

2018-20 Strategic Plan

Department of Professional and Occupational Regulation [222]

Mission

The Department of Professional and Occupational Regulation protects the health, safety and welfare of the public by licensing qualified individuals and businesses and enforcing standards of professional conduct for professions and occupations as designated by statute.

Vision

The Department of Professional and Occupational Regulation will be the Commonwealth's most effective agency, discovering creative ways to integrate regulatory efficiency with consumer protection via a commitment to exceptional customer service, efficient business processes, technological proficiency, and empowered employees who are committed to public service and professional development.

Values

Finance

Financial Overview

The Department of Professional and Occupational Regulation's (DPOR's) primary source of funding is licensing fees charged to applicants and regulants, which represent 99% of revenues. Fee amounts are established for each board to provide revenues and cash reserves that are sufficient for operating expenses, but not excessive. Revenues from fees pay the expenses of each board, as well as a proportionate share of agency operations and support services. About 1% of DPOR's funds come from federal grants, which primarily support Fair Housing activities. DPOR receives only non-general funds.

Biennial Budget

	2019 General Fund	2019 Nongeneral Fund	2020 General Fund	2020 Nongeneral Fund
Initial Appropriation for the Biennium	0	23,954,438	0	23,954,438
Changes to Initial Appropriation	0	0	0	0

(Changes to Initial Appropriation will be 0 when the plan is created. They will change when the plan is updated mid-biennium.)

Customers

Anticipated Changes to Customer Base

At the close of FY 2010, the Department of Professional and Occupational Regulation (DPOR) regulated approximately 310,000 individuals and businesses. Over the following three biennia, the volume of regulants decreased nearly 2%, primarily in contractor-related professions. However, decreases in the number of contractors were partially offset by increases in the real estate and engineering professions. Since 2016, the total regulant population has grown to approximately 311,000. The number of contractors is expected to stabilize and the Department expects the continuation of modest overall growth during the current biennium, primarily in real estate and engineering.

In FY 2016, DPOR received the lowest number of license, certification, and registration applications in more than a dozen years, processing approximately 24,000 applications. However, the number of applications has increased in the last two years by 1,000 each year to 26,000 applications. The Department expects a slight increase in applications over the next two years.

The number of complaints processed by DPOR has remained stable for the last five years, with approximately 3,370 in FY 2018. The Department estimates that there will be very little change in complaint volume for the 2018-20 Biennium, assuming approximately 3,400 to 3,500 complaints annually.

New recovery fund claims vary each year, with an annual average of 122 filed during the 2012-14 Biennium. During the two years of the 2014-16 Biennium, the annual average number of claims received by DPOR dropped to 66. The number of filed claims averaged 95 per year in the 2016-18 Biennium. The Department estimates the number of claims filed will be in the 75-100 per year range for the current biennium. The number of claims approved for payment averaged 62 per year over the past four years. The Department expects a similar level of approved payments during the current biennium.

The Department's maximum employment level (MEL) is 212 and is expected to remain at 212 for the next two years. Similarly, the number of board members is expected to remain stable at 196 members.

Changes in the overall number or composition of regulatory programs—as determined by the General Assembly—will affect the number of potential customers in the bases of applicants, regulants, affiliated organizations, board members, and employees.

Current Customer List

Predefined Group	User Defined Group	Number Served Annually	Potential Number of Annual Customers	Projected Customer Trend
Business and Finance	Regulants (individuals/businesses holding licenses, certifications, registrations and other authorizations issued by DPOR)	311,000	312,000	Increase
Applicants	Applicants (potential regulants)	25,851	26,000	Increase
Consumer	Complainants (individuals submitting complaints against regulants)	3,370	3,500	Increase
Consumer	Recovery fund claimants	95	90	Decrease
Local or Regional Government Authorities	Local, state and federal government offices and agencies	238	238	Stable
State Agency(s),	Board members (regulatory & advisory)	196	196	Stable
State Government Employee	DPOR Employees	181	203	Increase

Partners

Name	Description
------	-------------

Agency Goals

- **Promote a positive business climate and ensure a competent workforce by issuing licenses, certifications and registrations to qualified individuals and businesses for the authorized practice of regulated professions.**

Summary and Alignment

Professional regulation establishes entry standards to ensure that individuals and businesses engaged in activities that pose potential harm to the public are sufficiently qualified by meeting standards of competency via education, experience, and/or examination.

Associated State Goal

Government and Citizens: Be recognized as the best-managed state in the nation.

Associated Societal Indicator

Consumer Protection

Objectives

- » **Issue licenses, certifications, registrations, and other authorizations to qualified individuals and businesses in an efficient manner.**

Description

Efficient licensure of qualified individuals and businesses ensures that those entering regulated professions and occupations receive authorization to practice their chosen profession with minimal application processing delays.

Objective Strategies

- Perform periodic audits of applications, forms and instructions to ensure compliance with applicable laws and regulations while maintaining clarity to improve applicant comprehension and completion rates.
- Align board statutes and regulations to ensure entry and renewal requirements for credentialed professions support Virginia's current and future workforce needs.

Measures

- ◆ Cost per licensee
- ◆ Cost per licensee
- ◆ Percent of licenses issued to qualified applicants within 15 days of receipt of completed application

» **Regulate professions and occupations effectively.**

Description

Effective regulation requires legal standards that minimize barriers to entry into and practice of regulated professions and occupations while ensuring professional competence.

Objective Strategies

- Administer examination contracts to ensure psychometrically valid, ADA-compliant and properly administered exams.
- Promulgate least burdensome, reasonably restrictive regulations, which establish minimum standards of proficiency and conduct required to ensure professional and occupational competence.

Measures

- ◆ Cost per licensee
- ◆ Cost per licensee

» **Integrate support services into individual service area operations efficiently to maximize customer satisfaction.**

Description

Administrative services strives to meet customers' high performance expectations in all functional areas of responsibility by providing expert resource management, cost-effective information technology applications, innovative public relations and outreach activities, and comprehensive planning and evaluation efforts.

Objective Strategies

- Extend new licensing system functionality to expand online license capability to all professions and occupations.
- Explore new electronic document management opportunities.

Measures

- ◆ Percent of paid renewals processed through the agency's website

• **Protect the public and promote fair housing opportunities by resolving complaints against regulated professionals who fail to comply with standards of practice.**

Summary and Alignment

Compliance with statutory and regulatory standards of practice – including non-discrimination in residential housing transactions – protects the public from incompetent or unscrupulous practitioners in a fair, expeditious, and uniform manner.

Associated State Goal

Government and Citizens: Be recognized as the best-managed state in the nation.

Associated Societal Indicator

Consumer Protection

Objectives

» **Investigate and resolve complaints efficiently through alternatives to the formal disciplinary process.**

Description

Enforcement receives, analyzes and, when necessary, investigates and adjudicates complaints of failure to comply with legal or regulatory professional requirements. Rather than emphasizing board-imposed sanctions against the respondent, the Department of Professional and Occupational Regulation (DPOR) will use a variety of alternatives to formal enforcement, including voluntary correction of administrative deficiencies and alternative dispute resolution. Alternatives to the formal disciplinary process often offer respondents and complainants faster resolution with flexible terms more favorable to both parties.

Objective Strategies

- Increase the Department of Professional and Occupational Regulation's emphasis on bringing respondents into compliance.
- Require remedial education in addition or as an alternative to other sanctions imposed because of regulatory violations.

Measures

- ◆ Percent of complaints resolved through alternatives to the official disciplinary process
- ◆ Percent of disciplinary violations resolved through consent order and consent agreement

» **Investigate and resolve disciplinary complaints efficiently.**

Description

Enforcement receives, analyzes and, when necessary, investigates and adjudicates complaints of failure to comply with legal or regulatory professional requirements. Customer service (to the regulant, complainant and consumer customer bases) is improved by expeditious resolution of complaints.

Objective Strategies

- Evaluate alternative methods and develop new processes to increase the number of disciplinary cases closed within 180 days.
- Explore ways to reduce and simplify disciplinary case documentation requirements.

Measures

- ◆ Percent of disciplinary files closed within 180 days

• **Maximize organizational effectiveness and improve the quality of customer service in all programs through efficient delivery of administrative support.**

Summary and Alignment

Internal and external customers expect effective, efficient business processes that support all agency operations. Stakeholders expect competent management of resources (financial, human and material), information technology, policy and planning activities, and public information supported by a comprehensive performance measurement system.

Associated State Goal

Government and Citizens: Be recognized as the best-managed state in the nation.

Associated Societal Indicator

Government Operations

Objectives

» **Administer support services effectively while complying with legal, state and operational requirements.**

Description

Administrative services are conducted in a highly structured environment bound by numerous federal and state guidelines. The ongoing challenge to support areas is to identify process improvement opportunities that conform to the legal and operational confines in order to maximize agency effectiveness.

Objective Strategies

- Design and implement a Departmental Performance Management System.
- Identify and address potential internal processing weaknesses.

Measures

- ◆ Cost per licensee
- ◆ Cost per licensee

» **Integrate support services into individual service area operations efficiently to maximize customer satisfaction.**

Description

Administrative services strives to meet customers' high performance expectations in all functional areas of responsibility by providing expert resource management, cost-effective information technology applications, innovative public relations and outreach activities, and comprehensive planning and evaluation efforts.

Objective Strategies

- Extend new licensing system functionality to expand online license capability to all professions and occupations.
- Explore new electronic document management opportunities.

Measures

- ◆ Percent of paid renewals processed through the agency's website

Major Products and Services

Products and services with a direct impact on external customers include:

- Licenses, certifications, registrations, and other authorizations
- Alternative dispute resolution
- Application and form design
- Case management (compliance tracking and documentation)
- Common Interest Community Ombudsman determinations
- Communications and community outreach
- Complaint intake and analysis
- Customer assistance
- Disciplinary informal fact-finding conferences
- Investigation of regulatory, fair housing and unlicensed activity complaints
- Licensing informal fact-finding conferences
- Recovery fund claim processing
- Regulatory coordination and development

Other products and services include:

- Board administration
- Budget and financial management
- Business continuity planning
- Education curricula development
- Employee benefits administration
- Employee development
- Employee recruitment and succession planning
- Examination administration
- Facilities management and visitor access control
- Information technology and systems development
- Legislative analysis
- Mail processing and delivery
- Policy analysis and plan development (including strategic planning)
- Quality assurance and performance measurement
- Records/information management
- Risk management
- Supply inventory management

Performance Highlights

Of the more than 308,000 individuals and businesses holding current licenses, certifications or registrations issued by the Department of Professional and Occupational Regulation (DPOR) at the end of FY 2018, 99 percent had no disciplinary violations during the same fiscal year. Of the more than 158,000 initial, renewal and reinstatement applications and related payments processed by DPOR during FY 2018, nearly 26,000 were applications for new licenses. The Compliance and Investigations Section processed approximately 3,370 disciplinary complaints during the same fiscal year.

DPOR improved its efforts to issue secure credentials to qualified applicants without unreasonably sacrificing processing time and efficiency when verifying identity and authenticating documents. Most notably, as a result of enabling legislation requested by the agency in 2017, contractor application backlogs have decreased with enactment of the surety bond option to demonstrate fiscal responsibility.

Staffing

Authorized Maximum Employment Level (MEL)	203
Salaried Employees	181
Wage Employees	31
Contracted Employees	0

Key Risk Factors

The addition and modification of regulatory programs assigned to the Department by the General Assembly, as well as the potential for additional environmental and housing-related mandates (e.g., appraisers and fair housing) issued by the federal government, are among the external challenges facing the agency.

Already enacted modifications to regulatory programs for the 2019 Fiscal Year include:

- Increased education requirements for real estate salespersons and brokers (2018, c. 60); effective 1/1/2019.
- Extension of tradesmen license term (2018, c. 750); exempt regulatory action effective 1/1/2019.

DPOR is one of two pilot agencies participating in the three-year regulatory reduction program mandated by Chapter 444 of the 2018 Acts of Assembly. After developing a baseline catalog of discretionary regulatory requirements, the agency will attempt to reduce or streamline the overall number by 25 percent over three years.

The regulatory review process continues to impede the Department's ability to provide responsive services, with Administrative Process Act (APA) timeframes and executive branch approvals resulting in regulations taking an average of 24-48 months to become effective. Additionally, ensuring the security and integrity of the licensure process must be balanced with expectations for efficient and timely services. Fraud prevention, identity verification, and document authentication increase the time and expense associated with issuing a license.

Finally, all professional regulatory boards face increased risk of legal liability following the *NC Dental* SCOTUS decision. DPOR boards' exposure to anti-trust claims is minimized as a result of the director's active supervision as a non-market participant.

Management Discussion

General Information About Ongoing Status of Agency

DPOR will continue its development of fully interactive business processes, including on-line licensure, address changes, case management, and reporting capabilities. Secure, user-friendly online services are essential to meeting citizen expectations, improving customer service, excelling with e-government initiatives, managing and evaluating operations effectively, and redirecting staff to higher-level workflow activities. Balancing the significant resource investments in application and employee development required for such transformation, however, requires the Department to identify other processing efficiencies.

Ongoing expansion of DPOR's innovative electronic document management capabilities will continue to improve Freedom of Information Act (FOIA) and in-house research response time through desktop retrieval of electronic records in a fraction of the time needed to retrieve paper documents. Additionally, the agency is nearing completion of its conversion of internal paper/non-interactive forms to interactive forms with digital (electronic signature) capability thereby eliminating the cost and delay associated with paper record processing.

DPOR will continue its process improvement efforts by investing in employee professional development, specifically stressing technical training for customer service skill sets and coaching for core competencies, and emphasizing the effective use of reliable data and measures to evaluate and improve performance, teamwork and employee morale.

Information Technology

Population increases, enhanced workforce opportunities, and new regulatory programs (affecting customer bases) create increased demand for agency services, particularly real-time automated interactive business processes to support on-line licensure and case management. Renewed emphasis on anytime anywhere access to electronic data generates greater demand for enhanced delivery, readiness, and reporting capabilities.

While relatively new, the Department's licensing and regulation system has not been expanded to provide enhanced processing abilities as originally planned, and enforcement tracking initiatives remain a separate process, both of which make regulatory programming changes highly resource-intensive efforts for the agency. Additionally, changes driven by the Virginia Information Technologies Agency (VITA) in IT infrastructure, cybersecurity and IT governance continue to require resource-intensive means to ensure DPOR's continuity in providing and serving both internal and external customers. These changes and the associated expenses in meeting VITA IT security and infrastructure mandates will likely continue to increase DPOR's overhead costs.

Estimate of Technology Funding Needs

Workforce Development

As the operational needs of DPOR evolve to better align our mission and the expectations of our customers, professional development opportunities for our workforce are critical. DPOR is a customer service-orientated agency charged with assisting and protecting the public with regard to our regulated professions. In an effort to focus on enhancing our customer service philosophy throughout the agency, employees are encouraged to explore various online training opportunities afforded through the Commonwealth of Virginia Learning Center and other on-demand training providers. DPOR also continues to encourage and support specific employee development initiatives connected to individual positions, and extends a tuition reimbursement program as an additional consideration for job-related courses/programs. The Department's complex licensing system, requires continued training to allow employees to fully utilize this advanced system. DPOR partners with the Performance Management Group through Virginia Commonwealth University and identifies employees to participate in supervisory and/or management level programs to refine or establish their leadership skills. Considering all of DPOR's professional development efforts combined with our succession planning and

cross-training initiatives, DPOR strives to be adequately prepared to meet our customer's needs as we move into the future.

Physical Plant

The Department of Professional and Occupational Regulation (DPOR) is located in the Perimeter Center office building in Henrico County's Deep Run Office Park. The Department of General Services leases the building at 9960 Mayland Drive, Richmond, Virginia, 23233 and in turn has assigned that space to five state agencies. DPOR leases nearly 44,000 sq. feet of commercial office and storage space in the four-story building.

The Department employs more than 193 individuals with 24 percent of DPOR's full-time positions [many as field investigators with home offices] telecommuting at least 32 hours each month, and another 22 percent telecommuting on an occasional basis.

Supporting Documents

Title	File Type
--------------	------------------

Licensure, Certification, and Registration of Professions and Occupations [56046]

Description of this Program / Service Area

The licensure, certification, and registration service area maintains clear licensure requirements and standards, and issues licenses, certifications, and registrations for the authorized practice of regulated professions and occupations.

Mission Alignment

This service area aligns directly with the Department of Professional and Occupational Regulation's (DPOR's) mission to serve and protect the public through licensure of qualified individuals and businesses in professions that, if not regulated, may harm the public's health, safety and welfare.

Title 54.1, Subtitle I. General Provisions Relating to Regulatory Boards

Title 54.1, Subtitle II. Professions and Occupations Regulated by the Department of Professional and Occupational Regulation and Boards within the Department

Virginia Administrative Code, Title 18, Professional and Occupational Licenses

Title 2.2, Subtitle I, Part C. State Agencies Related to the General Operation of Government

Title 2.2, Subtitle I, Part E. State Officers and Employees

Title 2.2, Subtitle II. Part B. Transaction of Public Business

Title 13.1, Corporations

Title 36, Chapter 5.1 (Virginia Fair Housing Law)

Title 42.1, Chapter 7 (Virginia Public Records Act)

Title 55, Chapter 4.1 (Horizontal Property)

Title 55, Chapter 4.2 (Condominium Act)

Title 55, Chapter 19 (Subdivided Land Sales Act)

Title 55, Chapter 21 (Virginia Real Estate Time-Share Act)

Title 55, Chapter 24 (Virginia Real Estate Cooperative Act)

Title 55, Chapter 26 (Property Owners' Association Act)

Title 55, Chapter 27 (Virginia Residential Property Disclosure Act)

Title 55, Chapter 27.2 (Real Estate Settlements)

Title 55, Chapter 27.3 (Real Estate Settlement Agents)

Title 55, Chapter 28 (Commercial Real Estate Broker's Lien Act)

Title 55, Chapter 29 (Common Interest Community Management Information Fund)

12 USC 3301 et seq. (Financial Institutions Reform, Recovery and Enforcement Act)

15 USC 2601 et seq. (Toxic Substances Control Act)

15 USC 6300 et seq. (Professional Boxing Safety Act of 1996, amended by the Muhammad Ali Boxing Reform Act effective 6/26/00)

42 USC 3601 et seq. (Federal Fair Housing Act)

Products and Services

Description of Major Products and Services

Application and form design

Board administration

Case management (compliance tracking and documentation)

Communications and community outreach

Customer assistance

Education curricula development

Employee development

Examination administration

Legislative analysis

Licenses, certifications, registrations and other authorizations

Licensing informal fact-finding conferences

Policy analysis and plan development (including strategic planning)

Quality assurance and performance management

Records/information management

Regulatory coordination and development

Products / Services					
Product / Service	Statutory Authority	Regulatory Authority	Required Or Discretionary	GF	NGF
Application and form design	Code of VA, Title 54.1, Subtitle I, General Provisions Relating to Regulatory Boards; Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department; Title 55, Property & Conveyances, Ch. 4.1, 4.2, 19, 21, 24, 26, 27, 27.2, 27.3, 28, 29	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	32,805
Board administration	Code of VA, Title 2.2, Subtitle II, Part B. Transaction of Public Business, Ch. 37, 40; Title 54.1, Subtitle I, General Provisions Relating to Regulatory Boards; Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department; Title 55, Property & Conveyances, Ch. 4.1, 4.2, 19, 21, 24, 26, 27, 27.2, 27.3, 28, 29	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	1,640,249
Case management (compliance tracking and documentation)	Code of VA, Title 2.2, Subtitle II, Part B. Transaction of Public Business, Ch. 40; Title 36, Housing, Ch. 5.1; Title 54.1, Subtitle I, General Provisions Relating to Regulatory Boards; Subtitle II, Professions & Occupations Regulated by the Department of	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	98,415

	Professional & Occupational Regulation & Boards within the Department; 42 USC 3601 et seq.				
Communications and community outreach	Code of VA, Title 36, Housing, Ch. 5.1; Title 54.1, Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department; Title 55, Property & Conveyances, Ch. 4.1, 4.2, 19, 21, 24, 26, 27, 27.2, 27.3, 28, 29	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	0
Customer assistance	Code of VA, Title 54.1, Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department; Title 55, Property & Conveyances, Ch. 4.1, 4.2, 19, 21, 24, 26, 27, 27.2, 27.3, 28, 29	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	0
Education curricula development	Code of VA, Title 54.1, Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	42,140
Employee Development	Code of VA, Title 2.2, Subtitle I, Part E. State Officers & Employees, Ch. 28, 29		Required	0	108,930
Examination administration	Code of VA, Title 54.1, Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	238,795
Legislative analysis	Code of VA, Title 36, Housing, Ch. 5.1; Title 54.1, Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department; Title 55, Property & Conveyances, Ch. 4.1, 4.2, 19, 21, 24, 26, 27, 27.2, 27.3, 28, 29; 12 USC 3301 et seq.; 15 USC 2601 et seq.; 15 USC 6300 et seq.; 42 USC 3601 et seq.		Required	0	131,220

License, certifications, registrations and other authorizations	Code of VA, Title 2.2, Subtitle II, Part B. Transaction of Public Business, Ch. 40; Title 13.1, Corporations, Ch. 7, 12, 13, 14; Title 36, Housing, Ch. 5.1; Title 54.1, Subtitle I, General Provisions Relating to Regulatory Boards & Subtitle II, Prof & Occ Regulated by the Department of Prof & Occ Regulation & Boards within the Department; Title 55, Property & Conveyances, Ch. 4.1, 4.2, 19, 21, 24, 26, 27, 27.2, 27.3, 28, 29; 12 USC 3301 et seq.; 15 USC 2601 et seq.; 15 USC 6300 et seq.; 42 USC 3601 et	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	4,264,647
Licensing informal fact-finding conferences	Code of VA, Title 2.2, Subtitle II, Part B. Transaction of Public Business, Ch. 40, 41	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	600,064
Policy analysis and plan development (including Strategic Plan)	Code of VA, Title 2.2, Subtitle I, Part C. State Agencies related to the General Operation of Government, Ch. 12, 15		Required	0	65,610
Quality assurance and performance measurement	Code of VA, Title 2.2, Subtitle I, Part C. State Agencies related to the General Operation of Government, Ch. 15; and Title 54.1, Subtitle I, General Provisions Relating to Regulatory Boards		Required	0	0
Records/information management	Code of VA, Title 2.2, Subtitle II, Part B. Transaction of Public Business, Ch. 37, 38, 38.1, 38.2, 40; Title 42.1, Libraries, Ch. 7		Required	0	0
Regulatory coordination and development	Code of VA, Title 2.2, Subtitle II, Part B. Transaction of Public Business, Ch. 40, 41; Title 36, Housing, Ch. 5.1; Title 54.1, Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department; Title 55, Property & Conveyances, Ch. 4.1, 4.2, 19, 21, 24, 26, 27, 27.2, 27.3, 28, 29; 12 USC 3301 et seq.; 15 USC 2601 et seq.; 15 USC 6300 et seq.		Required	0	328,050

Anticipated Changes

New and modified programs

- Increased education requirements for real estate salespersons and brokers (2018, c.60); effective 1/1/2019.
- Extension of tradesmen license term (2018, c. 750); exempt regulatory action effective 1/1/2019.

DPOR is one of two pilot agencies participating in the three-year regulatory reduction program mandated by Chapter 444 of the 2018 Acts of Assembly. After developing a baseline catalog of discretionary regulatory requirements, the agency will attempt to reduce or streamline the overall number by 25 percent over three years.

Factors Impacting

- Changes in state directives and reporting requirements
- Changes in state policy
- Changes in the composition of DPOR's workforce
- Changes in the frequency of board meetings
- Changes to existing regulatory programs
- Changes to the Administrative Process Act (APA)
- Delays in fee increase/regulation approvals
- Federal mandates (Environmental Protection Agency (EPA), etc.)
- Greater diversity in applicant, regulant and consumer customer bases
- Changes in the number of applications received
- Changes in the number of complaints filed (including regulatory, fair housing and unlicensed activity)
- Changes in the number of licenses issued
- Information technology opportunities and challenges
- New regulatory programs

Financial Overview

The major source of funding for this service area is licensing fees charged to applicants and regulants. Fee amounts are established for each board to provide revenues and cash reserves that are sufficient for operating expenses, but not excessive. Revenues from fees pay the expenses of each board, as well as a proportionate share of agency operations and support services. This service area is funded entirely from non-general funds.

Biennial Budget

	2019 General Fund	2019 Nongeneral Fund	2020 General Fund	2020 Nongeneral Fund
Initial Appropriation for the Biennium	0	7,550,924	0	7,550,924
Changes to Initial Appropriation	0	0	0	0

Supporting Documents

Title **File Type**

Enforcement of Licensing, Regulating and Certifying Professions and Occupations [56047]

Description of this Program / Service Area

The enforcement of licensing, regulating and certifying service area analyzes, investigates and adjudicates complaints of violations of statutory and regulatory requirements including possible violations of fair housing laws that prohibit discriminatory practices in residential housing. In addition, this area houses the Office of the Common Interest Community Ombudsman, which serves as an information resource for community association members and offers non-binding interpretations of laws and regulations governing associations.

Mission Alignment

This service area aligns directly with the Department of Professional and Occupational Regulation's mission to protect the public health, safety and welfare through enforcement of laws that demand professional compliance, competence and conduct.

Title 54.1, Subtitle I. General Provisions Relating to Regulatory Boards

Title 54.1, Subtitle II. Professions and Occupations Regulated by the Department of Professional and Occupational Regulation and Boards within the Department

Virginia Administrative Code, Title 18, Professional and Occupational Licenses

Title 2.2, Subtitle I, Part C. State Agencies Related to the General Operation of Government

Title 2.2, Subtitle I, Part E. State Officers and Employees

Title 2.2, Subtitle II. Part B. Transaction of Public Business

Title 13.1, Corporations

Title 36, Chapter 5.1 (Virginia Fair Housing Law)

Title 55, Chapter 4.1 (Horizontal Property)

Title 55, Chapter 4.2 (Condominium Act)

Title 55, Chapter 19 (Subdivided Land Sales Act)

Title 55, Chapter 21 (Virginia Real Estate Time-Share Act)

Title 55, Chapter 24 (Virginia Real Estate Cooperative Act)

Title 55, Chapter 26 (Property Owners' Association Act)

Title 55, Chapter 27 (Virginia Residential Property Disclosure Act)

Title 55, Chapter 27.2 (Real Estate Settlements)

Title 55, Chapter 27.3 (Real Estate Settlement Agents)

Title 55, Chapter 28 (Commercial Real Estate Broker's Lien Act)

Title 55, Chapter 29 (Common Interest Community Management Information Fund)

12 USC 3301 et seq. (Financial Institutions Reform, Recovery and Enforcement Act)

15 USC 2601 et seq. (Toxic Substances Control Act)

15 USC 6300 et seq. (Professional Boxing Safety Act of 1996, amended by the Muhammad Ali Boxing Reform Act effective 6/26/00)

42 USC 3601 et seq. (Federal Fair Housing Act)

Products and Services

Description of Major Products and Services

Application and form design

Alternative dispute resolution

Case management (compliance tracking and documentation)

Common Interest Community Ombudsman determinations

Communications and community outreach

Complaint intake and analysis

Customer assistance

Disciplinary informal fact-finding conferences

Employee development

Investigation of regulatory, fair housing and unlicensed activity complaints

Legislative analysis

Quality assurance and performance measures

Records/information management

Recovery fund claims processing

Products / Services					
Product / Service	Statutory Authority	Regulatory Authority	Required Or Discretionary	GF	NGF
Application and form design	Code of VA, Title 36, Ch. 5.1; Title 54.1, Subtitle I, General Provisions Relating to Regulatory Boards; Title 54.1, Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department	Virginia Administrative Code, Title 18, Professional and Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	74,097
Alternative dispute resolution	Code of VA, Title 2.2, Subtitle II, Part B. Transaction of Public Business, Ch. 41.1		Required	0	301,865
Case management (compliance tracking and documentation)	Code of VA, Title 2.2, Subtitle II, Part B. Transaction of Public Business, Ch. 40; Title 36, Ch. 5.1; Title 54.1, Subtitle I, General Provisions Relating to Regulatory Boards; Title 54.1, Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department; 42 USC 3601 et seq.	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	545,411
Common Interest Community Ombudsman determinations	Code of VA, Title 55, Ch. 29	Virginia Administrative Code, Title 18. Professional & Occupational Licensing, Agency 48. Common Interest Community Board, Ch. 70. CIC Ombudsman Regulations	Required	0	141,695
Communications and community outreach	Code of VA, Title 36, Housing, Ch. 5.1; Title 54.1, Subtitle II, Professions & Occupations Regulated by the	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120,	Required	0	113,208

	Department of Professional & Occupational Regulation & Boards within the Department; Title 55, Property & Conveyances, Ch. 4.1, 4.2, 19, 21, 24, 26, 27, 27.2, 27.3, 28, 29	130, 135, 145, 155, 160			
Complaint intake and analysis	Code of VA, Title 54.1, Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	846,092
Customer assistance	Code of VA, Title 54.1, Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department; Title 55, Property & Conveyances, Ch. 4.1, 4.2, 19, 21, 24, 26, 27, 27.2, 27.3, 28, 29	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	0
Disciplinary informal fact-finding conferences	Code of VA, Title 2.2, Subtitle II, Part B. Transaction of Public Business, Ch. 40		Required	0	459,172
Employee development	Code of VA, Title 2.2, Subtitle I, Part E. State Officers & Employees, Ch. 28, 29		Required	0	60,630
Investigations of regulatory, fair housing and unlicensed activity complaints	Code of VA, Title 36, Ch. 5.1; Title 54.1, Subtitle I, General Provisions Relating to Regulatory Boards; Title 54.1, Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department; 42 USC 3601 et seq.	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	4,981,142
Legislative analysis	Code of VA, Title 36, Housing, Ch. 5.1; Title 54.1, Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department; Title 55, Property & Conveyances, Ch. 4.1, 4.2, 19, 21, 24, 26, 27, 27.2, 27.3, 28, 29; 12 USC 3301 et seq.; 15 USC 2601 et seq.; 15 USC 6300 et seq.; 42 USC 3601 et seq.		Required	0	123,526

Quality assurance and performance measures	Code of VA, Title 2.2, Subtitle I, Part C. State Agencies related to the General Operation of Government, Ch. 15; Code of Virginia, Title 54.1, Subtitle I, General Provisions Relating to Regulatory Boards	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	0
Records/information management	Code of VA, Title 2.2, Subtitle II, Part B. Transaction of Public Business, Ch. 37, 38, 38.1, 38.2, 40; Title 42.1, Libraries, Ch. 7;		Required	0	0
Recovery fund claims processing	Code of VA, Title 54.1, Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department, Ch. 11, 21, 23.3		Required	0	143,491

Anticipated Changes

New and modified programs

- Increased education requirements for real estate salespersons and brokers (2018, c.60); effective 1/1/2019.
- Extension of tradesmen license term (2018, c. 750); exempt regulatory action effective 1/1/2019.

DPOR is one of two pilot agencies participating in the three-year regulatory reduction program mandated by Chapter 444 of the 2018 Acts of Assembly. After developing a baseline catalog of discretionary regulatory requirements, the agency will attempt to reduce or streamline the overall number by 25 percent over three years.

Factors Impacting

- Changes in state directives and reporting requirements
- Changes in state policy
- Changes in the composition of DPOR's workforce
- Changes in the frequency of board meetings
- Changes to existing regulatory programs
- Changes to the Administrative Process Act (APA)
- Delays in fee increase/regulation approvals
- Federal mandates (Environmental Protection Agency (EPA), etc.)
- Greater diversity in applicant, regulant and consumer customer bases
- Changes in the number of applications received
- Changes in the number of complaints filed (including regulatory, fair housing and unlicensed activity)
- Changes in the number of Contractor and Real Estate recovery fund claims submitted
- Changes in the number of licenses issued
- Information technology opportunities and challenges
- New regulatory programs
- Reduction in federal funding used for fair housing investigations and training

Financial Overview

The major source of funding for this service area is licensing fees charged to applicants and regulants. Fee amounts are established for each board to provide revenues and cash reserves that are sufficient for operating expenses, but not excessive. Revenues from fees pay the expenses of each board and a proportionate share of agency operations, including enforcement activities conducted on behalf of the board. In addition, about 30% of the funding for Fair Housing enforcement activity is provided from federal grants. This service area is funded entirely from non-general funds.

Biennial Budget

	2019 General Fund	2019 Nongeneral Fund	2020 General Fund	2020 Nongeneral Fund
Initial Appropriation for the Biennium	0	7,913,854	0	7,913,854
Changes to Initial Appropriation	0	0	0	0

Supporting Documents

Title **File Type**

Administrative Services [56048]

Description of this Program / Service Area

The administrative services area provides efficient and effective operational support to all functional areas of the Department of Professional and Occupational Regulation.

Mission Alignment

This service area aligns with the Department of Professional and Occupational Regulation's mission to serve and protect the public by providing efficient and effective support to all agency licensure and enforcement functions with many administrative work units collaborating to enhance overall Department efficiency. While administrative services supports primarily internal customers; the service area aligns directly with the agency mission to serve and protect the public, in sections that service a variety of external customers (e.g., customer assistance, community outreach, public relations, public records/information disclosure and employee recruitment).

Title 54.1, Subtitle I. General Provisions Relating to Regulatory Boards

Title 54.1, Subtitle II. Professions and Occupations Regulated by the Department of Professional and Occupational Regulation and Boards within the Department

Title 2.2, Subtitle 1, Part C. State Agencies Related to the General Operation of Government

Title 2.2, Subtitle II. Part B. Transaction of Public Business

Title 44, Chapter 3.2 Emergency Services and Disaster Laws

Products and Services

Description of Major Products and Services

Application and form design

Budget and financial management

Business continuity planning

Communications and community outreach

Customer assistance

Employee benefits administration

Employee development

Employee recruitment and succession planning

Facilities management and visitor access control

Information technology and systems development

Legislative analysis

Mail processing and delivery

Policy analysis and plan development

Procurement of goods and services

Quality assurance and performance measurement

Records/information management

Recovery fund claims processing

Risk management

Supply inventory management

Products / Services					
Product / Service	Statutory Authority	Regulatory Authority	Required Or Discretionary	GF	NGF
Application and form design	Code of VA, Title 54.1, Subtitle I, General Provisions Relating to Regulatory Boards; Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department; Title 55, Property & Conveyances, Ch. 4.1, 4.2, 19, 21, 24, 26, 27, 27.2, 27.3, 28, 29	Virginia Administrative Code, Title 18. Professional & Occupational Licenses, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	137,266
Budget and financial management	Code of VA, Title 2.2, Subtitle I, Part C. State Agencies Related to the General Operation of Government, Ch. 8, 15; Title 54.1, Subtitle I. General Provisions Relating to Regulatory Boards		Required	0	1,236,477
Business continuity planning	Code of VA, Title 44, Military & Emergency Laws, Ch. 3.2		Required	0	34,830
Communications and community outreach	Code of VA, Title 36, Housing, Ch. 5.1; Title 54.1, Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department; Title 55, Property & Conveyances, Ch. 4.1, 4.2, 19, 21, 24, 26, 27, 27.2, 27.3, 28, 29	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	23,302
Customer assistance	Code of VA, Title 54.1, Subtitle I, General Provisions Relating to Regulatory Boards; Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department; Title 55, Property & Conveyances, Ch. 4.1, 4.2, 19, 21, 24, 26, 27, 27.2, 27.3, 28, 29	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	87,076
Employee benefits administration	Code of VA, Title 2.2, Subtitle I, Part C. State Agencies Related to the General Operation of Government, Ch. 12; Part E. State Officers & Employees, Ch. 28, 29		Required	0	142,715

Employee development	Code of VA, Title 2.2, Subtitle I, Part E. State Officers & Employees, Ch. 28, 29		Required	0	109,231
Employee recruitment and succession planning	Code of VA, Title 2.2, Subtitle I, Part C. State Agencies Related to the General Operation of Government, Ch. 12; Part E. State Officers & Employees, Ch. 28, 29		Required	0	353,932
Facilities management and visitor access control	Code of VA, Title 2.2, Subtitle I, Part C. State Agencies Related to the General Operation of Government, Ch. 11		Required	0	1,637,026
Information technology and systems development	Code of VA, Title 2.2, Subtitle I, Part C. State Agencies Related to the General Operation of Government, Chapter 20.1		Required	0	3,460,686
Legislative analysis	Code of VA, Title 36, Housing, Ch. 5.1; Title 54.1, Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department; Title 55, Property & Conveyances, Ch. 4.1, 4.2, 19, 21, 24, 26, 27, 27.2, 27.3, 28, 29; 12 USC 3301 et seq.; 15 USC 2601 et seq.; 15 USC 6300 et seq.; 42 USC 3601 et seq.		Required	0	46,603
Mail processing and delivery	Code of VA, Title 2.2, Subtitle I, Part C. State Agencies Related to the General Operation of Government, Chapter 11		Required	0	109,666
Policy analysis and plan development	Code of VA, Title 2.2, Subtitle I, Part C. State Agencies Related to the General Operation of Government, Ch. 12, 15		Required	0	62,673
Procurement of goods and services	Code of VA, Title 2.2, Subtitle I, Part C. State Agencies Related to the General Operation of Government, Chapter 11; Subtitle II, Part B. Transaction of Public Business, Chapters 43		Required	0	379,636
Quality assurance and performance measurement	Code of VA, Title 2.2, Subtitle I, Part C. State Agencies related to the General Operation of Government, Chapter 15; Title 54.1, Subtitle I, General Provisions Relating	Virginia Administrative Code, Title 18, Professional & Occupational Licensing, Agencies 10, 15, 25, 41, 45, 47, 48, 50, 62, 80, 120, 130, 135, 145, 155, 160	Required	0	69,661

	to Regulatory Boards				
Records/information management	Code of VA, Title 2.2, Subtitle II, Part B. Transaction of Public Business, Chapters 37, 38, 38.1, 38.2, 40; Title 42.1, Chapter 7		Required	0	356,890
Recovery fund claims processing	Code of VA, Title 54.1, Subtitle II, Professions & Occupations Regulated by the Department of Professional & Occupational Regulation & Boards within the Department, Ch. 11, 21, 23.3		Required	0	34,830
Risk management	Code of VA, Title 2.2, Subtitle I, Part C. State Agencies related to the General Operation of Government, Chapter 18		Required	0	34,830
Supply inventory management	Code of Virginia, Title 2.2, Subtitle II, Part B. Transaction of Public Business, Chapters 43		Required	0	172,332

Anticipated Changes

New and modified programs

- Increased education requirements for real estate salespersons and brokers (2018, c.60); effective 1/1/2019.
- Extension of tradesmen license term (2018, c. 750); exempt regulatory action effective 1/1/2019.

DPOR is one of two pilot agencies participating in the three-year regulatory reduction program mandated by Chapter 444 of the 2018 Acts of Assembly. After developing a baseline catalog of discretionary regulatory requirements, the agency will attempt to reduce or streamline the overall number by 25 percent over three years.

Factors Impacting

- Changes in state directives and reporting requirements
- Changes in state policy
- Changes in the composition of the DPOR's workforce
- Changes in the frequency of board meetings
- Changes to existing regulatory programs
- Changes to the Administrative Process Act (APA)
- Delays in fee increase/regulation approvals
- Federal mandates (Environmental Protection Agency (EPA), etc.)
- Greater diversity in applicant, regulant and consumer customer bases
- Changes in the number of applications received
- Changes in the number of complaints filed (including regulatory, fair housing and unlicensed activity)
- Changes in the number of Contractor and Real Estate recovery fund claims submitted
- Changes in the number of licenses issued
- Information technology opportunities and challenges
- New regulatory programs
- Reduction in federal funding used for fair housing investigations and training

Financial Overview

The source of funding for this service area is licensing fees charged to applicants and regulants. Fee amounts are established for each board to provide revenues and cash reserves that are sufficient for operating expenses, but not excessive. Revenues from fees pay the expenses of each board and a proportionate share of agency operations, including administrative support activities. This service area is funded entirely from non-general funds.

Biennial Budget

	2019 General Fund	2019 Nongeneral Fund	2020 General Fund	2020 Nongeneral Fund
Initial Appropriation for the Biennium	0	8,489,660	0	8,489,660
Changes to Initial Appropriation	0	0	0	0

Supporting Documents

Title **File Type**