

Office of Regulatory Management
Economic Review Form

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| Agency name | Department of Professional and Occupational Regulation |
| Virginia Administrative Code (VAC) Chapter citation(s) | 18 VAC 120-30 |
| VAC Chapter title(s) | Regulations Governing Polygraph Examiners |
| Action title | Periodic Review |
| Date this document prepared | June 28, 2023 |
| Regulatory Stage (including Issuance of Guidance Documents) | Periodic Review |

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Description of Impact on Local Partners

- **Identify the local partners impacted by your program (DOLI, DOE, DEQ, etc.).**
- **For each partner, describe the nature of the impact.**

Under Chapter 18 of Title 54.1 of the Code of Virginia, all individuals performing polygraph examinations are required to hold a polygraph examiner license.

The Board's responsibility includes advising the Agency Director on minimum requirements for licensure, and standards of conduct and practice of each regulant.

Most individual licensees are employed with local or state law enforcement agencies, however, there are also polygraph examiners employed with the Department of Corrections.

Often, the listed local partners are impacted financially by submitting application and renewal fees. These local partners also assist and ensure licensees operate within the standards of conduct and practice. For example, the local partners may facilitate the required record retention.

The application and licensure requirements in these regulations impose costs on the regulated parties that is often transferred to the employer as a perk of their employment. These include payment of required fees. In addition, there are likely time and administrative costs associated with fulfilling the requirements imposed by the regulations.

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Description of Impact on Families

- **Describe the specific ways in which your program impacts families (employability, transferability of license (i.e. military), impacts on children (i.e. child care needs, etc.)).**

These regulations do not have any impact on families.

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Description of Impact on Small Businesses

- **Identify the ways your program impacts small businesses (which licenses interact with small businesses, regulations that impact them directly or indirectly).**

Polygraph Examiner and Polygraph Examiner Intern licenses are issued to individuals, and not to business entities. However, some license polygraph examiners are owners and/or employees of business entities that meet the definition of "small business" in § 2.2-4007.1 of the Code of Virginia.

Under the statute and the regulations, individuals are prohibited from performing polygraph examinations without the required license. License requirements include completing an application, paying an application fee, submitting required documentation, and successfully completing an examination. Once licensure is obtained, the individual must renew the license by submitting the applicable renewal fee.

The application and licensure requirements in these regulations impose costs on the regulated parties. These include payment of required fees. In addition, there are likely time and administrative costs associated with fulfilling the requirements imposed by the regulations.

Changes to Number of Regulatory Requirements

Not applicable.