



Biennial Report 2010-2012

Gordon N. Dixon, Director

Bob McDonnell, Governor of Virginia

Jim Cheng, Secretary of Commerce & Trade

DPOR redesigned its logo and website this biennium to promote our identity as a modern, innovative leader in state government.



Department of Professional and Occupational Regulation

Our goals for the redesigned site are to enhance our customer service, spruce up our online image, and improve the user experience for employees and website visitors.

The redesigned site—launched in July 2012—streamlines navigation, to help visitors find what they're looking for on the first try. The new architecture gives users multiple, intuitive pathways to access information, using mega-menus and tabs to minimize page scrolling or opening of new browser windows.

Check out our new and improved website at www.dpor.virginia.gov.

DPOR strives to promote Virginia's positive business climate, ensure a competent workforce, and provide exceptional customer service.

What's New?

The General Assembly created a new regulatory program under the Board for Contractors to license

**Residential
Building
Energy
Analysts.**

[SB 1375 (2011)]

Board Mergers & Deregulation

After a comprehensive review across state government, [Governor McDonnell's Commission on Government Reform and Restructuring](#) identified opportunities to improve efficiency and effectiveness. The 2012 General Assembly endorsed the following reforms affecting DPOR:

Consolidation of two regulatory programs into existing boards. Effective July 1, 2012, the newly merged boards are the **Board for Hearing Aid Specialists and Opticians** and the **Board for Professional Soil Scientists, Wetland Professionals, and Geologists**.

De-regulation of **hair braiders** and **mold remediators and inspectors**. As of July 1, 2012, no state credentials are required to engage in these professions.

Licensing Activity & Online Services

258,500 Phone Calls Received

267,100 License Renewals

77,300 Address Changes

54,800 Initial Applications

52,300 Emails Received

14,000 Name Changes

13,300 License Reinstatements

11,800 Certifications

10,600 Payment Adjustments

DPOR issues professional credentials—licenses, certificates or registrations—in the least burdensome and most efficient way. Our goal is to ensure the *minimum competency* necessary to practice without harming the public, not to enhance professional stature or limit competition by keeping newcomers out.

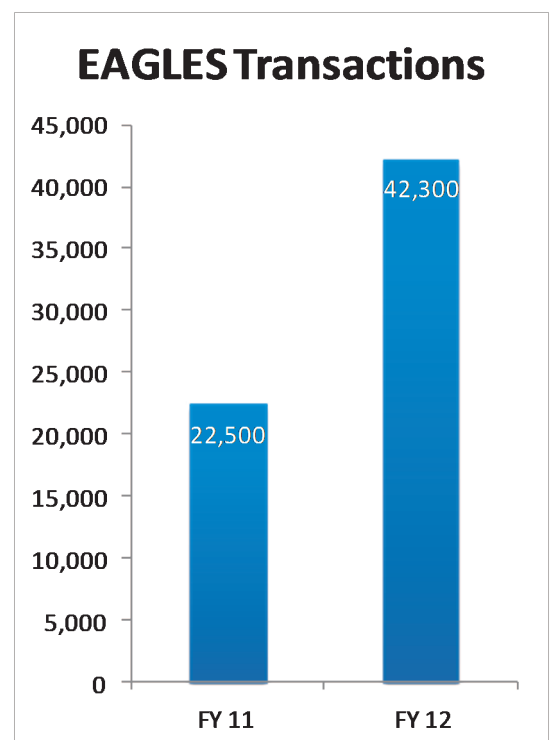
Policy boards comprised of practitioners and citizen members determine the minimum standards necessary to enter a profession, and qualify applicants based on a combination of **education, experience and examination**.

DPOR licensing staff helps protect the public by verifying conformity with application, renewal and reinstatement requirements. In addition, the Board Administrative Proceedings Section conducted **820 informal fact-finding conferences** for applicants who needed to provide additional information to demonstrate satisfaction of statutory and regulatory qualifications.

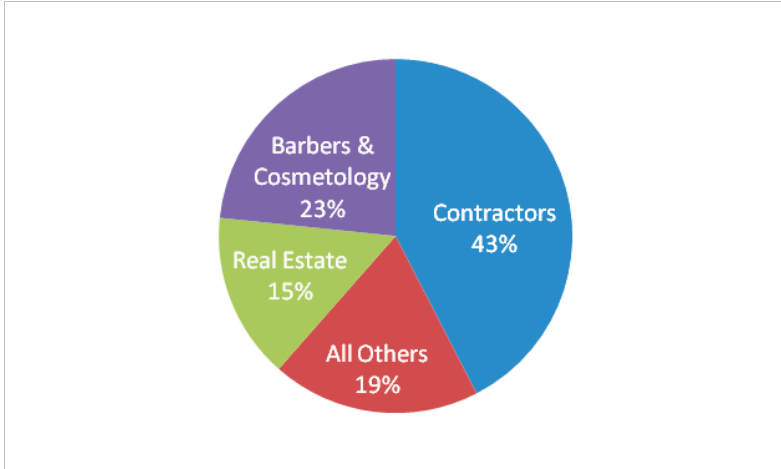
DPOR made great progress on its multi-phase information technology project this biennium, migrating **48 license types** across **six boards** into **EAGLES** (Electronic Access to Government Licensing and Enforcement System).

EAGLES allows customers to apply for and maintain their licenses online. Online transactions offer applicants and licensees technological convenience, while reducing paper submissions, increasing credit card payments, and maximizing service efficiencies.

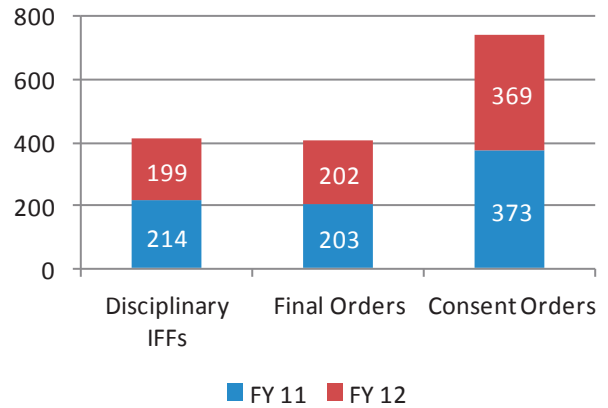
The final phase of EAGLES will migrate the remaining third of DPOR's regulatory programs, fully retiring the agency's legacy licensing system.



Complaint Volume by Board



Enforcement Activity



Investigations & Compliance

DPOR enforces standards of professional conduct established by the policy boards. The agency **investigates** reports of regulatory violations and seeks to **obtain compliance** with the law or, when necessary, to **discipline** the licensee. Regulatory board sanctions against licensees include fines, probationary terms, suspension or license revocation.

Resolving cases without moving through the full disciplinary process saves time and resources. Nearly two-thirds (65%) of the 1,147 disciplinary orders entered by DPOR boards this biennium were **consent order** agreements for voluntary settlement. The agency also resolved 109 complaints through **alternative dispute resolution**, offering parties the opportunity to avoid investigation and board action.

DPOR uses Informal Fact-Finding Conferences (IFFs), in accordance with the Administrative Process Act (APA), to obtain evidence on the record for disciplinary cases and for certain application and recovery fund cases. During the biennium, the agency conducted **413 disciplinary IFFs** and **223 recovery fund IFFs**.

Unlicensed activity—practicing a profession without a required state license—is a misdemeanor criminal violation. **Regulatory boards do not have jurisdiction over unlicensed individuals.** In cases alleging unlicensed practice, DPOR attempts to obtain compliance with licensing requirements or works with local law enforcement to assist in bringing criminal charges. Ultimately, unlicensed activity is outside the agency’s legal jurisdiction and prosecution is at the discretion of local officials.

170
Unlicensed criminal cases
 brought by DPOR and successfully
 prosecuted by local authorities

\$556,000
Court-ordered victim restitution
 resulting from DPOR-assisted
 unlicensed criminal cases

Board Statistics & Fiscal Affairs

DPOR operates in full view of the public and welcomes participation by licensees, consumers, and the general public. Board meetings are announced and open to the public, with board actions reflected in minutes available online at the [Virginia Regulatory Town Hall](#).

A non-general fund agency, DPOR is financed by assessments on regulated practitioners, not by any tax revenues. In accordance with the [Callahan Act](#), the agency adjusts fees so that revenues are sufficient to cover expenses, but not excessive. Fee-setting is conducted pursuant to the [Administrative Process Act](#)'s public comment and executive branch review requirements.

REGULATORY PROGRAM	REVENUES	EXPENDITURES	NUMBER OF MEETINGS	APPLICANTS EXAMINED	COMPLAINTS RECEIVED	REGULANT POPULATION (as of 06/30/12)	POPULATION % CHANGE (since last biennium)
Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects	\$3,298,665	\$3,147,849	51	6,426	248	39,830	1.61%
Asbestos, Lead, Mold and Home Inspectors	\$425,394	\$585,703	11	203	80	6,865	19.56%
Auctioneers	\$98,952	\$138,733	6	148	66	1,612	-3.82%
Barbers & Cosmetology	\$7,756,118	\$6,974,084	10	15,620	2,042	72,883	-0.46%
Branch Pilots	\$6,360	\$4,726	23	29	0	49	0.00%
Cemetery	\$56,710	\$143,641	6	N/A	145	1,984	22.92%
Common Interest Communities	\$2,022,799	\$1,443,162	21	N/A	614	5,382	10.85%
Contractors	\$20,458,901	\$15,819,582	26	19,037	3,709	95,432	-2.16%
Fair Housing	\$68,116	\$68,116	22	N/A	373	2188	4.89%
Geology	\$36,075	\$65,799	8	61	1	883	0.23%
Hearing Aid Specialists	\$37,535	\$103,125	3	135	14	615	7.89%
Opticians	\$251,305	\$203,386	4	200	14	1,958	1.03%
Polygraph Examiners	\$39,140	\$38,782	2	35	6	278	9.45%
Real Estate Appraisers	\$395,347	\$503,340	10	374	204	4,236	-6.08%
Real Estate	\$6,948,776	\$7,483,900	43	20,452	1,325	62,849	-7.74%
Professional Boxing, Wrestling & Martial Arts	\$320,641	\$412,535	5	N/A	3	774	33.45%
Professional Soil Scientists and Wetland Professionals	\$25,775	\$16,419	5	28	3	239	4.37%
Waste Management Facility Operators	\$42,095	\$51,477	3	368	6	1,216	-0.98%
Waterworks, Wastewater Works Operators and Onsite Sewage System Professionals	\$469,525	\$596,129	10	1,594	74	6,589	7.30%
TOTALS	\$42,758,229	\$37,800,488	269	64,710	8,927	305,862	-1.47%