2020 Special Session I

Budget Bill - HB5005 (Enrolled)

Bill Order » Office of Commerce and Trade » Item 127

Department of Professional and Occupational Regulation

Item 127	First Year - FY2021	Second Year - FY2022
Regulation of Professions and Occupations (56000)	**$25,028,025**	**$25,026,017**
Licensure, Certification, and Registration of Professions and Occupations (56046)	$7,894,327	$7,892,319
Enforcement of Licensing, Regulating and Certifying Professions and Occupations (56047)	$8,220,393	$8,220,393
Administrative Services (56048)	$8,913,305	$8,913,305
Fund Sources:		
Special	$1,328,410	$1,328,410
Dedicated Special Revenue	$23,364,615	$23,362,607
Federal Trust	$335,000	$335,000

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.

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

B. 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 that may be implemented pursuant to recommendations identified in assessments required in Item 119, paragraphs B. and C., Chapter 854, 2019 Acts of Assembly. Such reserve funds shall be disbursed only to cover expenses of the Department or its regulatory boards as provided in § 54.1-308.

C. 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.

D. The Secretaries of Commerce and Trade and of Health and Human Resources, the Department of Professional and Occupational Regulation, the Virginia Department of Health, and the Board for Barbers and Cosmetology shall

work with stakeholders to update the COVID-19 Phase 3 or later Personal Care and Personal Grooming Services guidelines no later than November 1, 2020, to authorize any individual licensed to practice under Chapter 7 of Title 54.1 of the Code of Virginia to temporarily remove a customer's nose and face covering during such time that it must be removed in order to provide a service effectively and safely. The guidelines may require enhanced safety precautions in the absence of a customer face covering, including requiring the licensee to wear a face shield and/or utilize some other similar barrier.