

POLYGRAPH EXAMINERS ADVISORY BOARD
DRAFT MINUTES OF MEETING
January 17, 2013

The Polygraph Examiners Advisory Board met on Thursday, January 17, 2013, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd Floor, Richmond, Virginia. The following Advisory Board members were present:

Sandra K. Baum, Chairman
John R. Patterson, Vice Chairman
Brett Feinstein
Karl Holzbach
John E. (Ed) McDowell
William Ingram

John T. Orr was absent from the meeting.

Staff present for all or part of the meeting:

Gordon Dixon, Director
Eric L. Olson, Executive Director
Adrienne Mayo, Regulatory Boards Administrator
Mindy Spruill, Regulatory Boards Administrator
Karen Bullock, Administrative Assistant

Chairman Sandra Baum called the meeting to order at 11:11 a.m.

Call To Order

Mr. Patterson offered a motion to approve the agenda. **Mr. McDowell** seconded the motion, which was approved unanimously. Members voting “Yes” were: Baum, Feinstein, Holzbach, Ingram, Patterson and McDowell.

Approval of the Agenda

After the minutes from the Board’s October 20, 2011 meeting was reviewed, **Mr. McDowell** offered a motion to approve the October 20, 2011 meeting minutes. **Mr. Patterson** seconded the motion, which was approved unanimously. Members voting “Yes” were: Baum, Feinstein, Holzbach, Ingram, Patterson and McDowell.

Approval of October 20, 2011 Meeting Minutes

There was no public comment.

Public Comment

Chairman Sandra Baum requested the election of officers be moved to last on the agenda.

Election of Officers

There was no old business.

Old Business

A. Regulatory Update

New Business

Regulatory Boards Administrator, Adrienne Mayo briefed the Board regarding Executive Order 14 also Ms. Mayo provided an overview bringing the Board up to date regarding the status of the proposed regulatory packet. The proposed regulatory package has been approved by the Governor’s office.

B. License Examinations Review

Examinations and Charts Review

Chairman Baum motioned to table the discussion on proposed regulatory changes in order to review the chart of examination candidates. Mr. Holzbach seconded the motion, which was approved unanimously. Members voting “Yes” were: Baum, Feinstein, Holzbach, Ingram, Patterson and McDowell.

Mr. Ingram left the meeting at 12:09 p.m. due to inclement weather.

Board Member

The board took a working lunch break to review examinations at 11:50 a.m. and resumed the meeting at 1:12 p.m.

Break

Agency Director, Gordon Dixon, Chairman Baum and board members congratulated the polygraph examiner candidates on passing their examination and welcomed them to the profession.

Examination Candidates

Regulatory Update Continued

Board staff presented for review comments received during the public comment period regarding the proposed regulation. After review and discussion **Mr. Holzbach** offered a motion recommending the Board adopt to remove from the proposed regulations amended language to change the board composition from eight to seven members. **Ms. Baum** seconded the motion, which was approved unanimously. Members voting “Yes” were: Baum, Feinstein, Holzbach, Ingram, Patterson and McDowell.

Mr. Feinstein recommended the Board adopt to amend the language of 18 VAC120-30-240 (4) of the Prohibited Acts to read “Has made, in the course of soliciting for or advertising a business or service licensed under § 54.1-1802, a false, deceptive or misleading statement orally, in writing or in printed form.

After further discussion on proposed regulatory changes **Mr. Feinstein** offered a motion to recommend the Board adopt the proposed regulatory changes. **Mr. Patterson** seconded the motion, which was approved unanimously. Members voting “Yes” were: Baum, Feinstein, Holzbach, Ingram, Patterson and McDowell.

Executive Director, Eric Olson addressed the advisory board and reminded the Board that any new proposed amendments or any proposals recommended outside the public comment period will require submittal of a separate regulatory package.

The Advisory Board voted the Board adopt as final the regulations to include as recommended the proposed amendments.

Gordon Dixon, Agency Director provided an overview of senate and house bills that has an effect on the Department during the legislative session.

C. Board Meeting Schedule

After discussion and a motion by **Mr. Feinstein**, seconded by **Mr. McDowell**, the board unanimously approved the 2013 board meeting schedule. Members voting “Yes” were: Baum, Feinstein, Holzbach, Ingram, Patterson and McDowell.

Date	Meeting
Thursday, January 17, 2013	Examination – 9:00 A.M. Meeting – 11:00 A.M.
Thursday, April 25, 2013	Examination – 9:00 A.M. Meeting – 11:00 A.M.
Thursday, July 18, 2013	Examination – 9:00 A.M.

New Business Continued

Regulation Approval Recommendation

Gordon Dixon Legislative Overview

Board Meeting Schedule for 2013

Thursday, October 17, 2013	Examination – 9:00 A.M. Meeting – 11:00 A.M.
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Regulatory Boards Administrator, Adrienne Mayo opened the floor for nominations for chairman and vice chairman. Chairman Baum nominated Mr. Ingram for chairman. After a brief discussion and a motion by **Mr. Patterson**, seconded by **Mr. McDowell** the members unanimously elected Mr. Ingram as the new chairman. Members voting “Yes” were: Baum, Feinstein, Holzbach, Ingram, Patterson and McDowell.

Election of Officers

Chairman Baum nominated Mr. Patterson to remain as vice chairman. After a brief discussion and a motion by **Mr. Feinstein**, seconded by **Mr. McDowell** the members unanimously elected Mr. Patterson as vice chairman. Members voting “Yes” were: Baum, Feinstein, Holzbach, Patterson and McDowell.

The next Board meeting is scheduled for Thursday, April 25, 2013.

Next Board meeting

Travel vouchers and conflict of interest forms were completed by all the board members present.

Completion of Paperwork

Chairman Baum requests a motion to adjourn the meeting. **Mr. Feinstein** made a motion to adjourn the meeting at 2:15 p.m. and **Mr. McDowell** seconded. By unanimous vote, Chairman Baum adjourned the meeting. Members voting “Yes” were: Baum, Feinstein, Holzbach, Ingram, Patterson and McDowell.

Adjourn

Sandra K. Baum, Chairman

Date

Gordon Dixon, Director

Date