



## **Economic Impact Analysis Virginia Department of Planning and Budget**

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### **18 VAC 120-30 – Regulations Governing Polygraph Examiners Department of Professional and Occupational Regulation October 4, 2001**

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The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 9-6.14:7.1.G of the Administrative Process Act and Executive Order Number 25 (98). Section 9-6.14:7.1.G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

### **Summary of the Proposed Regulation**

The Department of Professional and Occupational Regulation (DPOR) proposes to make several changes to these regulations. Most of the proposed amendments reflect clarifications of current policy or grammatical improvements. In addition, DPOR proposes to require that polygraphy schools report any changes in the information previously reported in obtaining approved status.

### **Estimated Economic Impact**

The current regulations require that the instructor of a polygraphy school's course on the Legal Aspects of Polygraph Examination be a member of the Virginia State Bar. DPOR proposes to eliminate the Virginia State Bar membership requirement and replace it with a requirement to be licensed as an attorney in a state or jurisdiction of the United States. According to DPOR the Virginia State Bar requirement has not been enforced. The proposed language reflects DPOR's long-standing policy as it has been applied. Thus, this proposed

change, as well as the changes made for clarification will not substantially affect citizens, businesses, and other entities in Virginia.

DPOR also proposes to require that polygraphy schools provide the agency with any change in the information that the school provided to gain approved status within 30 days of the change. The schools are unlikely to report changes that would result in the loss of their approved status without prompting, but they would be more likely to keep DPOR's information on school names and addresses up-to-date. A more accurate list of approved school names and addresses would be beneficial to the public since DPOR informs inquiring prospective polygraph examiners as to which schools' courses are approved by the agency for satisfying licensure requirements. The cost to schools would be minimal, perhaps a short e-mail. Thus, this proposed change may provide a small net economic benefit.

### **Businesses and Entities Affected**

The proposed regulations affect the 255 licensed polygraph examiners and one polygraphy school in Virginia.<sup>1</sup> The proposed regulations also affect the approximately 13 polygraph schools located outside of the Commonwealth that are approved by DPOR.<sup>2</sup>

### **Localities Particularly Affected**

The proposed regulations potentially affect all Virginia localities. The one DPOR-approved polygraph school that is located in Virginia is in Norfolk.

### **Projected Impact on Employment**

The proposed changes are not projected to affect employment.

### **Effects on the Use and Value of Private Property**

The proposed changes are unlikely to affect the use and value of private property.

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<sup>1</sup> Source: DPOR

<sup>2</sup> Ibid