



# Board of Health Professions Regulatory Research Committee Meeting

February 27, 2018  
9:00 a.m. - Board Room 4  
9960 Mayland Dr, Henrico, VA 23233

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- In Attendance** Yvonne Haynes, LCSW, Board of Social Work  
Martha S. Perry, MS, Citizen Member  
James Wells, RPH, Citizen Member  
Jacquelyn M. Tyler, RN, Citizen Member
- Absent** All members present
- DHP Staff** Elizabeth A. Carter, PhD, Executive Director BHP  
Yetty Shobo, PhD, Deputy Executive Director BHP
- Observers** No observers signed in
- Speakers** No speakers signed in
- Emergency Egress** Dr. Carter

## Call to Order

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- Chair** Mr. Wells **Time** 9:04 a.m.
- Quorum** Quorum established

## Public Comment

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There was no public comment.

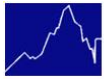
## Approval of Minutes

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- Presenter** Mr. Wells

### Discussion

The December 7, 2018 committee meeting minutes were approved with no revisions. All members in favor, none opposed.



## **Art Therapist Workplan Review**

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**Presenter** Mr. Wells

### **Discussion**

Dr. Carter presented the draft sunrise study that Ms. Laura Jackson had prepared for the group. The report provides information about Art Therapists and examines the need to regulate using the seven criteria. Committee members asked Ms. Hoyle several questions about Art Therapists licensed as Counselors and how the direction of requiring CACREP accreditation for schools training counselors might affect Art Therapist being able to receive Counseling license and how it might affect Virginia Universities training them.

Mr. Wells noted that the study should include discussion of the potential impact of Art Therapist regulation on DHP resources and asked if the number of Art Therapists practicing in the state is known. Dr. Carter stated that this is not possible to determine from existing labor statistics because it is not broken out for this profession. Ms. Hoyle noted that some Licensed Professional Counselors also hold Art Therapist credentials, because it is indicated on licensure applications, but there is no Board of Counseling tracking of this specific credential. The Committee discussed that Art Therapist must complete the same requirement as for existing professions in order to practice. Licensed Professional Counselors are an example. Ms. Hoyle noted that she is aware some Licensed Professional Counselors also hold Art Therapist credentials, but the number is not compiled.

Mr. Wells noted that the Committee will need to consider the appropriate level of regulation (i.e. licensure or certification) if the evaluation reveals it is warranted.

Ms. Perry shared some information about difficulty her agency has finding Art Therapists. Ms. Perry also requested that she would like more information in the study's section for Risk of Harm to Consumers.

The Committee accepted the draft report and requested that the next draft include additional information, if it becomes available, detailing any relevant psychological harm from practice and the economic impact that would likely arise from regulating the profession.

A public hearing is scheduled for June 26, 2018 with a period to accept written comment for at least 30 days thereafter.

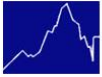
## **Policies & Procedures Update**

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**Presenter** Dr. Carter

### **Discussion**

Dr. Carter presented information on sunrise review policies and procedures. According to the Council for Licensure, Enforcement, and Regulation (CLEAR), only 14 states, including Virginia, have sunrise review



statutes. She stated that respective states vary as to which entity conducts the study and makes recommendations, and details about the processes followed in making application for reviews. But there are great similarities in the criteria applied. She noted that Hawaii only considers licensure to be the “least restrictive” level when recommending regulation. She requested that the Committee review the materials in preparation for the June meeting and determine if there are “best practices” that Virginia may adopt from other states.

Dr. Carter also referred to a staff draft update of Guidance Document 75-2: Policies and Procedures for the Evaluation of the Need to Regulate Health Occupations and Professions to reflect the latest amendment to §54.1-100 that applies to Department of Health Professions and the Department of Professional and Occupational Regulation (DPOR) and a new §54.1-310.1 that applies to DPOR.

She requested the Committee to consider whether any portion of §54.1-310.1 should be referenced in the final recommended update. She also asked the Committee to consider the whether the section in the Guidance Document pertaining to criticality scaling should remain.

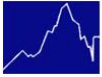
## **New Business**

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**Presenter** Mr. Wells

### **Discussion**

There was no new business.



**June 26, 2018 Next Committee Meeting & Public Hearing**

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**Presenter** Mr. Wells

**Discussion**

Mr. Wells announced the next committee meeting and the Art Therapist sunrise review public hearing will be held on June 26, 2018.

**Adjourned**

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**Adjourned** 9:48 a.m.

**Chair** James Wells, R.Ph.

Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

**Board Executive Director** Elizabeth A. Carter, Ph.D.

Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_