analysis

Mr. Christner reported to the Board on the Compliance and Investigations Division (CID) and all sections included within. Mr. Christner gave the Board an overview of how many cases are on the books as well as how many complaints have come into the agency in the past two (2) bienniums. Adjudication was also a section of CID Mr. Christner covered as he explained the future goals of the section and their accomplishments to this point. Mr. Christner then introduced the new Director of Investigations, C. W. Lawrence.

Nick
Christner,
Deputy
Director for
Compliance
and
Investigation

Board member Barbour arrived at 10:47 a.m.

Arrival of Ms.
Barbour

Ms. O'Neal reported to the Board on all data gathered regarding applications received, renewals and reinstatements of licenses and certifications, and address and name changes. Ms. O'Neal provided the Board members with the monthly numbers on applications and e-mails and the daily numbers for phone calls to both the Contractors and Barbers/Cosmetology boards.

Karen O'Neal,
Deputy
Director of
Licensing and
Regulation

Ms. Broz spoke to the Board on the bills DPOR has been tracking during the current legislative session. Ms. Broz also reported to the Board on the common interest community bills. DPOR closely monitored possible legislation by the towing and recovery industry, which will become regulated by an independent board within the Department of Motor Vehicles (DMV). Ms. Broz also reported on the absence of legislation related to Computer Voice Stress Analyzers.

Mary Broz,
Director of
Communica-
tions,
Legislation and
Consumer
Education

Mr. Courtney reviewed the *Guidelines for the Evaluation of the Need to Regulate Professions and Occupations* and the request from Delegate Lingamfelter for a study of whether the auto body repair industry needs to be regulated.

Doug Conner, President of the Virginia Auto Body Legislative Committee, spoke to the Board regarding the many complaints that were received by the Division of Consumer Services of VDACS as there were over 2,000 complaints last year related to automotive issues. Mr. Conner noted that there are no regulations in place for this profession and the public is not protected at this time. Mr. Conner also pointed out that the databases that auto body shops utilize at this time are not convertible to any other languages.

Matt Benka, a lobbyist for the industry, was also present but did not wish to address the Board.

Mr. Demmel made a motion that this study be conducted and Mr. Tucker seconded the motion which was unanimously approved by members: Barbour, Clifford, Demmel, Frias, Lushbaugh, and Tucker.

Ms. Ware clarified to the Board members on Mr. Christner's report on the number of complaints and explained that the agency has been doing a better job of capturing information as to the tracking of complaints and more aggressive outreach. Ms. Ware also reported on the transition at the agency and noted that she will be retiring when a new Director has been appointed. Ms. Ware expressed her affection to the Board and the

Louise
Fontaine
Ware,
Director's
Report

agency. The Board thanked her for her efforts and wonderful job performance.

Ms. Clifford requested that the study plan for the auto body repair industry be distributed to the Board members before the next meeting in June so they may study the information and come prepared to discuss the topic.


Other Business

Mr. Tucker moved to adjourn. Mr. Lushbaugh seconded the motion which was unanimously approved by members: Barbour, Clifford, Demmel, Frias, Lushbaugh, and Tucker. The meeting adjourned at 11:53 a.m.

Adjournment



Julie Clifford, Chair



Louise Fontaine Ware, Secretary