

WEST VIRGINIA ASSOCIATION OF LICENSING BOARDS

101 Dee Drive, Suite 100
Charleston, West Virginia 25311-1688
Phone: (304) 558-3572

Minutes

February 4, 2015

- (1) Call to Order The 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 Members and guests in attendance introduced themselves and identified the various boards they represented.
- (3) Approval of Minutes A motion was made to approve the meeting minutes from the December 2, 2014 meeting. Motion was seconded; motion carried. A motion was made to approve the minutes from the January 23, 2015 emergency meeting of the Association. Motion was seconded; motion carried.
- (4) Treasurer's Report The Treasurer reported that as of December 31, 2014 the Association's account balance was \$13,434.48. A motion was made to accept the Treasurer's Report. The motion was seconded; motion carried.
- (5) Guest Speaker Sgt. Scott Pettry, the Director of Criminal Records of the West Virginia State Police addressed the group regarding performance of criminal history records checks. HB 2103 currently pending in the Legislature would authorize some Boards who currently cannot conduct these checks with that authority. St. Pettry provided members with some historical information regarding the State Police's use of an outside vendor for this purpose since 2011. He also provided members with information about the opportunity for Boards to set up a virtual office account with the Criminal Records Division free of charge which would permit them to see criminal history records checks on their applicants and licensees within a short time after they are processed. Questions were asked by members as to whether the language in HB2103 would be sufficient to meet the requirements of the FBI to conduct federal background checks and it was determined that this would likely be acceptable. Sgt. Pettry also discussed the security requirements for record results received by the Boards. Records from federal criminal background checks are not subject to FOIA and must be kept secure with access only to Board staff who must have access. An applicant or licensee can challenge their results through the State Police or request their own background check. State background check results are not subject to the same strict security measures as federal results.
- (5) Old Business A. Exemption Letter to Purchasing Division
- Linda Lyter reported that the letter on behalf of the Boards from the Association of Licensing Boards was hand-delivered to Purchasing on December 30. Several

Boards also sent letters regarding concerns about proposed revisions to Section 9 of the Purchasing Division Procedures Handbook. Specifically, members expressed concern that services of hearing officers, expert witnesses, and court reporters would require a competitive bidding process. Subsequent to these communications it was the decision of the Purchasing Division to keep the desired exemptions.

B. Meeting with Attorney General's Office regarding Billing Practices

Members have requested clarification from the Attorney General's Office regarding the bills that they receive for their services, particularly exactly what they are billed for. Officers of the Association will meet with representatives of that office in late February or early March and members will be provided with information regarding the outcome of that discussion.

(6) New Business A. wvOASIS

Linda Lyter reported that Phase D of implementation (payroll and time keeping) has been delayed. A time frame for Boards to begin these processes is unclear.

B. Legislative Issues – 2015 Session

Grady Bowyer, Consultant to the Association reported on legislation which has been introduced during the 2015 legislative session. Members continued to discuss concerns with HB2239 which would create an umbrella structure for twenty-five health licensing boards. Linda Lyter indicated that she would contact the Legislative Auditor's Office to obtain a copy of the Fiscal Note for this bill. It was also determined that Boards need to conduct research regarding the issues that an umbrella structure would create including information based upon their experiences in dealing with Boards in those states which have that structure. The need for a cost/benefit analysis for the potential implementation of the bill was also discussed. A motion was made that a committee of the Association be established to contact and meet with the relevant committees in the House of Delegates to discuss issues and potential ways that services such as IT, purchasing, and wvOASIS services could be coordinated among Boards rather than creating the structure provided in HB2239. The motion named Bob Knittle (Board of Medicine), David Potters (Board of Pharmacy), and Pam Carper (Board of Optometry) as members of the Association Committee. The motion was seconded; motion carried. A motion was also made to have Linda Lyter email House Health and Government Organization Committee Chairs to request a study resolution in lieu of HB2239. This motion was seconded and after further discussion the motion was amended to delay this communication until it can be determined what additional action may be taken in the House of Delegates on this bill. The amended motion was seconded; motion carried.

(7) Miscellaneous No additional concerns were voiced by members.

WV ASSOCIATION OF LICENSING BOARDS
ATTENDANCE
February 4, 2015

NAME	LICENSING BOARD
Lanette Anderson	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
Susan Combs	Dentistry
Pam Carper	Optometry
Grady Bowyer	Association Consultant
Amanda Legg	Funeral Services
Regina Foster	Funeral Services
Diana Shepard	Osteopathic Medicine
Laura Rhodes	Registered Nurses
David Scarpelli	Barbers and Cosmetologists
Amanda Smith	Barbers and Cosmetologists
Kendra Zamora	Hearing Aid Dealers
Dr. Jeff Harlow	Psychology

Patty Nesbitt	Speech Language Pathology/Audiology
Vonda Malnikoff	Occupational Therapy
Dennis Jarrell	Surveyors
Kevin Hypes	Real Estate Commission
Richard Strader	Real Estate Commission
Brenda Turley	Accountancy
Lesley Tabor	Engineers
Sue Rubenstein	Engineers
George Conard	Dentistry
St. Scott Pettry	WV State Police