

Board for Professional and Occupational Regulation Meeting

MINUTES

The Board for Professional and Occupational Regulation met on Monday, November 13, 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
E. Wilson Clary, Jr.
Julie Clifford, Chair
James Demmel
Walter Fore
Maxime A. Frias, Vice-Chair
Ronald E. Lushbaugh
William Alfred Tucker

No members were absent from the meeting.

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

Jay W. DeBoer, Director
David B. Ashe, Chief Deputy
Mark N. Courtney, Executive Director
Judy Spiller, Executive Secretary

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

Chair Clifford called the meeting to order at 10:05 a.m., noting that a quorum was present. **Call to Order**

Mr. Fore moved to approve the agenda as presented. Mr. Demmel seconded the motion, which was unanimously approved by members: Barbour, Clary, Clifford, Demmel, Fore, Frias, Lushbaugh, and Tucker. **Agenda Approval**

Mr. Fore moved to approve the September 18, 2006, minutes as presented. Mr. Demmel seconded the motion, which was unanimously approved by members: Barbour, Clary, Clifford, Demmel, Fore, Frias, Lushbaugh, and Tucker. **Approval of Minutes**

No comments were made to the Board members at this time. **Public Comment**

Director DeBoer welcomed all to the meeting. He updated the Board on the coming move for the Department, and announced that the building selected was one in the Circuit City complex off Interstate 64 at the Gaskins Road exit, with a proposed moving date of May 2007. He explained that the Department of **Jay W. DeBoer, Director's Report**

General Services plans to consolidate several state agencies at this location to provide more efficient use of space. It is hoped that several of the agencies involved, including the Department of Health Professions, Board of Accountancy, a division of the Department of Rehabilitative Services, and the Department of Conservation and Recreation's call center, would be able to use common space. The Department would incur approximately \$1.4 million in costs for the move. Director DeBoer noted that change is always a challenge.

The number of regulants served by the Department is currently more than 310,000 which affects the Department's staffing, particularly in the Compliance and Investigations Section.

The Department has been attempting to purchase an automated licensing and enforcement activity system for several years. Most recently, a contract for such a system was terminated for lack of performance by the vendor, and staff is now evaluating new systems to handle these needs.

Deputy Director Karen O'Neal continues to improve following her injury and hopes to return to the office by the end of November.

The Board members requested a tour of the Department at the next board meeting.

Executive Director Courtney presented the draft report entitled, "Study to Determine Whether the Auto Body Repair Industry Needs to be Regulated." Mr. Courtney explained how the Department administered the study, and reviewed the highlights of the Methodology for the Study, the Summary of Research and Analysis, the Application of Criteria, and the Conclusion. The conclusion not to regulate reads, "Based on evidence obtained during the study, the level of risk of harm to the public appears to be low – the public appears to be adequately protected at the present time without a state-mandated regulatory program. Insurance companies, customer referrals, trade associations, and automobile manufacturers all provide information to the public to assist in finding competent practitioners. The existing complaint mechanism at VDACS appears to satisfy any consumer concerns about the auto body repair industry."

Agency Reports
Mark Courtney,
Executive
Director, BPOR
Board

Chair Clifford and the Board thanked the public commenters and survey respondents and staff for doing an excellent job.

Following discussion, Mr. Tucker moved to adopt the report as written. The motion was seconded by Ms. Barbour, which was unanimously approved by members: Barbour, Clary, Clifford, Demmel, Fore, Frias, Lushbaugh, and Tucker.

Mr. Courtney proposed that the Liaison Appointments for 2007 remain the same as they had been for the past year, with the new Board member appointee to handle the two boards previously assigned to Max Larcen. Mr. Tucker moved to accept the Liaison Appointment for 2007 as presented. The motion was seconded by Mr. Fore, which was unanimously approved by members: Barbour, Clary, Clifford, Demmel, Fore, Frias, Lushbaugh, and Tucker.

**Liaison
Appointments**

Mr. Courtney presented the proposed Board meeting dates for 2007: March 5, June 4, September 17, and November 19. Mr. Demmel moved to adopt the proposed 2007 Board meeting dates. Mr. Tucker seconded the motion, which was approved unanimously approved by members: Barbour, Clary, Clifford, Demmel, Fore, Frias, Lushbaugh, and Tucker.

**Other Business:
2007
Board Meeting
Dates**


Mr. Courtney asked the Board members to fill out and return the Financial Disclosure Statements included in their folders and reminded them they are required to submit this form each year.

**Financial
Disclosure
Statements**

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

Adjournment


Julie Clifford, Chair


Jay W. DeBoer, Secretary