

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

MINUTES

The Board for Professional and Occupational Regulation met on Monday, November 27, 2023, 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:

Grace Flores-Hughes
H. Scott Johnson
Alice Kendrick
Gaby Rengifo
Charles Vaughters

Board members Laurence Benenson, Enid Candelaria-Vega, Nil Eguz, and Jemmalyn Hewlett were not present at the meeting.

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

Kishore Thota, Director
Brian Wolford, Chief Deputy Director
Steve Kirschner, Deputy Director
Joe Haughwout, Regulatory Affairs Manager
Amy Goobic, Executive Assistant

There was no representative present from the Office of the Attorney General.

Ms. Flores-Hughes called the meeting to order at 10:25 a.m.

Call to Order

Mr. Haughwout reviewed the emergency evacuation procedures.

Emergency Evacuation Procedures

The Board welcomed new DPOR Director, Kishore Thota, and new Chief Deputy Director, Brian Wolford. Board members and staff introduced themselves.

Welcome and Introductions

Mr. Vaughters moved to approve the agenda. Ms. Kendrick seconded the motion. Ms. Flores-Hughes requested adding a separate agenda item for any 'New Business.' Mr. Vaughters withdrew his original motion, then moved to approve the agenda as amended. Ms. Kendrick seconded the motion which was unanimously approved by members: Flores-Hughes, Johnson, Kendrick, Rengifo, and Vaughters.

Approval of Agenda

Mr. Vaughters moved to approve the September 18, 2023, board meeting minutes. Ms. Kendrick seconded the motion which was unanimously approved by members: Flores-Hughes, Johnson, Kendrick, Rengifo, and Vaughters.

Approval of Minutes

There were no public comments.

Public Comment

Mr. Haughwout provided a brief review of the board liaison role.

Board Liaison Reports

Ms. Kendrick reported on her attendance at the Real Estate Board meeting held on November 16, 2023. Ms. Rengifo reported on her attendance at the Board for Professional Soil Scientists, Wetland Delineators, and Geologists held on September 26, 2023. Ms. Flores-Hughes indicated that she would be attending the Virginia Board for Asbestos, Lead and Home Inspectors meeting on November 30, 2023.

Mr. Kirschner and Mr. Haughwout gave a presentation on DPOR operations to provide updates to the Board. Mr. Kirschner provided an update on legislation and policy affecting DPOR. He updated the Board on Universal License Recognition (ULR), which took effect July 1, 2023. ULR provides an easier path for out of state applicants to become licensed in Virginia. Mr. Kirschner stated that to date there have been 164 licenses approved through ULR.

Update on DPOR Operations

Mr. Kirschner also reviewed several legislative items that included: DPOR's ability to use carriers for mailing other than USPS; sale of non-prescription over-the-counter hearing aids without a license, to reconcile with a recent change in federal law; a change in the membership of the WWOSSP Board to replace the faculty member of higher education representative with a local or regional expert from VDH; changes to the CIC statutes including the new 'Resale Disclosure Act' which creates uniform requirements for disclosures to be made to those who purchase a unit in a CIC; and amendments to the Virginia Real Estate Time-Share Act related to alternative purchases.

Mr. Haughwout provided a review and update on licensing and regulatory operations. He updated the Board on the status of the agency's regulatory review actions in accordance with the Executive Directive One regulatory reduction initiative.

Mr. Haughwout and Mr. Kirschner informed the Board of the ongoing efforts to have applications, exams, and instructions translated into other languages. Discussion was held on the translation efforts, Mr. Kirschner indicated that it was not a statewide effort, but agency by agency. Mr. Vaughters commented that with today's technology and AI, it should be simpler. Mr. Vaughters also stated he thought it should be up to the Commonwealth and not the individual agencies to perform these translations. Mr. Haughwout also informed the Board that the agency is researching the possibility of remotely proctored examinations.

Board members were informed about planning for the Board Member Training Conference to be held in the fall of 2024. Ms. Flores-Hughes

stated that a member of the Board should be included in a presentation or round table, as she feels many are not familiar with the Board for Professional and Occupational Regulation.

Mr. Haughwout provided an update on DPOR's effort to upgrade its licensing software. He informed the Board that the agency recently contracted with Tyler Technologies to replace the licensing and enforcement systems. The system upgrade will take approximately two years to implement and will among other things, allow applicants to apply online for licensure. Mr. Wolford stated that the goal is to have the system be as intuitive as possible.

Mr. Haughwout updated the Board on the investigations case load, informing the Board that Tom Payne, Deputy Director of Compliance and Investigations, has advised the agency's case load has not declined. Mr. Haughwout also provided an update on DPOR's consumer outreach over the past year. Ms. Flores-Hughes suggested reaching out to seniors' groups to educate them on potential scam issues with contractors.

Board members were provided a handout with a proposed board objective statement for review and discussion. Mr. Kirschner reviewed the statutory duties of the Board, and also discussed the levels of regulation, with licensure providing the strictest level of regulation. Mr. Kirschner stated that the Board is in the position to reassess and provide feedback to the Governor's office on current licensing programs. DPOR staff can bring recommendations to the Board for further evaluation on degrees of regulation.

**BPOR Objectives
Statement**

Discussion was held on the role of Board liaisons and their participation in other DPOR board meetings. Mr. Thota recommended going forward, the board liaisons be introduced if attending one of their assigned board's meeting, and provide information on their role.

Mr. Thota expressed the importance of attending Board meetings, as the business of the Board can affect the lives of Virginians. It is necessary to have a quorum at meetings to ensure the ability to make and pass motions. Mr. Thota also stated that the Secretary of Labor and Secretary of the Commonwealth are kept apprised of the attendance of Board members.

Mr. Vaughters moved to adopt the objectives statement as proposed. Ms. Kendrick seconded the motion which was unanimously approved by members: Flores-Hughes, Johnson, Kendrick, Rengifo, and Vaughters.

There was no other business and no new business.

**Other Business/New
Business**

Mr. Haughwout advised the Board that members would receive information regarding the annual Financial Disclosure Statement required from all board members. Mr. Haughwout stated they would receive an email with filing information the beginning of January 2024, and filing is to be completed by February 1, 2024.

Financial Disclosure Statement

Board members signed Conflict of Interest forms and travel vouchers.

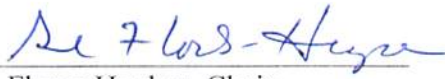
Conflict of Interest Forms & Travel Vouchers

The meeting was adjourned at 11:44 am.

Adjourn

Board members were provided the opportunity to stay following meeting adjournment to participate on Conflict of Interest Act Training.

Conflict of Interest Act Training



Grace Flores-Hughes, Chair



Kishore S. Thota, Director

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

- 1. Name: Grace Flores-Hughes
- 2. Title: Board Member
- 3. Agency: Board for Professional & Occupational Regulation
- 4. Meeting/IFF Date: Board Meeting November 27, 2023

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

Nature of Personal Interest Affected by Transaction:

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.

Grace Flores-Hughes
Signature

November 27, 2023
Date

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Alice Kendrick
2. Title: Board Member
3. Agency: Board for Professional & Occupational Regulation
4. Meeting/IFF Date: Board Meeting November 27, 2023
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

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.

Alice M. Kendrick
Signature

11/27/2023
Date

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

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

1. Name: Gaby Rengifo
2. Title: Board Member
3. Agency: Board for Professional & Occupational Regulation
4. Meeting/IFF Date: Board Meeting November 27, 2023

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

Nature of Personal Interest Affected by Transaction:


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

11-27-23
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Charles Vaughters
2. Title: Board Member
3. Agency: Board for Professional & Occupational Regulation
4. Meeting/IFF Date: Board Meeting November 27, 2023

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

N/A

Nature of Personal Interest Affected by Transaction:

N/A

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

N/A

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

11/27/2023

Date