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# VIRGINIA STATE BUDGET

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2020 Session

## Budget Bill - SB29 (Introduced)

Bill Order » Office of Commerce and Trade » Item 119

Department of Professional and Occupational Regulation

Item 119 (Not set out)	First Year - FY2019	Second Year - FY2020
<b>Regulation of Professions and Occupations (56000)</b>	<b>\$23,954,438</b>	<b>\$23,954,438</b>
Licensure, Certification, and Registration of Professions and Occupations (56046)	\$7,550,924	\$7,550,924
Enforcement of Licensing, Regulating and Certifying Professions and Occupations (56047)	\$7,913,854	\$7,913,854
Administrative Services (56048)	\$8,489,660	\$8,489,660
Fund Sources:		
Special	\$1,328,410	\$1,328,410
Dedicated Special Revenue	\$22,291,028	\$22,291,028
Federal Trust	\$335,000	\$335,000

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Authority: Title 54.1, Chapters 1, 2, 3, 4, 5, 6, 7, 8.1, 9, 11, 15, 18, 20.1, 20.2, 21, 22, 22.1, 23, 23.1, 23.2, 23.3, and 23.4; Title 55, Chapters 4.1, 4.2, 19, 21, 24, 26, 27, 28, and 29; and Title 36, Chapter 5.1, Code of Virginia.

Costs for professional and occupational regulation may be met by fees paid by the respective professions and occupations.

A. Any fund balances currently held in the Dedicated Special Revenue Fund (0900), the Common Interest Community Management Information Fund (0259) and the Special Revenue Fund (0200) shall be held in reserve and may not be disbursed by the Department of Professional and Occupational Regulation, but shall be applied to offset the anticipated, future costs of restructuring its organization, including additional staffing needs and the replacement or upgrade of the Department's information technology systems requirements as listed in (B) and (C) of this item. Such reserve funds shall be disbursed only to cover expenses of the Department or its regulatory boards as provided in § 54.1-308.

B.1. The Department of Professional and Occupational Regulation shall conduct a comprehensive assessment of its staffing needs and organizational structure to improve its performance, increase efficiency and effectively conduct its responsibilities and obligations.

2. The purpose of the assessment is to ensure that the department has sufficient staffing resources to (i) meet performance goals for processing transactions and handling customer inquiries and (ii) perform employment verifications and on-site audits recommended by JLARC. If the assessment finds additional positions are needed, DPOR should evaluate whether existing part-time positions should be converted to full-time positions and if existing positions elsewhere in the department can be reallocated.

3. During its comprehensive assessment the Department shall: (i) consider establishing one or more positions vested with the following agency-wide duties: (a) coordinate and assist in the development of agency regulations; (b) coordinate agency legislative efforts; (c) lead agency communications with external parties; and (d) serve as

staff to the Board for Professional and Occupational Regulation; (ii) rank all vacant positions based on how critical they are to the department's ability to fulfill its responsibilities in order to enable its human resources staff to use the rankings to prioritize the advertising and filling of positions, using hiring processes that reflect best practices; and, (iii) consider reassignment to other divisions the following functions that are currently assigned to the licensing division: (a) handling Freedom of Information Act requests; (b) scanning documents; (c) managing policies and procedures; (d) evaluating business processes; and (e) agency-wide training.

4. The assessment should be submitted to the Department of Planning and Budget and the Chairmen of the House Appropriations Committee and Senate Finance Committee along with the agency's estimated funding needs by November 1, 2019.

C.1. In consultation and cooperation with the Virginia Information Technologies Agency (VITA) and the Commonwealth's Chief Data Officer, the Department of Professional and Occupational Regulation shall develop a plan to replace or upgrade the current information technology system, including the licensing system, utilized by the Department. At a minimum, the new or improved information technology system should have the capacity to do the following: (i) accept and process applications and payments online; (ii) improve the ease of online renewals; and (iii) integrate licensing data with enforcement case management data. The plan should identify the expected staffing needs during and after the system upgrade or replacement project, how staffing needs will be met, and the cost of the proposed upgrade or project.

2. When developing the plan to replace or upgrade the current information technology system, including the licensing system, the Department of Professional and Occupational Regulation shall consider the transfer of information technology-related responsibilities for its licensing system and technical aspects of website management, records management, and electronic forms, from the licensing division to the Information Technology division.

3. The plan should be submitted to the Department of Planning and Budget and the Chairmen of the House Appropriations Committee and Senate Finance Committee along with the agency's estimated funding needs by November 1, 2019.

D. The Department is authorized to provide electronic credentials to persons regulated by the Department or its regulatory boards. An "electronic credential" means an electronic method by which a person may display or transmit to another person information that verifies information about a person such as their certification, licensure, registration, or permit. Any statutory or regulatory requirement to display, post, or produce a credential issued by a Department regulatory board or the Department may be satisfied by the proffer of an electronic credential. The Department may use a third-party electronic credential system that is not maintained by the agency. Such electronic credential system shall include a verification system that is operated by the agency or its agent on its behalf for the purpose of verifying the authenticity and validity of electronic credentials issued by the Department. No funds are appropriated for this purpose.