

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

MINUTES

The Board for Professional and Occupational Regulation met on Tuesday, February 4, 2020, 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
H. Scott Johnson
Martin Mooradian
Ryan O'Toole

Board members Suzanne Conrad and Ana Mitchell were not present at the meeting.

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

Mary Broz-Vaughan, Director
Kathleen (Kate) R. Nobsisch, Executive Director
Amy Goobic, Executive Assistant
Matthew McCabe, Program & Special Projects Analyst
Connor Eads, Virginia Management Fellow

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

Mr. O'Toole called the meeting to order at 10:09 a.m.

Call to Order

Ms. Nobsisch stated that as there was not yet a quorum, the Board would move on to agenda items that did not need a vote.

General Assembly Update

Ms. Broz-Vaughan provided a brief update on the General Assembly. She reported that former Board member, Delegate Shelly Simonds, was carrying HB 932, which would remove the certification requirements for natural gas mechanics and technicians. Ms. Broz-Vaughan also commented on the proposed bill to regulate athlete agents, to be under DPOR. She stated that the bill was reported out of the sub-committee with no discussion.

Ms. Broz-Vaughan also discussed bills pertaining to cosmetology and putting a hard cap on the required training hours. Ms. Broz-Vaughan further stated that during the General Assembly, she and other DPOR staff members were available for technical assistance to the GA members and their staffs.

Ms. Nobsisch informed the Board that the preliminary report on the JLARC recommendations, as discussed and approved at the December 9, 2019, meeting was filed to the General Assembly prior to the December 31, 2019 deadline. The report evaluated the need for continued regulation

Professions to be Studied by JLARC

of certain professions and occupations. The professions/occupations to be studied are; Professional Soil Scientists, Waste Management Facility Operators, Landscape Architects, Common Interest Community Manager Employees, Certified Interior Designers, Backflow Prevention Device Workers and Wetland Delineators.

Ms. Nosbisch explained that the next step for the recommendations is to hold public hearings and receive comment. She stated that there would be five public hearings across the state:

- March 20 – DPOR, Board Room 2, 10:00 am
- March 23 – JMU, Harrisonburg, Student Center/Allegheny Room, 10:00 am
- April 17 – Virginia Highlands Community College, Abingdon Student Center 130, 9:00 am
- May 21 – Chesapeake, City Hall Council Chambers, 10:00 am
- May 27 – Fairfax, City Hall Annex Council Chambers, 10:00 am

The final report on the recommendations is due December 31, 2020.

Ms. Nosbisch reminded Board members to complete the Conflict of Interest Act training, and submit their financial disclosure statements if they had not yet done so.

Other Business

Board members reviewed a memo from Ms. Nosbisch recommending the Board adopt the delegation of its duties found in §30-19.03:1,3 of the *Code of Virginia*:

1. When any legislative bill requiring DPOR to increase or begin regulation of an occupation is filed during any session of the General Assembly, and forwarded by the Division of Legislative Services, the Board shall prepare an evaluation of the legislation using the criteria outlined in § 54.1-311.

As soon thereafter as may be practicable, the Board shall forward copies of such evaluations to the Clerk of the House of Delegates for House bills and to the Clerk of the Senate for Senate bills for transmittal to each patron of the legislation and to the chairman of each committee of the General Assembly to consider the same.

Staff recommends delegating to staff, with Board chair to review and approve evaluation prior to submission.

Mr. Johnson arrived at 10:20 a.m.

Arrival of Mr. Johnson

Mr. Benenson moved to approve the agenda. Mr. Johnson seconded the motion which was unanimously approved by members: Anyadike, Benenson, Johnson, Mooradian and O'Toole.

Approval of Agenda

Mr. O'Toole moved to approve the minutes from the December 9, 2019 meeting. Mr. Benenson seconded the motion which was unanimously approved by members: Anyadike, Benenson, Johnson, Mooradian and O'Toole.

Approval of Minutes

Board members reviewed evaluations of HB 832, HB994, SB 346, and SB 385, as referred by the Division of Legislative Services in accordance with Va. Code § 30-19.03:1.3. Mr. Mooradian moved to approve the evaluations as presented, to be submitted to the General Assembly. Mr. Benenson seconded the motion which was unanimously approved by members: Anyadike, Benenson, Johnson, Mooradian and O'Toole.

Evaluations

Board members reviewed the memo to delegate authority to staff discussed earlier. Mr. Benenson moved to approve the recommendation in the memo. Mr. Anyadike seconded the motion which was unanimously approved by members: Anyadike, Benenson, Johnson, Mooradian and O'Toole.

Memo to Delegate Authority

Ms. Nobsch reminded Board members that the meeting scheduled for March 2 is canceled.

Other Business

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

Conflict of Interest Forms

The meeting was adjourned at 10:25 a.m.

Adjourn

Ryan O'Toole, Vice - Chair

Mary Broz-Vaughan, Director

Mr. O'Toole moved to approve the minutes from the December 9, 2019 meeting. Mr. Benenson seconded the motion which was unanimously approved by members: Anyadike, Benenson, Johnson, Mooradian and O'Toole.

Approval of Minutes

Board members reviewed evaluations of HB 832, HB994, SB 346, and SB 385, as referred by the Division of Legislative Services in accordance with Va. Code § 30-19.03:1.3. Mr. Mooradian moved to approve the evaluations as presented, to be submitted to the General Assembly. Mr. Benenson seconded the motion which was unanimously approved by members: Anyadike, Benenson, Johnson, Mooradian and O'Toole.

Evaluations

Board members reviewed the memo to delegate authority to staff discussed earlier. Mr. Benenson moved to approve the recommendation in the memo. Mr. Anyadike seconded the motion which was unanimously approved by members: Anyadike, Benenson, Johnson, Mooradian and O'Toole.

Memo to Delegate Authority

Ms. Nosbisch reminded Board members that the meeting scheduled for March 2 is canceled.

Other Business

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

Conflict of Interest Forms

The meeting was adjourned at 10:25 a.m.

Adjourn

Ryan O'Toole

Ryan O'Toole, Vice - Chair


Mary Broz-Vaughan, Director

Signature: Ryan O'Toole
Ryan O'Toole (Dec 30, 2020 15:06 EST)

Email: ryanfotoole@gmail.com