

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

MINUTES

The Board for Professional and Occupational Regulation met on Monday, August 10, 2026, 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
Jackson Dyer
Grace Flores-Hughes
Jemmalyn Hewlett
Carrie Sheffield
Tim Taylor

Board members Ron Bledsoe, Gaby Rengifo, and Charles Vaughters were not present at the meeting. The following agency staff was present for all or part of the meeting:

Laura McClintock, Director
Steve Kirschner, Director LRPD
Joe Haughwout, Regulatory Affairs Manager
Eric Beidel, Communications & Digital Media Manager
Jennifer Sayegh, Policy & Legislative Affairs Manager
Amy Goobic, Executive Assistant

James Flaherty, Assistant Attorney General, was present from the Office of the Attorney General.

Mr. Anabathula called the meeting to order at 10:04 a.m.

Call to Order

Mr. Haughwout reviewed the emergency evacuation procedures.

**Emergency
Evacuation
Procedures**

Mr. Dyer moved to approve the agenda as presented. Ms. Sheffield seconded the motion, which was unanimously approved by members: Anabathula, Dyer, Flores-Hughes, Sheffield, and Taylor.

**Approval of
Agenda**

Mr. Haughwout informed the Board there were minor technical changes to the minutes from the April 13, 2026, Board meeting, no substantive changes. Mr. Dyer moved to approve the minutes of the April 13, 2026, Board meeting as amended. Mr. Taylor seconded the motion, which was unanimously approved by members: Anabathula, Dyer, Flores-Hughes, Sheffield, and Taylor.

**Approval of
Minutes**

Ms. Sheffield moved to approve the minutes of the June 16, 2026, Public Hearing. Mr. Taylor seconded the motion, which was unanimously approved by members: Anabathula, Dyer, Flores-Hughes, Sheffield, and Taylor.

Mr. Taylor moved to approve the minutes of the July 15, 2026, Public Hearing.

Mr. Dyer seconded the motion, which was unanimously approved by members: Anabathula, Dyer, Flores-Hughes, Sheffield, and Taylor.

Ms. Hewlett arrived at 10:13 a.m.

Arrival of Board Member

Board Members were provided an email from “John Doe,” regarding licensee information available on the DPOR website. ‘John Doe’ had concerns with personal licensee information being collected by data brokers and sold to scammers who target professionals with fraudulent compliance offers and phishing schemes.

Communications

Mr. Kirschner stated that licensee lists and information are all available under the Freedom of Information Act. He further explained that previously DPOR staff provided licensee lists if requested, the system is now automated so lists may be downloaded from the website, freeing up staff work time.

John Davis, President of the Virginia Chapter of the Indoor Environments Association (VIEA), was present to address the Board regarding VIEA’s petition to license radon professionals. Mr. Davis provided a handout (attached) with statistics on radon induced lung cancer in Virginia, as well as other information on radon policies.

Public Comment

Jane Malone, Director of Government Affairs for Indoor Environments Association (IEA), was present to address the Board. Ms. Malone provided information on the prevalence of radon in homes, stating that 30% of homes have unacceptable levels, and that there is no requirement for homes to be tested, or mitigated, for mortgage loans except FHA and HUD loans. Ms. Malone explained that the Virginia Department of Health (VDH) has some oversight of the certification of radon professionals, but the IEA feels it needs to be stronger to prevent unqualified persons from doing shoddy work. They are petitioning for the radon professionals to be licensed under the Virginia Board for Asbestos, Lead, and Home Inspectors.

Mr. Haughwout provided an update on DPOR operations, including license application processing times, ongoing regulatory actions, and the implementation of 2026 legislative actions. Compliance and investigation statistics were provided, as well as DPOR in the media highlights.

Update on DPOR Operations

Mr. Kirschner informed the Board that there had been a change in the method for calculating license application processing times to be more accurate. He also stated that staff was using Microsoft PowerBI reports to calculate and report processing times, and focus is being given on the customer perspective with respect to measuring application processing. Ms. McClintock added that the agency’s outdated licensing system is not adept at determining time metrics.

**Presentation attached*

Board members were provided reports from the regulatory board Executive Directors for informational purposes.

Mr. Kirschner and Mr. Haughwout informed Board members of an online license application pilot program created by DPOR IT staff and VITA, for the Real Estate Appraiser Board. The program provides the ability to process same day applications, and provides a potential path forward for other boards. Board Members watched a video that shows how the public side of the system appears. Ms. McClintock explained that Real Estate Appraisers were selected as it has a smaller population of licensees, and there was federal grant money available to offset the cost to the agency for the development. Ms. McClintock also stated that the Spanberger administration has appointed the first Chief Transformation Officer, Dave Wilkinson, that five million dollars has been approved to create a digital services team to address technology issues within the state, and that DPOR is high on the list.

**Real Estate
Appraiser Online
Licensing System**

Mr. Dyer reported he attended the Board for Professional Soil Scientists, Wetland Professionals, and Geologists meeting on June 3, 2026. Mr. Dyer stated the Board discussed regulatory issues and concerns with the low pass rate of the Soil Scientist exam. The Board formed a committee to further discuss the exam. Mr. Dyer also attended the June 24, 2026, Real Estate Appraiser Board meeting. Mr. Dyer remarked that most of the meeting was spent discussing disciplinary cases. He also stated that the Board formed a committee to discuss emerging issues and trends in the industry.

**Board Member
Reporting**

Mr. Haughwout asked Board members if they had any recommendations for staff or had any items for the Director or the Administration to consider. No additional comments were provided by Board members.

The Board recessed from 11:34 a.m. until 11:51 a.m.

Recess

Mr. Haughwout provided information on DPOR fees. He explained that the 2026 General Assembly changed the process by which DPOR regulatory boards can set license fees:

**DPOR Fees and
Budget**

- Effective July 1, 2026, regulatory boards may annually revise fees so that fees are sufficient but not excessive to cover expenses.
- Regulatory boards may also adjust fees to account for inflation up to 1.5 times inflation rate from date fees were last set.
- Fee increases are prohibited if regulatory board expenditures plus anticipated costs do not justify a fee increase.
- Effective July 1, 2028, regulatory boards are prohibited from accumulating fund balances larger than previous renewal cycle's expenditures.

**Presentation attached.*

Mr. Haughwout also provided an overview of a new rulemaking process for changing fees that allows DPOR regulatory boards to make changes to fees using a process that is exempt from the Administrative Process Act. The new process requires notification and a public hearing before a regulatory board may change fees, but will allow a board to make changes to fees faster than the standard rulemaking process.

Ms. McClintock informed the Board that the agency finance team was building out a new fee structure to ensure that each board was solvent and not dependent on another board's fee revenue. She further commented that some licensing fees had not increased in decades. Ms. McClintock stated that the new fee structure should be ready by next fiscal year, with the boards voting by spring/summer on the options and fee actions becoming effective in the fall.

Mr. Haughwout provided information on the different types of state boards, explaining that Board for Professional and Occupational Regulation (BPOR) appears to be policy board. Policy boards have the power to review and comment on agency budgets. BPOR's enabling law was amended in 2025 and the Board now has the power to review and comment on DPOR's budget. Board members were presented a proposed policy to consider which outlines the policy and process of the Board with regards to budget review. The proposed policy provides that the process is intended and designed to be consultative and that the DPOR Director and Cabinet Secretary have final authority over budget requests. The proposed policy also provided for the process, including documents that will be provided to the Board when reviewing the DPOR budget. The proposed policy was amended to stipulate that documentation regarding the DPOR budget that will be provided to the Board when it performs its review will also include such other additional information as required for the Board to perform its review.

Mr. Taylor moved to adopt the policy as amended. Ms. Flores-Hughes seconded the motion, which was unanimously approved by members: Anabathula, Dyer, Flores-Hughes, Hewlett, Sheffield, and Taylor.

Ms. McClintock departed the meeting at 12:33 p.m., apologizing that she had a scheduling conflict.

**Departure of the
Director**

Mr. Haughwout provided information on DPOR's budget expenses and revenues, explaining that DPOR is funded through non-general fund revenue, and does not receive any general funds. Information was provided on DPOR's sources of revenue and how expenses are categorized. Review of the budget included an review of DPOR's expenditures from the fiscal year that concluded June 2026. Discussion was held on the appropriation from the General Assembly and unexpended funds. Mr. Haughwout explained reasons for the unexpended funds, including savings from a canceled licensing software project and staff vacancies.

**DPOR Fees and
Budget**

Board members reviewed the 2026-2028 Biennium Budget numbers from the budget bill. Mr. Haughwout reviewed a new “Technology Fee” authorized in the budget, which allows DPOR to collect a fee equal to \$7.25 per year with each initial application, renewal, or reinstatement. This is effective July 1, 2026, through June 30, 2030, to support the upgrade or replacement of software systems used by DPOR. The fee is estimated revenue of \$2.5 million per year for next four years. Mr. Haughwout also provided information regarding adjustments to DPOR’s budget, including adjustments for increases to salaries for state employees, state health insurance premiums, and information technology costs.

Mr. Haughwout provided background information on the process for petitions to the Board from those seeking regulation of a profession or occupation, including applicable provisions in state law and Board guidelines on how such petitions are to be reviewed and considered. Board members were provided background information regarding the petition for regulation of radon professionals from the VIEA. The Board was provided with information regarding the study undertaken following receipt of VIEA’s petition in December 2025, including the study methodology. The Board was provided with staff analysis, including issues raised during the study, the current level of regulation of radon professionals, and an evaluation of the petition based on criteria established in the Board’s guidelines. The criteria to be considered in evaluating a petition are (i) risk for harm to the consumer; (ii) specialized skills and training; (iii) autonomous practice; (iv) scope of practice; (v) economic impact; (vi) alternatives to regulation; and (vii) least restrictive regulation.

**Petition for
Regulation Update
– Licensure of
Radon
Professionals**

Mr. Haughwout provided the various options for the Board to consider before making their recommendations.

Option 0 – recommend no change to existing statute

Option 1 – Recommend statutory change to allow consumers to sue individuals that perform radon measurement or mitigation services (i) without having required certification; or (ii) that do not follow EPA standards.

Option 2 – Recommend statutory change to (i) require certified radon professionals to register with VDH to provide services in Virginia; and (ii) give VDH authority to enforce existing law, to include for imposition of penalties for violations.

Option 3 – Recommend statutory change to require those who design and install radon mitigation systems to obtain mandatory state licensure from the Board for Contractors.

Option 4 – Recommend statutory change to require those who (i) perform radon testing using a standard device or analytical device; or (ii) design and install radon mitigation systems to obtain mandatory state licensure from ALHI Board.

Ms. Hewlett departed the meeting at 2:18 p.m.

**Departure of
Board Member**

The Board discussed the petition, the staff evaluation, and potential recommendations. The Board also heard from representatives from VIEA and IEA.

Board members each voiced their recommendation. Members Taylor, Flores-Hughes, Sheffield, Dyer, and Anabathula recommended Option 0, no change. Ms. Hewlett did provide a recommendation. Ms. Sheffield suggested recommending VDH provide education to the public. Staff indicated that information regarding a potential change to the Virginia Consumer Protection Act could be included in the Board's final report.

**Presentation attached.*

Ms. McClintock returned to the meeting at 2:00 p.m.

**Return of the
Director**

Board members considered the following 2027 meeting dates:

**Consideration of
2027 Meeting
Dates**

- April 12, 2027
- August 9, 2027
- December 6, 2027

Ms. Flores-Hughes moved to accept the 2027 meeting dates. Ms. Sheffield seconded the motion, which was unanimously approved by members: Anabathula, Dyer, Flores-Hughes, Hewlett, Sheffield, and Taylor.

Mr. Haughwout reminded Board members of the Board Member Training Conference, October 22-23.

Other Business

Board members signed Conflict of Interest forms and travel vouchers.

**Conflict of
Interest Forms
& Travel
Vouchers**

The meeting was adjourned at 2:35 p.m.

Adjourn

Laura V. McClintock, Director

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