

WEST VIRGINIA ASSOCIATION OF LICENSING BOARDS

101 Dee Drive, Suite 100
Charleston, West Virginia 25311-1688
Phone: (304) 558-3572
Minutes - Emergency Meeting
January 23, 2015

- (1) Call to Order The emergency meeting of the Association was called to order at 1 pm at 101 Dee Drive, Charleston, West Virginia, by Linda Lyter, President.
- (2) Introduction of Members and Guests The introduction of members and guest was dispensed with due to the importance of the issue involved.
- (3) New Business A. HB 2239

This bill would create a Health Professions Board with a new health related board and Executive Director appointed by the Governor. Members expressed that it would create another layer of bureaucracy and limit the Boards' abilities to function in some areas.

Information was provided by a member regarding SB 585 that has been in place since 1977, created in WV Code 30-1-15 an Executive Secretary of licensing boards. It was suggested by a member that the Association consider the hiring of a legislative consultant however concerns were expressed that because the Association is funded by Boards that this may be a problem based upon a 2011 opinion of the Ethics Commission. A consultant cannot be hired to fight legislation which impacts all Boards but could be hired if HB 2239 passes to work on rulemaking.

It was reported that sponsors of this bill have been working on it since November 2014 and feel strongly about its passage. It has been stated by legislators that it would save \$1.9 million and that savings would then be passed back to licensees. Members questioned any savings since the Boards are special revenue and the funds of many are not appropriated.

Members further expressed concerns that the Executive Director in the proposed bill would appropriate funds to each Board, and that HB2239 would take away the Legislative Auditor's check and balance function, and also that the proposed structure would take over the role of the Boards to process complaints and issue disciplinary action. It was also stated that under HB2239 each Board would have a dedicated attorney from the Attorney General's Office as a part of a general discussion by members that the Boards' operations would be assumed by others and micromanaged.

Concern was also expressed by members that no Boards were approached/consulted during the development of and prior to introduction of this legislation.

Other concerns expressed by members included:

1. Many other states have “umbrella boards” and Boards in those states are more difficult to contact and obtain information from.
2. HB2239 would create inefficiencies in the operations of Boards in WV;
3. What is the real purpose of HB2239?
4. It doesn't seem as though legislators have thought through the processes currently in place and how those would change.
5. The primary sponsor of the bill stated that he wants all Boards to remain autonomous however if a staff vacancy occurred hiring would have to be done through the newly created Executive Director.
6. The bill strips the Boards of decision-making authority that it has now.
7. A 30-person board would not be effective or efficient.
8. Legislators don't understand the differences between the Boards' Code sections and legislative rules; they are not all the same.
9. Costs would be incurred if all Boards were required to move to Charleston.
10. Implementation of HB2239 could inhibit licensees from other states from coming to WV as licensees would not be issued as quickly as they are now. Some Boards are able to issue licenses the same day as requested by an applicant.
11. How would the Executive Director position and new board be funded?
12. Inspections of facilities are also required by some Boards. How would this be done effectively if the inspectors are generalists instead of specialists in the relevant area of practice?

Members discussed options for next steps to take to express concerns/opposition regarding HB 2239. Attendance at Committee Meetings where the bill is on the agenda is essential. The bill is not referenced to Finance or Judiciary, so this could be requested along with a fiscal note. Linda Lyter will accept comments from members until Sunday January 25 so that written responses can be compiled and submitted to all members of both House Health and House Government Organization Committees. A public hearing may also be requested. A motion was made by Jeff Harlow for all Chapter 30 boards to be united on this issue. Seconded by Regina Foster. Passed unanimously. Members will be kept informed of any action on HB2239.

(9)Future Meeting The next meeting date is February 4, 2015 at 1:00 pm at 101 Dee Drive.
 Dates

(10)Adjournment The meeting was adjourned at 3 pm.

Prepared by:

Lanette L. Anderson

2/2/15

Lanette L. Anderson, Secretary

Date

WV ASSOCIATION OF LICENSING BOARDS
ATTENDANCE
January 23, 2015

NAME	LICENSING BOARD
Michelle Mayhew	Licensed Practical Nurses
Nancy Godby	Medical Imaging
Patricia Holstein	Veterinary Medicine
Summer Steele	Physical Therapy
David Thornton	Sanitarians
Linda Lyter	Massage Therapy and Acupuncture
Kathy Lynch	Psychologists
Roxanne Clay	Counseling
Barbara Johnson	Chiropractic
James Casey	Dentistry
Pam Carper	Optometry
Grady Bowyer	Association Consultant
Amanda Legg	Funeral Services
Regina Foster	Funeral Services
Nancy Massey	Respiratory Care
Diana Shepard	Osteopathic Medicine
Tom Susman	Osteopathic Medicine
Laura Rhodes	Registered Nurses
Mike Goff	Pharmacy

David Scarpelli	Barbers and Cosmetologists
Virginia Lewis	Barbers and Cosmetologists
Amanda Smith	Barbers and Cosmetologists
Kendra Zamora	Hearing Aid Dealers
David Potters	Pharmacy
Robert Knittle	Medicine
Dr. Jeff Harlow	Psychology
Joe Richards	Speech Language Pathology/Audiology
Vonda Malnikoff	Occupational Therapy (via telephone)
Kathy Quesenberry	Occupational Therapy (via telephone)