

# **BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION**

## **MINUTES**

The Board for Professional and Occupational Regulation met on Monday, April 20, 2009, 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:

Laurie Buchwald  
Elizabeth G. Cake, Vice-Chair  
Julie Clifford  
James M. Demmel, Chair  
Walter Fore  
Heather L. Martin  
William Alfred Tucker

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

Jay W. DeBoer, Director  
Mary Broz-Vaughan, Director of Communication and Legislation  
Mark N. Courtney, Deputy Director for Licensing and Regulation  
Bill Ferguson, Executive Director  
Steven P. Jack, Assistant Attorney General  
Judy Spiller, Executive Secretary

Chair Demmel welcomed everyone and called the meeting to order at 10:09 a.m., noting that a quorum was present.

**Call to Order**

Mr. Tucker made a motion to approve the agenda as presented. Mr. Fore seconded the motion, which was unanimously approved by members: Buchwald, Cake, Clifford, Demmel, Fore, Martin, and Tucker.

**Agenda Approval**

Mr. Fore made a motion to approve the November 17, 2008, minutes as presented. Mr. Tucker seconded the motion, which was unanimously approved by members: Buchwald, Cake, Clifford, Demmel, Fore, Martin, and Tucker.

**Approval of Minutes**

The Board members had a moment of silence in acknowledgment of the passing of William H. Spell, a landscape architect and member of the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects.

**Moment of Silence**

There were no public comments made to the Board.

**Public Comment**

Director DeBoer welcomed everyone to the meeting. He reported that the Barbers & Cosmetology and APELSCIDLA sections have begun using the EAGLES software and the transition has gone well. Director DeBoer noted that on-line renewals are still a work in progress.

**Jay W. DeBoer,**  
**Director's Report**

Director DeBoer informed the Board members that DPOR is increasing in size and will be expanding to the first floor of the Perimeter Center this fall. Sections to move will be Administration and Finance, Contractors, Boxing and Wrestling, and Customer Service. Director DeBoer noted that the Department is fully staffed at 202 employees.

**Expansion and**  
**New Space**

Mary Broz-Vaughan, Director of Communications, Legislation, and Consumer Education, gave the Board members an update on the 2009 General Assembly Session. Director Broz-Vaughan informed the members that there were more than 2500 bills introduced this session, one of which was requested by DPOR, and DPOR tracked more than 50 bills. Director Broz-Vaughan reviewed HB 2432, HB 1708 and SB 886, SB 811, HB 1718 and SB 1527, SB 940, HB 2541, HB 2032, and SB 1143. Director Broz-Vaughan also noted that the Board for Barbers & Cosmetology and the Real Estate Board would be implementing changes resulting from the General Assembly Session.

**Agency Reports:**  
**Mary Broz-**  
**Vaughan,**  
**Director of**  
**Communications,**  
**Legislation, and**  
**Consumer**  
**Education**

Deputy Director Courtney presented the draft report entitled, "Study to Determine Whether the Sign Language and Transliterators 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 in part, "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. VDDHH currently provides a Directory of Qualified Interpreters and Interpreter Services Coordination as mandated by the *Code of Virginia*. VDDHH disseminates the Directory to consumers and service providers to assist in securing qualified interpreters for various assignments."

**Mark Courtney,**  
**Deputy Director**  
**for LRD - Update**  
**on Study of Sign**  
**Language**  
**Interpreters and**  
**Transliterators**

After review and discussion, Ms. Martin made a motion to adopt the report as written. Mr. Tucker seconded the motion which was unanimously approved by members: Buchwald, Cake, Clifford, Demmel, Fore, Martin, and Tucker.

Executive Director Bill Ferguson gave a presentation on the Board Academy for Hearing Aid Specialists.

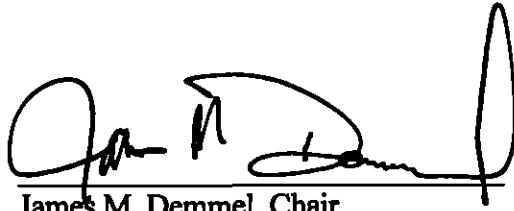
**Bill Ferguson,**  
**Executive**  
**Director – Board**  
**for Hearing Aid**  
**Specialists –**  
**Board Academy**

A Resolution for Board Member Ronald Lushbaugh was read, thanking him for his service to the Board as a board member. A motion was made by Mr. Fore to adopt the Resolution for Mr. Lushbaugh and have it made a part of the minutes. The motion was seconded by Ms. Cake, which was unanimously approved by members: Buchwald, Cake, Clifford, Demmel, Fore, Martin, and Tucker.

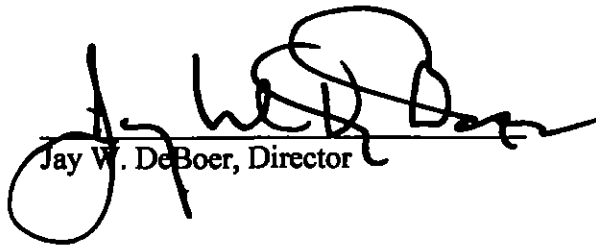
**Other Business:**  
**Adoption of**  
**Resolution for**  
**Board Member**  
**Ronald**  
**Lushbaugh**

Mr. Tucker moved to adjourn. Mr. Fore seconded the motion, which was unanimously approved by members: Buchwald, Cake, Clifford, Demmel, Fore, Martin, and Tucker. The meeting adjourned at 11:55 a.m.

**Adjournment**



James M. Demmel, Chair



Jay W. DeBoer, Director

# Commonwealth of Virginia



## BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

RESOLUTION TO

### **Ronald E. Lushbaugh**

WHEREAS, **Ronald E. Lushbaugh**, did faithfully and diligently serve as a member of the Virginia Board for Professional and Occupational Regulation from 2002 to 2009;

WHEREAS, **Ronald E. Lushbaugh**, did devote generously of his time, talent and leadership to the Board;

WHEREAS, **Ronald E. Lushbaugh**, did endeavor at all times to render decisions with fairness and good judgment in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Virginia Board for Professional and Occupational Regulation wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Virginia Board for Professional and Occupational Regulation this twentieth of April 2009, that **Ronald E. Lushbaugh**, be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held by this Board.

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Laurie Buchwald  
2. Title: Board Member  
3. Agency: BPOR Board  
4. Meeting/IFF Date: Board Meeting April 20, 2009

5. I have a personal interest in the following transaction:

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Nature of Personal Interest Affected by Transaction:

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I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

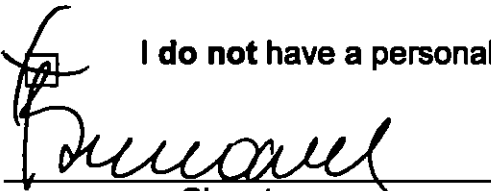
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I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

  
Signature

4/20/09  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Elizabeth G. Cake  
2. Title: Board Member  
3. Agency: BPOR Board  
4. Meeting/IFF Date: Board Meeting April 20, 2009

5. I have a personal interest in the following transaction:
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Nature of Personal Interest Affected by Transaction:

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I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

Elizabeth G. Cake  
Signature

4.20.09  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Julie Clifford  
2. Title: Board Member  
3. Agency: BPOR Board  
4. Meeting/IFF Date: Board Meeting April 20, 2009

5. I have a personal interest in the following transaction:

None

Nature of Personal Interest Affected by Transaction:

None

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

  
Signature

4/20/2009  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: James Demmel  
2. Title: Board Member  
3. Agency: BPOR Board  
4. Meeting/IFF Date: Board Meeting April 20, 2009

5. I have a personal interest in the following transaction:

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Nature of Personal Interest Affected by Transaction:

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I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:


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I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

  
Signature

4/20/09  
Date



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Walter Fore  
2. Title: Board Member  
3. Agency: BPOR Board  
4. Meeting/IFF Date: Board Meeting April 20, 2009

5. I have a personal interest in the following transaction:

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Nature of Personal Interest Affected by Transaction:

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I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

Walter M. Fore Jr  
Signature

4-20-09  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Heather L. Martin  
2. Title: Board Member  
3. Agency: BPOR Board  
4. Meeting/IFF Date: Board Meeting April 20, 2009

5. I have a personal interest in the following transaction:

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Nature of Personal Interest Affected by Transaction:

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I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

  
Signature

04-20-09  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1.       **Name:**                               William Tucker
2.       **Title:**                                Board Member
3.       **Agency:**                            BPOR Board
4.       **Meeting/IFF Date:**                Board Meeting April 20, 2009

5.                    I have a personal interest in the following transaction:

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**Nature of Personal Interest Affected by Transaction:**

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I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.        I do not have a personal interest in any transactions taken at this meeting.

William T. Tucker  
Signature

April 20, 2009  
Date