

**Vermont Secretary of State
Office of Professional Regulation**

**Twenty-Seventh Annual Report
on
Professional Licensing**



Deborah L. Markowitz, Secretary of State

Christopher D. Winters, Director

As of: November 2008

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A note to the reader:

This Director's Annual Report for the Office of Professional Regulation (OPR, Office) covers Fiscal Year 2008 - July 1, 2007 through June 30, 2008. It contains a series of reports from different units within the office, as well as a summary of the activity of the regulatory programs for the 44 professions supported and managed by OPR. You will also find a series of tables and charts providing a detailed report on the activities, revenues, and expenditures for all regulatory programs administered under the jurisdiction of OPR. Information relating to specific professions can be accessed via our web page: <http://www.vtprofessionals.org> Comments and suggestions are welcome. Write or call the Director, Office of Professional Regulation, Secretary of State, National Life Bldg., North FL2, Montpelier, Vermont 05620-3402, (802) 828-1505 or e-mail to opr@sec.state.vt.us.

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This report contains information regarding the following professions:

Accountants Acupuncturists Alcohol & Drug Counselors Architects Athletic Trainers Audiologists Auctioneers Barbers & Cosmetologists Body Piercers Boxing Chiropractors Crematoriums Dental Examiners Dietitians Electrologists	Professional Engineers Funeral Service Hearing Aid Dispensers Land Surveyors Marriage & Family Therapists Clinical Mental Health Counselors Midwives, Licensed Motor Vehicle Racing Naturopaths Nursing Nursing Home Administrators Occupational Therapists Opticians Optometrists Osteopathic Physicians and Surgeons	Pharmacists Physical Therapists Private Investigative/Security Svcs Psychoanalysts Psychologists Psychotherapists, Non-licensed Radiologic Technologists Real Estate Appraisers Real Estate, Brokers & Salespersons Respiratory Care Practitioners Social Workers, Clinical Speech Language Pathologists Tattooists Veterinarians
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Director's Report Fiscal Year 2008

The last year has been a busy one for all of us at OPR. In my third year as Director, we have taken a much needed look at the bigger picture. An overhaul of our computer licensing software has prompted us to take a system-wide view of the services we provide for the People of Vermont.

For well over a decade, we have managed to get by with two separate and somewhat antiquated electronic databases for licensing and discipline. As our business has grown, it has become increasingly apparent that these databases are inadequate for our changing needs. We continue to see rising numbers of licensees and disciplinary complaints, with very little in the way of increased staffing. We need to leverage new technology to help us do our jobs in a more efficient manner as we serve the public. Because of this, for the past year, we have been planning a replacement of our existing computer system with a new one called "eLicense."

eLicense is a highly customizable product allowing us to configure its functions to reflect our business practices. Before we started configuring, we analyzed our business, including a step-by-step review of each and every license we offer, cross-checking it with the laws for that profession and the forms we currently use. We did this for nearly 400 license types. We've also been reviewing all of the forms and correspondence that leaves this office to build dozens of standard letters into the system so that they can be automatically generated.

On the enforcement side, we have been configuring and building "actions" into our new case tracking system so that the electronic record of each case will be detailed and complete and any staff member can know the status of a case from her desktop.

The new system will incorporate our two existing databases into one, allowing for more complete information in one place about each licensee. Electronic checklists will reduce paper files and create consistency. Any OPR employee from any desk can pull up a file on his computer desktop to answer questions about the applicant or licensee.

All of this will lead to more reliable and accessible information, better accounting practices, and more timely deposits. Standard letters can be automatically generated from the system and attached to the electronic licensee file. More advanced reporting functions will allow managers to glean detailed information about workloads, timelines, and the status of applications and cases. These reporting functions translate into greater transparency of our operations and additional information available to the public through our website.

Other eLicense features will include the ability for applicants to look up the status of their pending applications online, greatly reducing the number of phone calls to OPR. The general public will be able to search for licensees by a variety of search criteria. Online license renewals are another feature planned for the coming months.

This ambitious undertaking, on top of our regular everyday workloads, has been a real challenge. Although it has been a long and painful journey to get to this point, it has been worth it. Along the way, we have discovered many ways to improve our business processes. It has been a great team-building exercise and has helped us to think critically and innovate around our long-standing ways of doing things here at OPR. I am proud of the way OPR staff have risen to the challenge and the way in which we have achieved successes beyond our expectations.

I remain fortunate to have the support and leadership of Secretary of State Markowitz, as well as the House and Senate Government Operations Committees as we strive to accomplish our public protection goals. With new technology in place, I look forward to amplifying the great service and efficiencies the public has come to expect from this office.

Respectfully submitted,

Christopher D. Winters, Director

Review of Specific Activity of Professions

Accountancy

The Board revisited its statutes and rules governing the profession, which was in response to national efforts to standardize requirements as stated in the Uniform Accountancy Act. Considerable time was spent in an effort to make Vermont substantially equivalent to the UAA, for mobility purposes. To do so the Vermont Board had to include a path to licensure with a mandatory Baccalaureate Degree and by the year 2012 have a provision for requiring 150 credit hours with a Baccalaureate Degree to be effective at some point in the future (minimum of six years out). The Board recently amended its educational requirements to 120 credits or a baccalaureate degree.

The Board drafted rule changes to agree with the statutory educational changes and to, among other issues, amend the minimum experience requirement for licensure. The Board held public hearings and has worked with local and national associations on the language. Standardizing the licensing requirements as set forth in the UAA is important for consideration of mobility (cross border practice) agreements which would allow licensees in other states who do not physically enter the state, to perform accounting services without having to obtain licensure or a temporary permit. It is continuing to consider proposed legislation to address the 150 credit hour requirement to be consistent with the UAA standards and pursue mobility.

The Board sent its Newsletter to all licensees holding an active license. The Newsletter outlined recent legislative changes, highlighted rules covering independence, requirements for peer review, and so on. The Board finds its Newsletter a great tool to make licensees aware of changes that affect their license and practice as a certified public accountant in the State of Vermont.

Allied Mental Health Practitioners:

The Board spent time discussing whether or not they can, or should, issue licenses to indicate master's or doctoral level. In addition they are looking to create a structured process for training new members to the Board. The largest part of the Board work is in reviewing education requirements to determine whether non-mental health degrees are equivalent. This process is very time consuming and the Board is looking at alternative ways to handle this workload.

Architects

The Board continues to review its requirements for licensure and seeks to standardize the process for applicants. The Board is considering legislative and rule changes to agree with national standards including the elimination of the route to licensure based on nine years of experience with no formal education. Members are active participants in state and national (National Council of Architectural Registration Boards) organizations and report to the Board and to OPR the results of networking at those levels. Topics covered include, Intern Development Program (IDP), disciplinary processes among states, changes in the Architect Registration Examination or licensing requirements, etc.

The Board will send a Newsletter to licensees near renewal time. The Board uses that tool to notify licensees of proposed or recent legislative changes, to highlight national news, report disciplinary actions, and so on.

Board of Barbers & Cosmetologists

The Board continued to update its applications and clarify requirements for applicants and licensees. The Board met with groups concerning the requirement that all services be provided in licensed shops, particularly those related to weddings. The statute was amended to allow licensees to perform limited services for weddings off site. The Board responded to inquiries concerning various new technologies, equipment, and practices that are not specifically addressed in its laws. When deemed appropriate further clarification would be proposed for legislative or rule changes.

The Board prepared and sent a Newsletter to its licensees. The Newsletter outlined recent legislative changes, highlighted rules to ensure compliance, included members' biographies, national recommendations from a national organization, disciplinary matters, and so on. The Board finds its Newsletter a great tool to make licensees aware of changes that affect their license and practice in the State of Vermont.

Board of Chiropractic:

The Board spent a great deal of time reviewing laws and rules to work on updating them and keeping them current. They performed an audit of continuing education records for 10% of the licensees, and spent time reviewing radiology inspection reports from the inspector. The Board is also working on developing a new jurisprudence examination for first time applicants.

Board of Dental Examiners:

The dental board spent considerable time this year completing work on its administrative rules for dental hygienists practicing in public and private institutions and schools. Their administrative rules took effect on July 11, 2008. The Board is in the process of reviewing the statutes which govern the board and the professions it administers. They expect to propose mostly changes in format to bring the statutes up to date and be more consistent with statutes governing other OPR professions. The Board has authorized a change in its rules for licensure of dental hygienists who apply for licensure from states which do not have substantially equivalent standards. That rule change will most likely begin in January of 2009.

Licensed Midwives:

Are in the process of revising their rules related to the recent legislation passed regarding the prescription drug formulary for used by licensed midwives.

Land Surveyors:

In addition to the its regular business, the Board continues to review its requirements for licensure to include a portfolio, in an attempt to simplify the path to licensure as a land surveyor.

Naturopathic Physician:

Continue to update their rules related to the recent legislation passed to add a special license endorsement to prescribe from the naturopathic formulary. The advisors to the profession are developing questions for a Vermont formulary examination that will be a prerequisite to using the formulary.

Board of Nursing:

The Board of Nursing welcomed three new members in 2008: Jeanine Carr, PhD, RN; Deborah Robinson, MS, RN; and William White, Public Member. Linda Rice, APRN provided leadership to the Board as Chairperson during the final year of her appointment. Ms. Rice has served on the Board since 1999.

A statutory change in the composition of the Nursing Board to include an Advanced Practice Registered Nurse as one of the five RN members was adopted in the FY2008 legislative session. Preliminary work on a proposed revision to the Administrative Rules also began with input obtained from APRN licensees, employers and other professions.

The number of Registered Nurses licensed in Vermont continues to increase. It is important to note that this increase reflects the number of internationally educated nurses seeking licensure though Vermont. This trend in Vermont is

consistent with National statistics. It is important to note that fees from international nurse applicants support in entirety the expenses associated with the application process, licensing and regulation. In fact, the fees from international applications also support domestic regulatory activities of the Nursing Board.

Nursing Home Administrators:

The profession continues to enjoy the smooth transition in changing its structure from a board to the Advisory model under the Director of OPR. The change has had no impact on regular business including the application and renewal process. The reduction of renewal fees and improved educational opportunities has shown an increase in the number of applicants.

Optometry

The Board of Optometry reported continued success with its expanded scope of practice for optometrists to diagnose and treat glaucoma. The Board issued endorsements to 24 licensees who met the requirement of co-management of five new glaucoma patients with an ophthalmologist and are now authorized to treat glaucoma patients independently. Licensees who have met the training requirements regularly report their co-management activities so they may also treat glaucoma patients independently. The Board finds the current formulary to be sufficient and will consider requests for additional drugs as they are submitted for consideration.

Osteopathic Physicians

The Board of Osteopathic Physicians & Surgeons conducted its regular business. Members are active participants in state and national (Federation of State Medical Boards) organizations. The Board met with representatives from the FSMB to discuss disciplinary processes among states, medication and medical errors, changes in examination or licensing requirements, and standardizing the initial application for licensure.

Pharmacy

The Board continued the process of reviewing its administrative rules for updates to align them with legislative changes and other matters affecting the practice of pharmacy. The Board added provisions for many issues not previously addressed, some of which are mandates from the federal government. In response to the federal mandate, the Board is also considering provisions for tamper resistant prescription pads.

The Board worked with the Vermont Department of Health (VDH) on several issues including emergency contraception collaborative practice requirements and training as well as the prescription monitoring program. In conjunction with VDH, Title 18 V.S.A. § 4215 was amended to increase the amount of time a schedule II prescription was valid for from 10 days to 30 days and to allow multiple prescriptions. This change benefited pharmacists and prescribers.

The Board has been working with applicants requesting to establish a remote pharmacy permitted under the provision covering pilot projects. The applicant and Board will work together to submit the required report to the Legislature.

The Board receives multiple inquiries monthly concerning the practice of pharmacy and related practices, interpretation of its statutes and rules, how to deal with conflicting laws, and licensing issues. Many of these issues are reported to licensees through its quarterly newsletter. Now that the statutory authority is in place, the Board continues its pursuit for hiring an Executive Director.

The Board participates with the National Association of Boards of Pharmacy's quarterly Newsletter where it keeps licensees apprized of proposed law or rule changes, and clarifies issues through its question and answer section. The Board finds its Newsletter a great tool to make licensees aware of changes that affect their license and practice.

Physical Therapy:

The Physical Therapy advisors will continue to work on revising their rules related to the recent extensive statutory changes clarifying the definition of the practice of physical therapy, patient care requirements, and supervision requirements.

Private Investigative & Security Services

The Board continued its review of the statutes and rules governing the profession to determine what provisions need to be updated, revised or deleted. The Board eliminated the requirement for submittal of fingerprint cards for registrants (employees of agencies) who were not seeking armed status. This decision followed several discussions with the Vermont Department of Public Safety and requirements for destroying those records. The fingerprint cards were not used in any way to process applications for unarmed security guard or private investigator registrants. The Board continues to explore requiring full background checks (Federal Bureau of Investigation) on all applicants, not just those who apply for armed status. The Board is in the process of working out logistical problems with availability at centers where electronic fingerprinting may be performed. The Board is drafting proposed legislative and rule changes to further clarify its licensing structure, fees, and specific requirements.

The Board sent Memorandums to its licensees regarding traffic control, fingerprint cards, full background record checks and the audit of training programs. The Board has advised agencies with approved 40-hour training programs that it will be conducting audits to evaluate how the training is administered and its effectiveness.

The Board found the need for spot checks or inspections of agencies to ensure compliance, in particular verification that employees of an agency are licensed or registered, that proper training occurred, proper recordkeeping, and proper maintenance of employee and training records.

Board of Psychological Examiners:

It has been a rather successful year for the Board as the number of complaints against psychologists has remained low, and they currently have only a few licensees with conditions on their license. 2008 has also proved to be a stable time regarding Board composition. After much turnover – end of terms and resignations – and operating at less than full capacity, the Board (since the beginning of 2008) has operated with five full members. They have weathered the transition well, and the most recent appointees have successfully learned the ways and operations of the Board's business.

In addition to regular business, 2008 has been a time during which the Board, assisted by our attorney, has been carefully reviewing our rules and the statutes related to psychologists, to attempt to have them become clearer, easy to read and understand, eliminate confusion and provide updated information reflecting changes since the last rules revision. The Board also initiated a change that requires all psychological trainees to become registered with the Board. This change provides more accountability of the conduct of the trainee's providing psychological services beyond the manner in which problems would otherwise be handled with the supervisor relationship.

Moving into 2009, the Board continues to review the rules and statutes. They are also discussing issues of competency-based assessment of applicants, competency in the provision of supervision, especially for conditioned licensees, and engaging in the national conversation on changing views about the requirements for one-year post-doctoral supervised practice prior to license eligibility.

Radiologic Technology

The Board continued to draft proposed changes to its administrative rules in response to recent statutory amendments. The Board is reevaluating whether there is a need for a specialty license for an operator of a Positron Emission Tomography/Computerized Tomography (PET-CT) Scanner. The provision has been in place since 2006 and there are still no examinations available for someone to become eligible to obtain this specialty license. The

Board notified licensees of acceptable practices until the national organizations have an examination in this specialty. The Board is not considering proposing new legislation each time a new camera or scanner is available and hopes to deal with these issues in a more general fashion. It will monitor national and other states' requirements prior to proposing additional legislative amendments.

The Board discussed the upcoming need for licensure of Radiology Assistants and whether it or the Vermont Board of Medical Practice would oversee those persons. The Board will address the matter when it is presented to the legislature for consideration.

Real Estate Appraisers

The Board spent considerable time reviewing the rules and making changes to implement the federally required changes to the minimum education and experience required in order for an applicant to be eligible for licensure as a "certified general appraiser", "certified residential appraiser", or "state licensed appraiser". In addition, the enabling statute had been amended since the adoption of these rules, and as a result, there were inconsistencies.

Real Estate Commission

For well over a year the Commission, in addition to its regular workload, had been diligently reviewing and editing the existing Rules. They strived to refine the Rules to accurately reflect statutory changes and to better guide licensees in the practice of real estate. During this process, the Commission sought input from many stakeholders and found the interaction to be most beneficial. Real Estate practitioners, educators and the Vermont Association of Realtors joined the Commission as they sought to improve, clarify or otherwise amend the Rules. A great deal of time-consuming work was involved with this process for both the Commission and the staff of the Office of Professional Regulation. Every written and spoken comment was considered by the Commission. The rules were adopted April 15, 2008.

The Commission, through its newsletters, issued guidelines for practitioners relative to: Duties a non-licensed assistant can perform; advertising, continuing education, and cooperation with buyer brokers.

Veterinary

The Board reported little or no impact from the elimination of the active clinical practice provision for applicants applying on the basis of endorsement from another jurisdiction. The Board recently further amended its endorsement requirements which became effective on July 1, 2008. The revised endorsement provision is a comparison of current requirements between the jurisdiction(s) from which an applicant is applying to Vermont's current licensing requirements. Those requirements must be substantially equivalent. This change will simplify the application process for applicants applying for licensure who are currently licensed in another jurisdiction. The Board began reviewing its rules to align them with the current statutory changes.

The Board entertained many questions from non-veterinarians who wished to treat animals via an alternative method (i.e., chiropractic, acupuncture, massage therapy, etc.). The Board plans to incorporate its policy or position statement on the subject in its updated rules or, if deemed necessary, may consider proposing legislation.

Report of the Prosecutorial Unit

This year saw substantial changes in the Prosecutorial Unit. Senior Prosecuting Attorney Rob Backus left the Unit after five years. Rob's leadership was invaluable in transitioning the Unit from out-of-house at the Attorney General's Office, to in-house at the Secretary of State's Office. Before coming to the Office of Professional Regulation, Rob spent nearly a decade at the Chittenden County Public Defender's Office. He is now in the process of getting admitted to the Bar of Arizona. Ed Adrian takes over for Rob as the Senior Prosecuting Attorney. Ed started contemporaneously with Rob and with the advent of the Office's new e-licensing system, looks forward to taking the Unit to the next level of organization.

Prosecuting Attorney Gregg Meyer started with the Unit in August and comes to us with substantial experience in private practice and many years as a legal aid advocate. Gregg has already hit the ground running is looking forward to helping the Unit bring its services up to the next level. Judy Cutler also departed the Unit after nearly two years of service. Judy has moved on to a new career with the Federal Bureau of Investigation and is currently training as an agent. Although Judy will be sorely missed, replacing her is Prosecuting Attorney BetsyAnn Wrask. Betsy comes to us after spending three years in the legislative clerk's office. She has a tough act to follow and has been an invaluable asset by quickly coming up to speed and keeping the Unit case flow productive.

The Prosecutorial Unit once again looks forward to working with our colleagues upstairs at the Investigative Unit. By working together in close proximity, the two Units are better able to serve the people of Vermont and insure that all cases are treated fairly and justly.

Report of the Investigative Unit

The Investigation and Inspection Division consists of six full-time investigators and one full-time inspector. The Investigation Division is responsible for the investigation of civil and criminal complaints of unprofessional conduct relative to the forty-four regulated professions that fall under the umbrella of the Office of Professional Regulation. The Inspection Division conducts inspections relevant to eight of the forty-four professions, which are as follows: Body Piercing, Crematory, Cosmetology, Electrology, Funeral, Pharmacy, Real Estate and Tattooing.

This past year was one of transition and upward mobility within the Unit. We continue to experience a rise in the number of complaints investigated and the seriousness of the issues within the complaints. Despite an increase in workload, the Unit worked diligently to improve our service to the public, as well as the licensees we investigate. As part of this upward trend, all areas of our work process were examined and revised in anticipation of the new eLicense program that is scheduled for implementation beginning in early 2009.

Likewise, the Inspection Division underwent many changes during this past year. Inspector Daniel Vincent was hired. Dan comes to the Office of Professional Regulation after having retired from 26 years of public service at the Burlington Police Department. During the past year, all of the inspection forms were updated and automated and Inspector Vincent was provided with a laptop for added mobility within the field. With the implementation of eLicense, the Inspector will be almost completely mobile. These advancements will allow the Inspector to complete additional inspections and will save in both time and resources.

The Investigation Unit continues to experience staffing changes, as several investigators have come and gone during the past year. Investigator Mark Jacobs returned to the Colchester Police Department and Investigator Pamela Barney-Hango accepted an alternative position with the Department for Children and Families. Investigator Jamie Palmisano was hired to fill the position vacated by Investigator Barney-Hango. Investigator Palmisano came to the Unit with 13 years of prior law enforcement experience from the Barre City Police Department. Investigator Jeffrey Jones was recently hired to fill the position vacated by Investigator Jacobs. Jones comes to the Unit after having retired with 28 years of law enforcement experience in the State of Georgia. The Unit has also hired Jocelyn Stohl as a temporary investigator to help address the rise in caseload. Stohl comes to the Unit after having retired with 23 years of law enforcement experience with the Vermont State Police, having retired in June of 2008 as a Station Commander in the Rockingham Barracks.

As we move forward and into the next year, the Unit will focus on the timeliness of our service to complainants and respondents alike. We will also continue to streamline the investigation process, and, as always, we will strive to provide fair and balanced investigations in a timely manner.

Statutory Changes Adopted in FY08 Legislative Session

This is a summary of the Legislative changes made in FY08 in the Professional Regulation Bill, H. 870, enacted into law July 1, 2008. You can find a copy of the actual text of the new law on our website at www.vtprofessionals.org.

General Amendments affecting all professions (Title 3):

3 V.S.A. § 123(3): Amended to authorize the OPR director to contract directly with Examination providers.

3 V.S.A. § 124: Amended to delete an outdated time specific provision regarding the boxing control board.

3 V.S.A. § 129(c): Amended to allow retiring board members who are involved in a licensing case to continue to participate to the conclusion of the case.

3 V.S.A. § 129(e): Amended to clarify when appeal periods and appeal hearings occur.

Relative to Pharmacy (T.18):

18 V.S.A. § 4064a: This change corrects and updates definition of misbranded Prescription labels to require the date the prescription is filled by the pharmacist to be included on the label rather than when it is dispensed or picked up by the patient.

18 V.S.A. § 4215: This amends the definition of prescriber to include all those authorized to prescribe by law; makes clear that pharmacists are subject to federally mandated record keeping with regard to controlled substances; corrects pre-1968 Controlled Substance Act terminology; requires date of birth rather than address as a more accurate identifier; permits schedule II drugs to be filled up to 30 days after the date the prescription was filled and up to 90 days of the issuance of the prescription; and eliminates refills of schedule II drugs.

Profession Specific Changes (T.26):

26 V.S.A. § 71A Accountants: This section facilitates license mobility by meeting nationally acceptable standards of education and training by including a bachelor's degree as a prerequisite to CPA licensure.

26 V.S.A. § 273 Barbers and Cosmetologists: This provision allows for a new "special event" exemption to the requirement that cosmetology be practiced only within a licensed shop. This exemption is for events such as weddings and is limited to make up and hairstyling only.

26 V.S.A. § 278 Barbers and Cosmetologists: This housekeeping language requires licensing examinations for applicants from cosmetology schools. This is not a new requirement.

26 V.S.A. § 289 Barbers and Cosmetologists: Amends an endorsement requirement to permit qualified and experienced practitioners who are licensed in other states with lesser training requirements to obtain licensure in Vermont if they have a track record of safe practice.

26 V.S.A. § 378 Podiatrists (not regulated by OPR): This temporary license provision will help facilitate podiatrist residencies in Vermont as they complete their medical education.

26 V.S.A. § 854 Dentists and Dental Hygienists: This amendment allows the board to adopt rules and regulate hygienist practice in public and private schools and institutions. This would require general supervision by a licensed dentist and a minimum of three years experience for both the supervising dentist and dental hygienist.

26 V.S.A. § 996(e) Funeral Directors and Embalmers: This change allows those who hold dual licensure as both a funeral director and embalmer to complete only one set of continuing education requirements.

26 V.S.A. § 1171 Engineers: Corrects outdated board member appointment language repealed by implication in 2007.

26 V.S.A. § 1573 Nurses: This language codifies the long-term policy of having an APRN member of the Nursing Board.

26 V.S.A. § 2022(15) Pharmacists: This amendment makes the definition of “prescriber” match that in title 18 by eliminating the restriction in this chapter limiting the filling prescriptions to only those from adjoining states and provinces, rather than honoring prescriptions from any state.

26 V.S.A. § 2032(d) Pharmacists: This change permits the hiring of a person to serve as an executive director or in a similar position for the Board of Pharmacy, to help carry out its regulatory duties.

26 V.S.A. § 2081a Physical Therapists: This amendment updates and clarifies various definitions, including “distance consultation” and “physical therapy” with language that will give practitioners and the public more guidance.

26 V.S.A. § 2082 Physical Therapists: This housekeeping change makes the law consistent with the unauthorized practice provisions changed for all other professions last year.

26 V.S.A. § 2083 Physical Therapists: This updates the term “telecommunication” to the term “distance consultation.”

26 V.S.A. § 2085 Physical Therapists: This section strengthens the supervision standards for physical therapist assistants, aides, and assistive personnel and clarifies the roles and responsibilities of personnel supervised by the physical therapist in a new section entitled “patient care management.”

26 V.S.A. § 2104 Physical Therapists: This amendment renames “licensure by examination” to “licensure by endorsement.”

26 V.S.A. § 2105 Physical Therapists: This change updates the temporary license provisions.

26 V.S.A. § 2108 Physical Therapists: This section improves and clarifies reinstatement provisions for those who have allowed their licenses lapse for more than five years, ensuring they are safe to return to practice.

26 V.S.A. § 2121 Physical Therapists: This removes the arbitrary “moral unfitness” language from the unprofessional conduct statutes. Other less subjective unprofessional conduct laws address this kind of behavior.

26 V.S.A. § 2401 Veterinarians: This provision changes the official title of board from “state veterinary board” to “Vermont Board of Veterinary Medicine.”

26 V.S.A. § 2421 Veterinarians: This updates licensing requirements to match changes in accreditation programs and examinations.

26 V.S.A. § 2422 Veterinarians: This is a housekeeping change to reflect functions performed by OPR for the board.

26 V.S.A. § 2424 Veterinarians: These changes to the statute regarding licensure by endorsement from another state allow those with qualifications and experience to become more readily licensed in Vermont.

26 V.S.A. § 2426 Veterinarians: These housekeeping changes better reflect functions performed by OPR for the board.

26 V.S.A. § 2428 Veterinarians: This amends reinstatement requirements to assure current competence to practice for those who have lapsed more than five years.

26 V.S.A. § 2503(a) Land Surveyors: This clarifies that the statutory criminal penalties apply only to practice in violation of the licensing requirement, not violation of any other part of the chapter.

26 V.S.A. § 2676 Opticians: This repeals the provisions for reinstatement for those whose licenses lapsed more than four years, due to the newly adopted five year lapse language.

26 V.S.A. § 3001 Psychologists: This amendment subjects psychologist trainees to Board regulation.

26 V.S.A. § 3105 Psychologists: This change repeals an outdated provision allowing license revocation for those whose licenses have lapsed more than five years.

26 V.S.A. § 3176 Private Investigative and Security: This amendment ensures training documents for private investigators and security guards are retained in Vermont and are subject to inspection.

26 V.S.A. § 3407 Acupuncturists: This section amends licensure by endorsement to be consistent with standards in other OPR professions.

26 V.S.A. §§ 4101- 4105 Tattooing: This makes the changes necessary to include another category of licensure for those engaging in the distinct form of tattooing known as permanent cosmetic tattooing.

26 V.S.A. § 4121 Naturopathic Physicians: This includes a new definition of “naturopathic formulary examination” to help clarify the difference between the formulary examination and the licensing examination to initially become a licensed naturopathic physician.

26 V.S.A. § 4122 Naturopathic Physicians: This housekeeping provision is necessary to make clear that naturopathic childbirth requires a special license endorsement.

26 V.S.A. § 4125 Naturopathic Physicians: This amendment clarifies the language around the rulemaking authority of the director, including rules around the formulary exam, and allows for the formulary to be amended annually in consultation with the Department of Health rather than subject to the Commissioner’s approval under consultation protocols adopted by rule.

26 V.S.A. § 4127 Naturopathic Physicians: This adds additional clarifying language regarding the formulary exam.

26 V.S.A. § 4129 Naturopathic Physicians: This section amendment includes the word “licensing” in front of “examination” to distinguish the two exams once again.

26 V.S.A. § 4130 Naturopathic Physicians: This amendment makes clear that a formulary exam may be required of current licensed naturopathic physicians in order to administer the formulary and as a condition of renewal of their licenses.

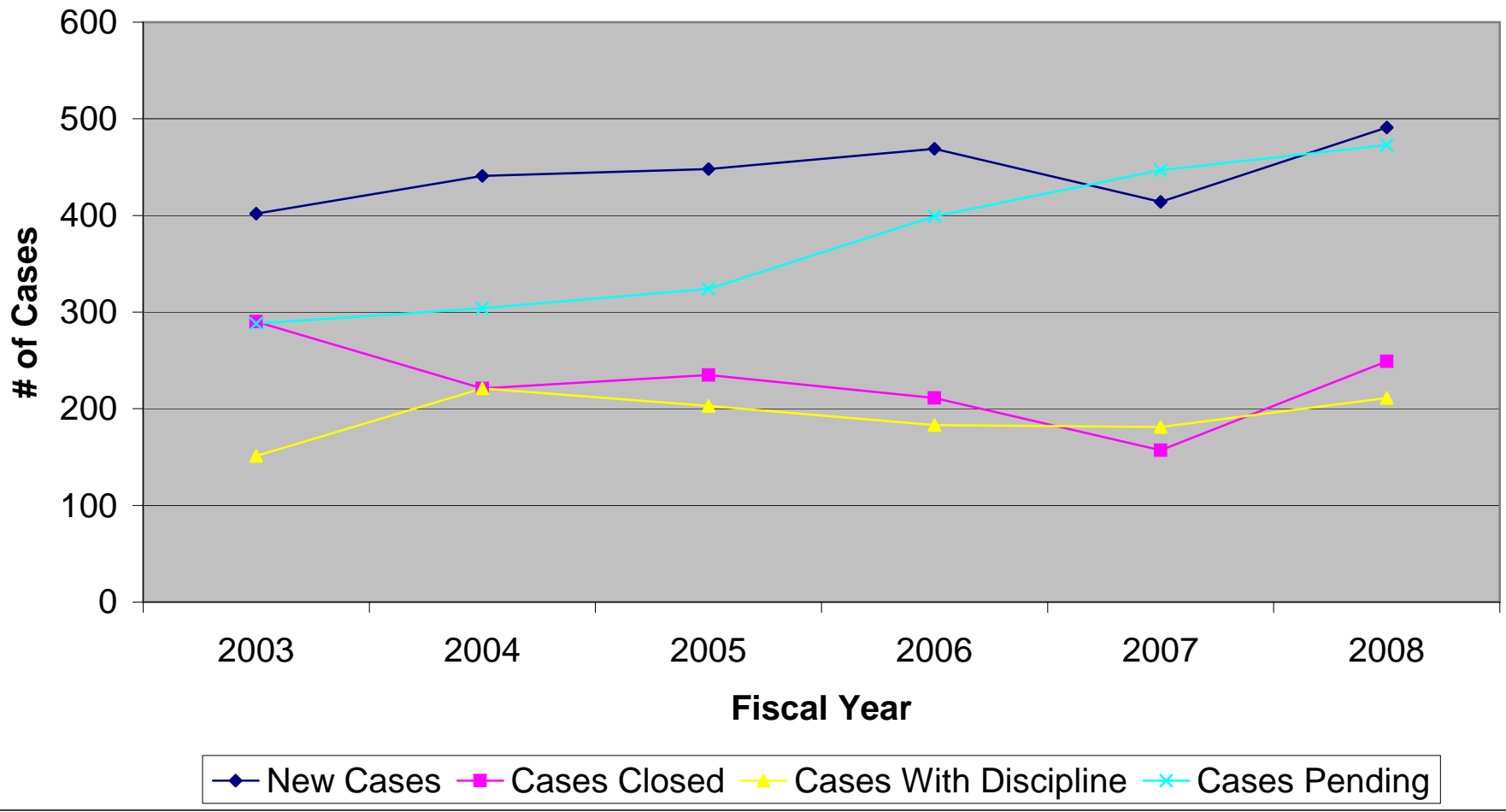
26 V.S.A. § 4707 Respiratory Care: This change updates licensure language without changing any licensure requirements and also removes references to a corporation for the licensure exam, allowing for an exam approved by director in case a better exam or service is developed in the future.

26 V.S.A. § 4713 Respiratory Care: Under the same rationale as the last section, the reference to the national corporation giving the licensing is removed for more generic language.

Repeal provisions: 26 V.S.A. §§ 4101 and 4715 Tattooing: One section repeals grandfather provisions for permanent cosmetics. **Respiratory Care:** One section repeals a grandfather provision enacted when the profession of Respiratory Care Practitioners was first regulated and which is no longer necessary.

Funeral Service Study: This requires the Office of Professional Regulation to convene a study on the advisability of amendments to the laws governing funeral services in this state, including composition of the funeral board, cremation issues, and continuing education requirements.

Appendix A: Complaint Activity Overview For Fiscal Years 2003 through 2008



Appendix B: Complaint Activity for Fiscal Year 2008

	EADD	INVA	INRX	VOTE	NEGL	DCHW	RSSG	CHCD	DSTP	DHRG	CSOD
Accountant	12	12	20	19	0	6	2	2	4	2	0
Acupuncturist	2	2	0	0	0	0	0	0	1	0	0
Architect	3	3	3	3	0	1	0	0	0	1	0
Athletic Trainer	1	1	1	0	0	0	0	0	1	0	0
Auctioneer	5	5	3	1	0	0	0	0	1	0	0
Audiologist	0	0	0	0	0	0	0	0	0	0	0
Barber	1	1	0	0	0	1	0	1	0	0	0
Body Piercer	0	0	2	3	0	1	0	0	2	0	0
Boxing	0	0	0	0	0	0	0	0	0	0	0
Chiropractor	2	1	0	0	0	1	0	0	2	0	1
Cosmetologist	49	50	38	10	0	17	1	3	12	2	0
Crematory Establishment	0	0	0	0	0	0	0	0	0	0	0
Drug/Alcohol Counselor	4	3	1	1	0	1	0	1	1	0	0
Dentist	18	19	12	9	0	3	1	3	10	1	0
Dietitian	0	0	0	0	0	0	0	0	0	0	0
Electrologist	1	1	0	0	0	0	0	0	0	0	0
Engineer, Professional	1	1	7	3	1	0	0	0	1	0	0
Funeral Service	15	8	7	3	0	1	0	1	0	0	0
Hearing Aid Dispenser	0	0	0	0	0	0	0	0	0	0	0
Land Surveyor	5	5	8	2	0	0	0	0	0	1	0
Marriage/Family Therapist	1	1	1	0	0	1	0	0	0	0	0
Mental Health Counselor	13	10	13	8	0	3	1	0	3	0	0
Midwife, Licensed	1	1	0	0	0	0	0	0	0	0	0
Motor Vehicle Racing	0	0	0	0	0	0	0	0	0	0	0
Naturopathic Physician	0	0	1	1	0	0	0	0	0	0	0
Nursing	149	145	127	36	3	116	18	6	41	45	0
Nursing Home Administrator	4	4	3	1	0	5	0	2	3	0	0
Occupational Therapist	2	2	0	0	1	0	0	0	0	0	0
Optician	0	0	0	0	1	0	0	0	0	0	0
Optometry	1	1	0	0	1	0	0	0	0	0	0
Osteopathic Physician	3	3	2	1	1	0	0	0	0	0	0
Pharmacist/Pharmacy	75	76	42	26	1	28	1	3	21	5	0
Physical Therapist	1	1	1	1	1	1	0	1	0	0	0
Private Detective/Security Svcs.	23	17	19	11	1	3	3	0	0	3	0
Psychoanalyst	0	0	0	0	1	0	0	0	0	0	0
Psychologist	9	9	5	7	1	1	1	0	0	0	0
Psychotherapist	0	0	0	0	1	0	0	0	0	0	0
Radiologic Technologist	4	4	3	0	1	0	0	0	0	1	0
Real Estate Appraiser	7	7	9	2	1	0	0	3	3	1	0
Real Estate Broker/Salesperson	26	33	42	36	1	15	1	2	9	0	0
Respiratory Care Therapist	5	5	2	1	1	0	0	0	0	0	0
Social Worker, Clinical	3	3	6	1	1	2	0	0	2	1	0
Tattooist	12	13	14	4	1	1	0	0	0	2	0
Veterinarian	15	15	16	8	1	1	0	1	1	0	0
Totals	473	462	408	198	21	209	29	29	118	65	1

EADD = New Cases Received

INRX = Cases Investigated

INVA = Cases Assigned to Investigator

VOTE = Cases Closed No Unprofessional Conduct Finding

NEGL = Cases Closed With No Formal Charges

DCHW = Cases with Formal Charges Filed

CHCD = Cases Where Charges Dismissed

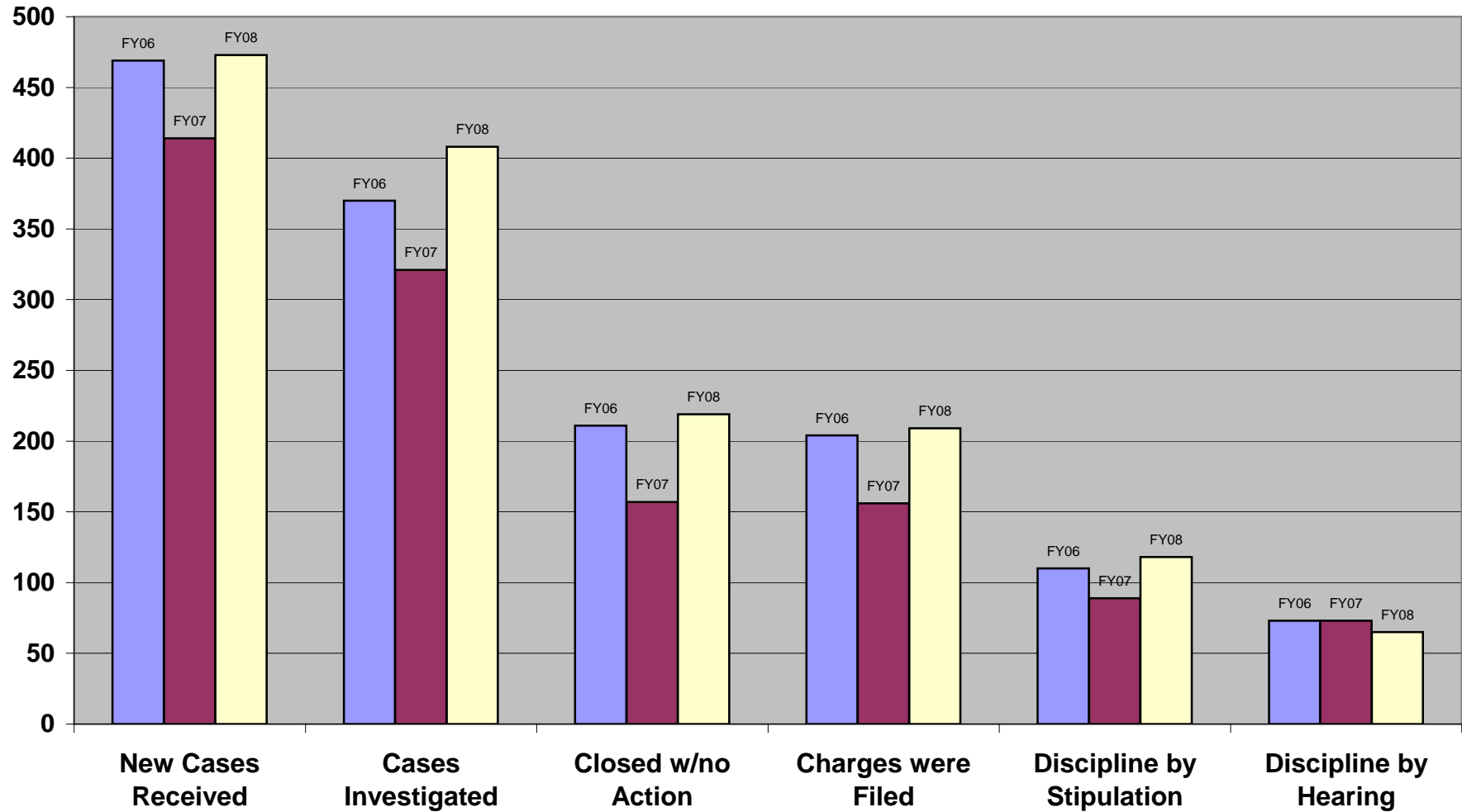
RSSG = Summary Suspension Granted

DSTP = Cases Disciplined by Stipulation

DHRG = Cases Disciplined by Hearing

CSOD = Cases Screened Out Prior to Opening

Appendix C: Historical Data - Detail of Complaint Activity for Fiscal Years 2006 through 2008

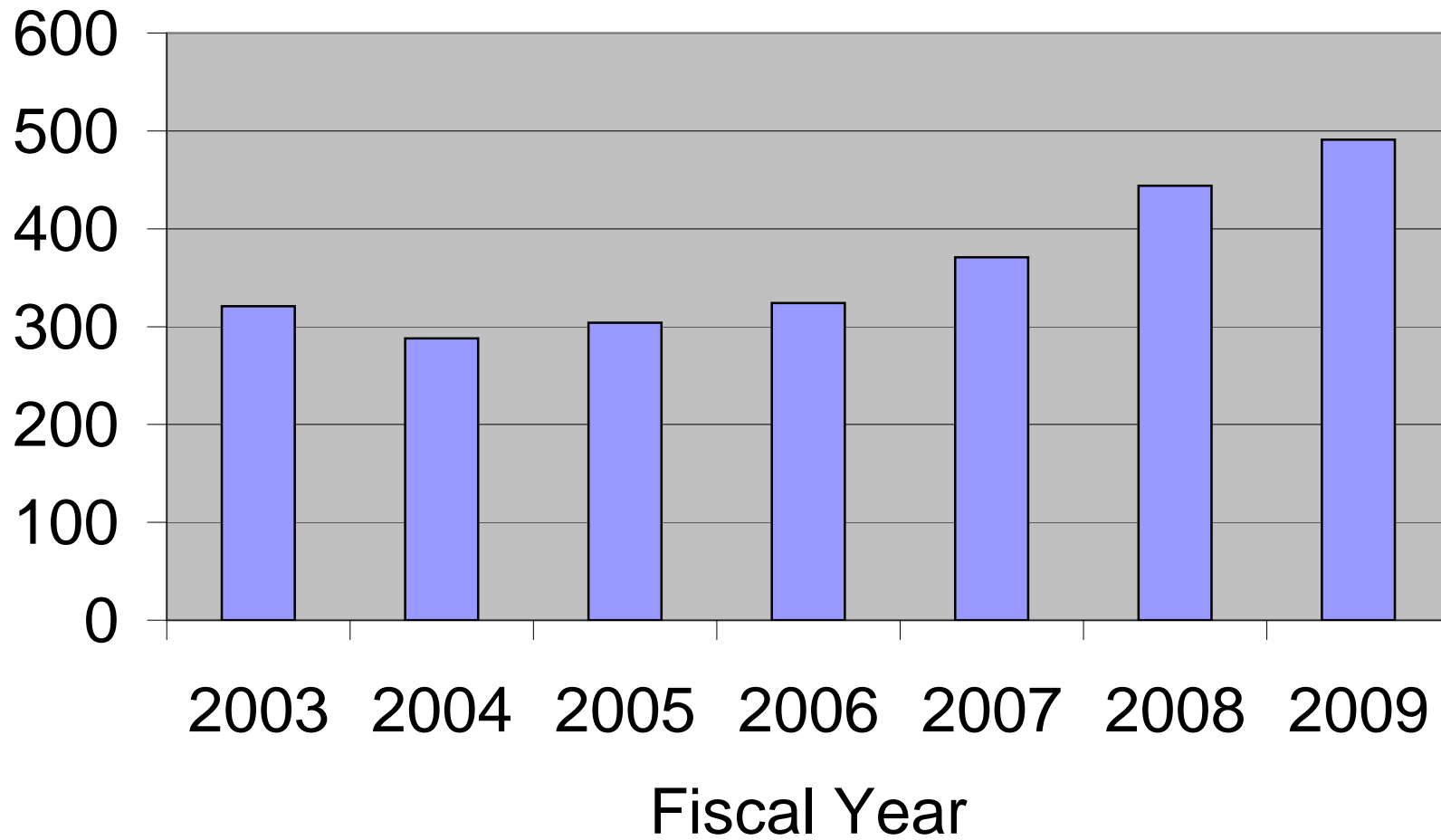


Appendix D: Historical Data of Pending Cases at the Start of the Fiscal Year

	2003	2004	2005	2006	2007	2008	2009
Accountant	13	10	1	4	9	18	3
Acupuncturist	-	0	0	4	3	3	4
Architect	4	4	1	3	6	4	3
Athletic Trainer	1	0	0	0	1	0	0
Auctioneer	6	3	1	2	1	1	4
Audiologist	NR	NR	NR	0	0	0	0
Barber	-	1	0	0	0	1	1
Body Piercer	NR	1	0	1	2	5	0
Boxing	-	0	0	0	0	0	0
Chiropractor	8	7	0	4	1	1	0
Cosmetologist	18	10	6	4	24	31	53
Crematory Establishment	NR	NR	NR	0	0	0	0
Drug/Alcohol Counselor	10	4	5	2	6	4	5
Dentist	34	37	25	29	14	16	11
Dietitian	-	0	0	0	0	0	0
Electrologist	-	0	0	0	0	0	1
Engineer, Professional	6	6	2	6	5	8	4
Funeral Service	5	8	8	7	6	9	20
Hearing Aid Dispenser	1	0	0	1	0	0	0
Land Surveyor	4	2	1	2	3	6	8
Marriage/Family Therapist	1	1	2	2	1	1	2
Mental Health Counselor	5	3	3	6	1	8	10
Midwife, Licensed	1	2	5	3	4	4	5
Motor Vehicle Racing	-	0	0	0	0	0	0
Naturopathic Physician	-	0	0	0	0	1	0
Nursing	120	99	102	94	115	125	143
Nursing Home Administrator	1	3	4	2	4	6	4
Occupational Therapist	0	1	1	0	2	0	1
Optician	-	1	0	0	0	0	2
Optometry	2	2	1	3	1	0	2
Osteopathic Physician	5	3	5	6	4	4	5
Pharmacist/Pharmacy	10	12	25	39	28	65	84
Physical Therapist	2	0	0	0	4	4	2
Private Detective/Security Services	6	3	20	11	20	21	29
Psychoanalyst	1	1	1	1	2	1	0
Psychologist	6	6	4	4	2	1	2
Psychotherapist	2	1	0	3	1	0	0
Radiologic Technologist	-	1	2	8	3	4	6
Real Estate Appraiser	5	13	15	15	21	14	11
Real Estate Broker/Salesperson	27	28	51	49	61	55	33
Respiratory Care Therapist	NR	NR	0	3	2	4	7
Social Worker, Clinical	3	4	5	1	6	5	3
Tattooist	5	2	2	1	6	4	9
Veterinarian	9	9	6	4	2	10	14
TOTAL	321	288	304	324	371	444	491

NR = Not a Regulated profession at that time

Appendix E: Historical Data Pending Cases at the Start of the Fiscal Year



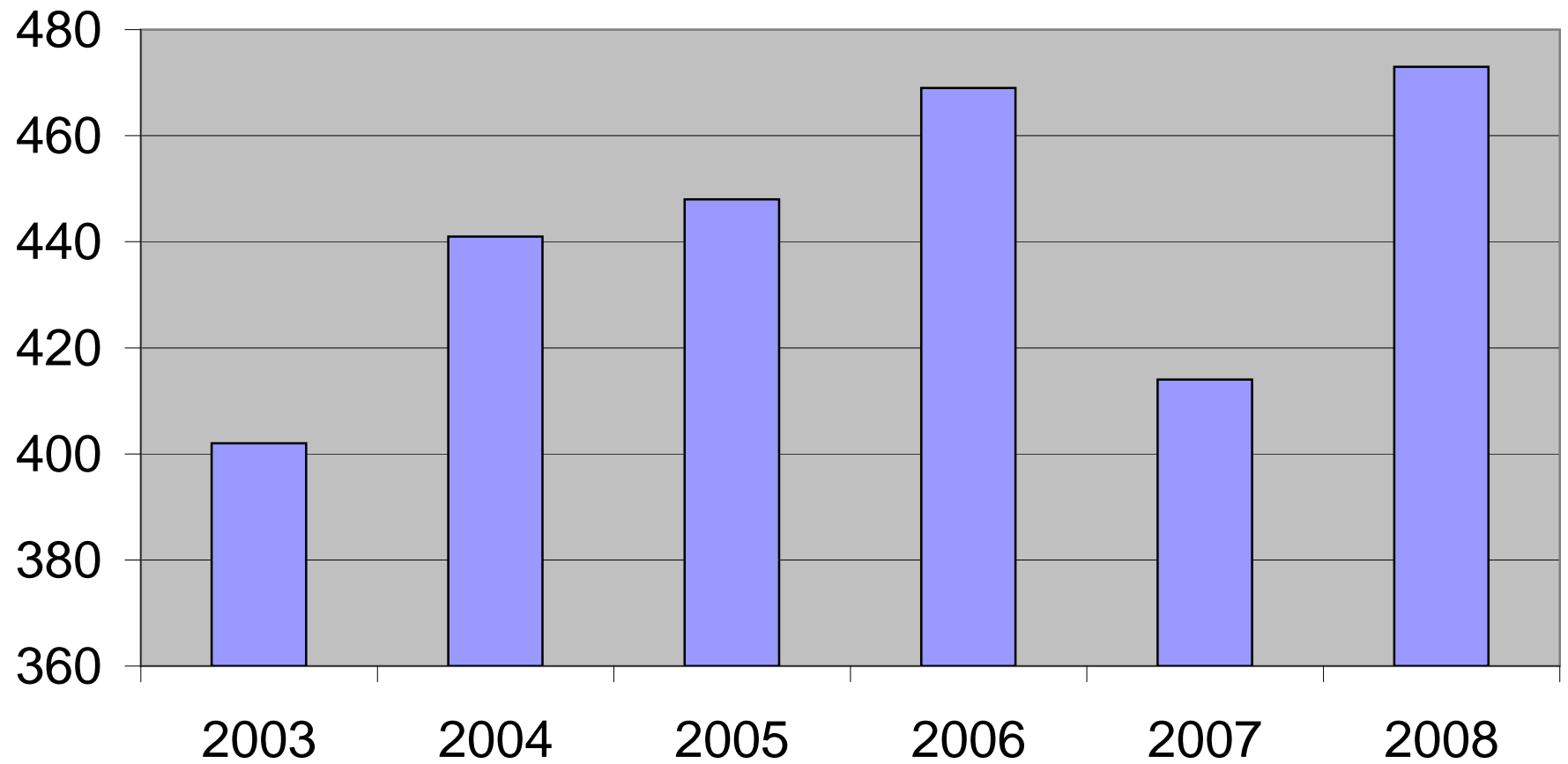
**Appendix F: Historical Data of New Cases Received
For Fiscal Years 2003 through 2008**

	2003	2004	2005	2006	2007	2008
Accountant	10	0	8	12	21	12
Acupuncturist	0	0	5	1	4	2
Architect	3	1	6	9	1	3
Athletic Trainer	0	0	0	1	0	1
Auctioneer	3	3	3	1	0	5
Audiologist	NR	NR	1	1	0	0
Barber	1	0	0	0	3	1
Body Piercer	1	0	2	2	3	0
Boxing	0	0	0	0	0	0
Chiropractor	7	3	6	3	2	2
Cosmetologist	11	23	12	34	28	49
Crematory Establishment	NR	NR	0	0	0	0
Drug /Alcohol Counselor	0	6	4	5	2	4
Dentist	33	29	32	26	13	18
Dietitian	0	0	0	0	0	0
Electrologist	0	0	0	2	0	1
Engineer, Professional	8	4	7	6	6	1
Funeral Service	8	5	2	1	3	15
Hearing Aid Dispenser	0	0	1	0	0	0
Land Surveyor	6	4	9	6	6	5
Marriage/Family Therapist	0	1	0	0	0	1
Mental Health Counselor	4	5	5	1	8	13
Midwife, Licensed	1	4	1	4	0	1
Motor Vehicle Racing	0	0	0	0	0	0
Naturopathic Physician	1	1	0	0	1	0
Nursing	148	174	139	160	129	149
Nursing Home Administrator	3	5	3	3	4	4
Occupational Therapist	1	1	1	3	0	2
Optician	3	2	0	0	0	0
Optometrist	2	3	3	1	1	1
Osteopathic Physician	4	5	9	5	4	3
Pharmacist/Pharmacy	24	27	57	46	78	75
Physical Therapist	2	1	3	3	7	1
Private Detective/Security Services	3	25	8	17	12	23
Psychoanalyst	0	0	0	1	0	0
Psychologist	6	10	8	6	6	9
Psychotherapist	1	1	3	1	0	0
Radiologic Technologist	1	2	9	2	2	4
Real Estate Appraiser	18	15	9	14	4	7
Real Estate Broker/Salesperson	55	56	69	66	39	26
Respiratory Care Therapist	NR	NR	4	0	4	5
Social Worker, Clinical	5	6	2	6	4	3
Tattooist	7	3	2	14	7	12
Veterinarian	22	16	15	6	12	15
TOTAL	402	441	448	469	414	473

NR = Not a Regulated profession at that time

Appendix G: Historical Data

New Cases Received For Fiscal Year 2003 through 2008

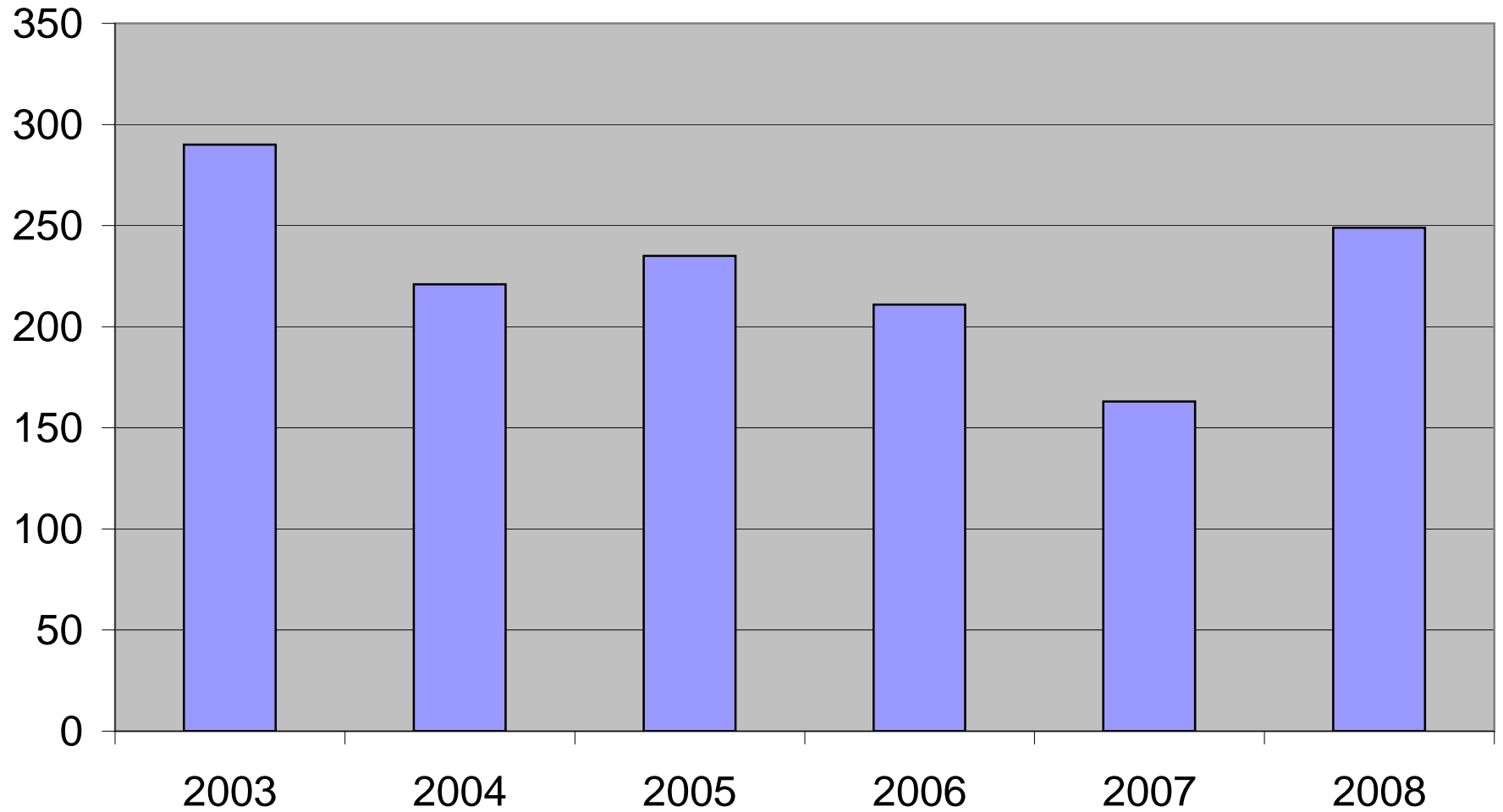


**Appendix H: Historical Data - Conduct Cases Concluded Without Discipline
For Fiscal Years 2003 through 2008**

	2003	2004	2005	2006	2007	2008
Accountant	8	8	1	4	2	21
Acupuncturist	-	0	1	0	2	0
Architect	3	4	3	3	2	3
Athletic Trainer	-	0	0	0	1	0
Auctioneer	5	3	2	1	0	1
Audiologist	NR	NR	1	1	0	0
Barber	-	0	0	0	0	1
Body Piercer	-	0	0	0	0	3
Boxing	-	0	0	0	0	0
Chiropractor	5	5	1	3	2	1
Cosmetologist	7	16	11	5	5	13
Crematory Establishment	NR	NR	0	0	0	0
Drug/Alcohol Counselor	4	4	5	0	1	2
Dentist	26	19	20	25	6	12
Dietitian	-	0	0	0	0	0
Electrologist	-	0	0	2	0	0
Engineer, Professional	7	4	4	3	0	4
Funeral Service	11	4	2	2	0	4
Hearing Aid Dispenser	1	0	0	0	0	0
Land Surveyor	7	5	3	8	3	2
Marriage/Family Therapist	-	0	0	1	0	0
Mental Health Counselor	4	3	1	4	1	8
Midwife, Licensed	-	0	3	3	0	0
Motor Vehicle Racing	-	0	0	0	0	0
Naturopathic Physician	1	1	1	2	0	1
Nursing	74	44	32	45	43	45
Nursing Home Administrator	1	3	2	1	1	3
Occupational Therapist	-	0	1	0	2	1
Optician	3	3	1	0	0	1
Optometrist	2	4	1	1	2	1
Osteopathic Physician	4	3	7	4	3	2
Pharmacist/Pharmacy	16	14	23	28	25	30
Physical Therapist	3	1	1	2	5	3
Private Detective/Security Services	4	6	3	4	4	12
Psychoanalyst	-	0	0	0	0	1
Psychologist	5	9	7	5	3	8
Psychotherapist	2	1	0	3	1	1
Radiologic Technologist	-	1	0	3	0	1
Real Estate Appraiser	9	14	7	5	7	6
Real Estate Broker/Salesperson	43	20	67	30	28	39
Respiratory Care Therapist	NR	NR	1	1	1	2
Social Worker	4	3	5	1	4	2
Tattooist	9	2	2	4	5	5
Veterinarian	22	17	16	7	4	10
TOTAL	290	221	235	211	163	249

NR = Not a Regulated profession at that time

Appendix I: Historical Data - Conduct Cases Concluded Without Discipline For Fiscal Years 2003 through 2008

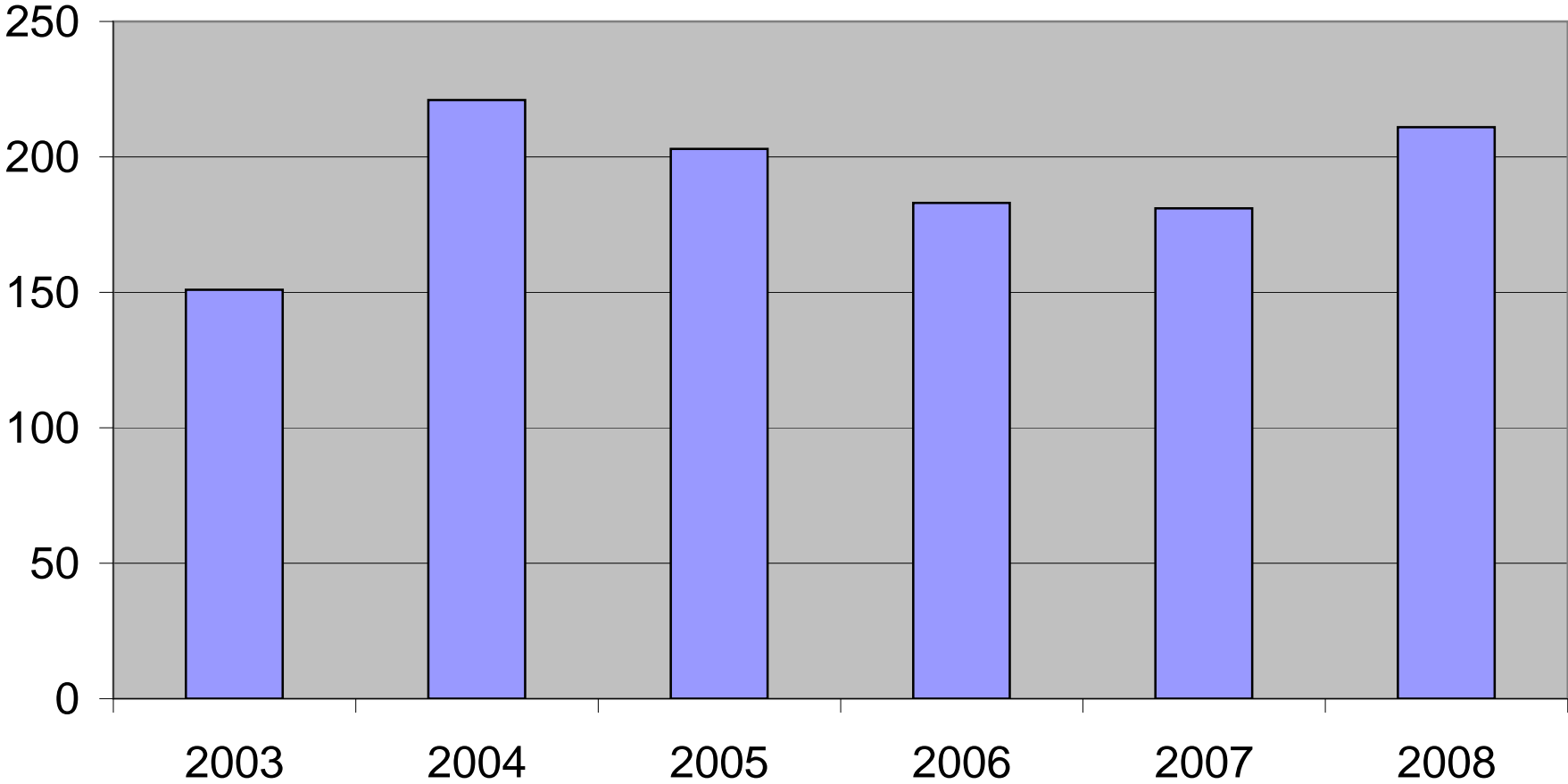


**Appendix J: Historical Data - Conduct Cases Concluded
With Disciplinary Action for Fiscal Years 2003 through 2008**

	2003	2004	2005	2006	2007	2008
Accountant	5	1	4	2	9	8
Acupuncturist	-	0	0	2	2	0
Architect	-	0	1	2	1	1
Athletic Trainer	1	0	0	0	0	1
Auctioneer	1	2	0	1	0	1
Audiologist	NR	NR	0	0	0	0
Barber	-	1	0	0	2	0
Body Piercer	-	1	0	1	0	2
Boxing	-	0	1	0	0	0
Chiropractor	1	5	1	2	0	2
Cosmetologist	12	11	3	9	12	15
Crematory Establishment	NR	NR	0	0	0	0
Drug/Alcohol Counselor	2	1	2	1	3	1
Dentist	4	22	8	13	5	12
Dietitian	-	0	0	0	0	0
Electrologist	-	0	0	0	0	0
Engineer, Professional	1	4	1	2	2	1
Funeral Service	2	1	2	0	0	0
Hearing Aid Dispenser	-	0	0	1	0	0
Land Surveyor	1	0	3	1	0	1
Marriage/Family Therapist	-	0	0	0	0	0
Mental Health Counselor	2	2	1	2	1	4
Midwife, Licensed	-	1	0	0	0	0
Motor Vehicle Racing	-	0	0	0	0	0
Naturopathic Physician	-	0	0	0	0	0
Nursing	95	127	115	92	95	104
Nursing Home Administrator	-	1	3	0	0	3
Occupational Therapist	-	1	1	0	0	0
Optician	-	0	0	0	0	0
Optometrist	-	0	0	1	0	0
Osteopathic Physician	-	0	1	3	1	0
Pharmacist/Pharmacy	6	12	20	18	16	27
Physical Therapist	1	0	2	0	2	0
Private Detective/Security Services	2	2	14	3	3	6
Psychoanalyst	-	0	0	0	0	0
Psychologist	1	3	1	3	5	1
Psychotherapist	-	1	0	0	0	0
Radiologic Technologist	-	0	3	3	2	1
Real Estate Appraiser	1	4	4	2	2	4
Real Estate Broker/Salesperson	11	13	9	12	10	10
Respiratory Care Therapist	NR	NR	0	0	1	0
Social Worker, Clinical	0	2	1	0	1	3
Tattooist	2	1	1	4	6	2
Veterinarian	-	2	1	3	0	1
TOTAL	151	221	203	183	181	211

NR = Not a Regulated profession at that time

**Appendix K: Historical Data - Conduct Cases
Concluded With Disciplinary Action for Fiscal Years
2003 - 2008**



**Appendix L: Licensees By Profession
For Fiscal Years 2006 through 2008**

Profession	Resident	Non-Resident	Total FY08	Total FY07	Total FY06
Accountants, Certified Public	711	442	1,153	1,160	1,101
Accountants, Registered Public	6	1	7	7	7
Accountancy Firms	208	72	280	288	276
Acupuncturist	103	35	138	151	117
Acupuncturist - Detoxification Technician	7	0	7	PNR	PNR
Architects	306	826	1,132	1,021	1,095
Athletic Trainers	110	10	120	103	97
Auctioneers	130	92	222	209	231
Barbers	132	15	147	142	107
Barber Shops	73	0	73	72	77
Boxing	0	0	0	0	0
Chiropractic	173	77	250	239	259
Cosmetologists	2,653	294	2,947	3,043	2,890
Cosmetolgy Shops	771	3	774	799	761
Cosmetology Schools	4	0	4	4	4
Crematory Establishments	9	0	9	9	10
Cosmetology - Manicurists	218	26	244	254	235
Cosmetology - Estheticians	130	21	151	137	116
Dentists	367	113	480	530	512
Dental Hygienists	580	92	672	700	659
Dental Assistants - Certified	108	4	112	124	115
Dental Assistants - Traditional	596	69	665	737	643
Dietitians	90	10	100	106	93
Electrologist	30	1	31	29	29
Electrolysis Shops	25	0	25	24	26
Engineers, Professional	809	2,648	3,457	3,689	3,271
Engineering Interns	855	934	1,789	1,699	1,619
Funeral Directors	117	7	124	135	133
Funeral Establishments	60	0	60	61	61
Funeral, Removal Personnel	74	0	74	73	68
Embalmers	87	5	92	98	98
Hearing Aid Dispensers	30	8	38	38	38
Land Surveyors	152	86	238	231	238
Marriage & Family Therapists	33	7	40	36	30
Mental Health Counselor, Clinical	494	54	548	505	506
Midwife, Licensed	17	10	27	21	23
Motor Vehicle Racing	13	2	15	14	12
Naturopathic Physician	31	123	154	130	118
Nurses, Registered	6,608	10,679	17,287	12,007	11,465
Nurses, Licensed practical	1,694	413	2,107	2,222	2,035
Nurse Assistants	4,863	600	5,463	4,415	5,450
Nurse Practitioner	439	97	536	479	521
Nursing Home Administrator	50	13	63	79	73
Occupational Therapists	216	63	279	305	273
Occupational Therapist Assistants	60	26	86	89	80
Opticians	81	11	92	104	108
Optician Trainee	15	0	15	38	76
Optometry	86	11	97	108	106
Osteopaths	56	57	113	104	105
Osteopath Limited Temporary	2	8	10	12	6

**Appendix L: Licensees By Profession
For Fiscal Years 2006 through 2008**

Profession	Resident	Non-Resident	Total FY08	Total FY07	Total FY06
Pharmacists	475	423	898	904	881
Pharmacy, Institutional	17	0	17	18	18
Pharmacy, Retail	135	0	135	174	141
Pharmacy, Wholesale Drug Outlet	2	531	533	553	482
Pharmacy, Drug Research Programs	1	0	1	1	1
Pharmacy, Non-Resident Pharmacy	0	277	277	260	212
Pharmaceutical Manufacturer	1	0	1	1	1
Pharmacy Technicians	1,128	226	1,354	1,138	935
Physical Therapists	708	275	983	918	968
Physical Therapists Assistants	102	84	186	168	184
Private Detective Agency	13	25	38	31	45
Security Guard Agency	5	17	22	20	18
Detective/Security Agency	9	8	17	16	19
Qualifying Agent	69	57	126	104	9
Firearms Instructors	4	8	12	13	PNR
Guard/Detective Employees	689	211	900	674	1,002
Psychoanalysts	15	64	79	76	109
Psychologist - Master	193	11	204	209	205
Psychologist - Doctorate	283	74	357	365	341
Psychotherapists	539	24	563	359	342
Radiography	454	131	585	506	581
Radiation Therapy	41	7	48	41	45
Radiation, Nuclear Medicine	43	32	75	58	70
Radiation, Limited Licensure	16	0	16	14	17
Real Estate Appraiser-State Licensed	58	10	68	68	84
Real Estate Appraiser-Cert Residential	113	18	131	107	110
Real Estate Appraiser-Cert General	75	65	140	125	124
Real Estate Appraiser-Trainee	14	8	22	36	52
Real Estate Brokers	1,038	152	1,190	1,303	1,247
Real Estate Salespersons	1,140	111	1,251	1,401	1,312
Real Estate Offices	478	73	551	481	424
Respiratory Care Practitioner	215	117	332	268	294
Clinical Social Workers	695	113	808	799	744
Tattooist	51	9	60	48	50
Tattooist Shops	12	0	12	10	13
Body Piercing Operator	9	2	11	11	11
Body Piercing & Tattooist Operator	11	1	12	10	12
Body Piercing & Tattooist Shop	15	0	15	16	17
Body Piercing Shop	2	0	2	2	2
Veterinarians	345	222	567	490	569
TOTALS	33,695	21,451	55,146	48,376	47,664

PNR = Previously Not Regulated

**Appendix M: New License/Certification/Registration Activity Data
for Fiscal Years 2006 through 2008**

Type of License	Fiscal Year 2006				Fiscal Year 2007				Fiscal Year 2008			
	Exam	Endorsed	Registered	Total	Exam	Endorsed	Registered	Total	Exam	Endorsed	Registered	Total
Accountant, Certified	23	44	1	68	27	44	0	71	28	40	1	69
Accountant, Registered	0	0	0	0	0	0	0	0	0	0	0	0
Accountancy Firm	0	0	19	19	0	0	16	16	0	0	18	18
Acupuncturist	8	6	0	14	5	10	0	15	4	4	2	10
Acupuncture Detox Tech.	0	0	0	0	0	0	0	0	0	0	0	0
Architect	16	58	0	74	15	73	0	88	18	58	0	76
Athletic Trainers	13	7	0	20	5	4	0	9	2	3	7	12
Auctioneers	6	8	0	14	0	7	1	8	0	6	0	6
Barber	0	7	0	7	2	2	0	4	0	2	0	2
Barber Shop	0	0	4	4	0	0	4	4	0	0	1	1
Boxing Promoter	0	0	0	0	0	0	0	0	0	0	0	0
Boxing Referee	0	0	0	0	0	0	0	0	0	0	0	0
Boxing Judge	0	0	0	0	0	0	0	0	0	0	0	0
Professional Seconds	0	0	0	0	0	0	0	0	0	0	0	0
Boxing Boxer	0	0	0	0	0	0	0	0	0	0	0	0
Boxing Manager	0	0	0	0	0	0	0	0	0	0	0	0
Chiropractic	6	6	0	12	6	8	0	14	4	8	0	12
Cosmetologist	74	56	0	130	94	48	0	142	76	52	0	128
Crematory Est.	0	0	0	0	0	0	0	0	0	0	0	0
Esthetician	18	17	0	35	15	7	0	22	12	9	0	21
Manicurist	2	19	0	21	4	10	0	14	8	14	0	22
Cosmetology Shop	0	0	75	75	0	0	52	52	0	0	60	60
Cosmetology School	0	0	0	0	0	0	0	0	0	0	0	0
Dentist	6	1	12	19	11	2	0	13	17	2	10	29
Dental Hygienist	27	6	0	33	30	11	0	41	22	10	0	32
Dental Assistant0Certified	12	0	0	12	10	0	0	10	11	0	0	11
Dental Assistant0Traditional	0	0	86	86	0	0	69	69	0	0	72	72
Dietitians	4	5	0	9	0	1	0	1	0	1	3	4
Electrologist	17	3	0	20	0	0	0	0	1	0	1	2
Electrolysis Shops	0	0	8	8	0	0	1	1	0	0	1	1
Engineer, Professional	24	110	0	134	63	163	0	226	25	187	0	212
Engineer Intern	14	0	0	14	141	0	0	141	89	0	0	89
Funeral Director	2	2	0	4	1	2	0	3	3	0	0	3
Funeral Embalmers	2	1	0	3	0	0	0	0	0	0	0	0
Funeral, Removal Personnel	14	0	0	14	0	0	7	7	0	0	7	7
Funeral Establishment	0	0	0	0	0	0	0	0	0	0	0	0
Hearing Aid Dispenser	2	0	0	2	0	0	0	0	2	1	0	3
Land Surveyor	5	2	0	7	2	7	0	9	2	7	0	9
Marriage & Family Therapist	0	0	0	0	4	2	0	6	2	3	0	5
Mental Health Counselor	20	1	0	21	20	6	0	26	19	12	0	31
Midwife, Licensed	0	0	8	8	1	3	0	4	0	0	4	4
Motor Vehicle Racing	0	0	0	0	0	0	2	2	0	0	4	4
Naturopathic Physician	10	6	0	16	12	16	0	28	10	8	0	18
Registered Nurse	1,212	802	0	2,014	2,928	1,109	0	4,037	3,618	848	0	4,466
Licensed Practical Nurse	118	108	0	226	158	115	0	273	258	98	0	356
License Nurse Assistant	626	122	0	748	582	118	0	700	734	141	0	875
Nursing Home Admin.	2	0	0	2	2	3	0	5	2	3	0	5
Occupational Therapist	10	22	0	32	7	27	0	34	7	14	0	21
Occupational Therapy Assist	0	10	0	10	2	4	0	6	2	3	0	5

**Appendix M: New License/Certification/Registration Activity Data
for Fiscal Years 2006 through 2008**

Type of License	Fiscal Year 2006				Fiscal Year 2007				Fiscal Year 2008			
	Exam	Endorsed	Registered	Total	Exam	Endorsed	Registered	Total	Exam	Endorsed	Registered	Total
Optician	4	1	0	5	6	1	0	7	1	0	0	1
Optician Trainee	0	0	9	9	0	0	17	17	0	0	3	3
Optometry	3	2	0	5	2	1	0	3	2	2	0	4
Osteopaths	1	9	0	10	1	16	0	17	1	4	0	5
Pharmacists	17	20	0	37	24	31	0	55	17	23	0	40
Pharmacy Institutional Outlet	0	0	0	0	0	0	0	0	0	0	0	0
Pharmacy Institutional	0	0	1	1	0	0	0	0	0	0	0	0
Pharmacy Retail	0	0	4	4	0	0	35	35	0	0	9	9
Wholesale Drug Distributor	0	0	0	0	0	0	85	85	0	0	85	85
Pharmacy Drug Research	0	0	0	0	0	0	0	0	0	0	0	0
Pharmacy NonResident	0	0	71	71	0	61	0	61	0	0	74	74
Pharmacy Technician	0	0	231	231	0	0	187	187	0	0	479	479
Physical Therapist	7	40	0	47	9	33	0	42	11	27	0	38
Physical Therapy Assistant	2	7	0	9	2	5	0	7	4	7	0	11
Detective Agency, Private	0	0	2	2	0	0	4	4	0	0	5	5
Security Agency, Private	0	0	1	1	0	0	3	3	0	0	3	3
Combination Agency	0	0	0	0	0	0	0	0	0	0	1	1
Guard/Detective Employee	0	0	247	247	0	0	180	180	0	0	221	221
Psychoanalyst	3	0	0	3	0	2	2	4	0	1	3	4
Psychologists Doctorate	5	9	5	19	7	8	0	15	7	6	0	13
Psychologists Master	5	0	0	5	7	0	0	7	9	0	0	9
Psychotherapist, Nonlicensed	0	0	59	59	0	0	104	104	0	0	132	132
Radiography	38	19	0	57	33	18	0	51	31	20	0	51
Radiation Therapy	5	2	0	7	3	0	0	3	3	3	0	6
Nuclear Medicine, Radiology	3	7	0	10	2	5	0	7	7	7	0	14
Limited Licensure, Radiology	0	0	0	0	1	0	0	1	0	0	0	0
Real Estate Appraiser, State	13	5	0	18	4	4	0	8	9	1	0	10
Real Estate Appraiser	6	5	0	11	6	4	0	10	22	3	0	25
Real Estate Appraiser General	2	4	0	6	3	9	0	12	4	7	0	11
Real Estate Appraiser Trainee	20	1	0	21	0	0	0	0	0	0	1	1
Real Estate Broker	82	19	0	101	34	17	0	51	25	12	4	41
Real Estate Salesperson	259	25	0	284	163	16	1	180	105	16	4	125
Real Estate Office	38	5	0	43	0	4	36	40	0	0	48	48
Respiratory Care Practitioner	10	54	0	64	13	42	0	55	13	35	7	55
Social Worker, Clinical	39	19	0	58	15	31	0	46	36	27	0	63
Tattooist Operator	0	0	7	7	0	2	5	7	0	1	7	8
Tattooist Shop	0	0	2	2	0	0	3	3	0	0	1	1
Body Piercing Operator	0	0	1	1	0	0	2	2	0	0	1	1
Body Piercing Shop	0	0	0	0	0	0	0	0	0	0	0	0
Body Piercing/Tattooist Opera	0	0	2	2	0	0	1	1	0	0	1	1
Body Piercing/Tattooist Shop	0	0	3	3	0	0	1	1	0	0	0	0
Veterinary	20	18	0	38	18	16	0	34	17	15	0	32
TOTALS	2,875	1,700	858	5,433	4,500	2,128	818	7,446	5,300	1,751	1,280	8,331

NR=Not Regulated

**Appendix N: Receipts/Expenditures By Profession
For Fiscal Years 2006 through 2008**

	Fiscal Year 06		Fiscal Year 07		Fiscal Year 08	
	Receipts	Expenditures	Receipts	Expenditures	Receipts	Expenditures
Accountancy	137,682	68,709	45,135	90,982	147,640	151,232
Architect	11,660	64,966	159,820	76,925	11,510	65,419
Barber/Cosmetology	348,045	185,560	43,435	200,122	363,238	272,737
Chiropractic	4,465	40,702	88,765	36,747	3,935	36,148
Dental	315,605	160,679	25,655	133,259	307,560	144,137
Engineer	140,965	186,109	269,931	134,609	183,015	171,436
Funeral Service	80,620	36,873	15,605	37,886	78,110	42,981
Land Surveyor	1,805	43,587	90,250	39,085	3,240	41,942
Mental Health, Allied*	20,705	59,262	122,850	50,057	27,135	66,202
Nursing	883,293	769,512	2,578,858	851,535	1,644,880	1,090,264
Optometry	2,825	22,470	52,025	25,229	1,020	22,373
Osteopath	7,210	35,554	73,845	35,293	8,670	29,398
Pharmacy	279,002	209,548	107,431	238,674	477,948	299,106
Private Detective	31,065	67,348	111,170	91,153	34,225	70,682
Psychology	151,081	62,442	8,580	65,339	129,340	62,059
Radiologic Tech.	30,050	51,708	92,000	43,238	12,700	44,444
Real Estate Appraiser	27,610	62,814	123,630	66,078	32,215	72,053
Real Estate Comm.	479,445	241,059	39,785	219,317	466,455	250,585
Veterinary	16,265	51,723	125,915	49,478	14,750	58,409
Subtotal - Boards/Comm.	2,969,398	2,420,625	4,174,685	2,485,006	3,947,586	2,991,607
Advisor Groups Totals	282,895	255,170	341,535	311,314	307,449	329,937
GRAND TOTAL	3,252,293	2,675,795	4,516,220	2,796,320	4,255,035	3,321,544

*Includes Mental Health Counselor, Marriage Family Therapist, Psychotherapist

**These Boards became Advisor Groups during the FY 07 period.

Advisor Groups include the following professions: Acupuncturists, Athletic Trainers, Auctioneers, Crematories, Dietitians, Electrologists, Hearing Aid Dispensers, Midwives, Naturopathic Physicians, Nursing Home Admin., Occupational Therapists, Optician, Physical Therapists, Psychoanalysts, Respiratory Care Therapists, Social Workers, Tattooists, and Body Piercers. The operational costs of these professions is combined pursuant to Title 3, § 124.

**Appendix O: Roster of Board/Commission/Advisor Members
As of June 30, 2007**

	Board Position	Original Appointment	Appointment Expires
Accountancy, Board of Public			
Pamela Douglass CPA	Chair	September 1, 2000	December 31, 2009
John C Borch CPA	Member	September 1, 2006	December 31, 2011
Cairn G. Cross	Member	March 1, 2002	December 31, 2010
Claire LaVoie CPA	Vice-Chair	May 2, 2001	December 31, 2009
Lee M. Spivey Jr., CPA	Secretary	July 9, 2001	December 31, 2008
Acupuncture Advisors			
Judith A. Music	Member	May 2, 2003	May 1, 2008
Bonnie Povolny-LaBerge	Member	January 15, 2004	January 14, 2009
Alcohol & Drug Counselor Advisors			
Peter Bulterman	Advisor	January 1, 2003	January 31, 2010
William Cote LADC	Advisor	January 1, 2001	January 31, 2011
Carolyn A. Prescott LADC	Advisor	January 1, 2005	January 31, 2008
Board of Allied Mental Health Practitioners			
Lynn Turcotte LCMHC		May 8, 2007	December 31, 2010
Kathleen Coane	Member	August 28, 2001	December 31, 2009
Paul J. Sahba LCMHC	Member	June 4, 2003	December 31, 2010
Pamela Ann Mather MFT	Member	November 3, 2003	December 31, 2010
Ronald M. Shepard	Member	February 13, 2006	December 31, 2010
Architects, Board of			
Robert Meyer	Chair	February 8, 2000	December 31, 2008
Janet Stackpole	Member	March 15, 1999	December 31, 2008
Rebecca Arnold	Member	August 21, 1995	December 31, 2008
Frank Guillot	Member	June 5, 2007	December 31, 2007
Arnold Aho	Secretary	February 14, 2000	December 31, 2008
Ed Wolfstein	Vice-Chair	June 13, 2001	December 31, 2009
Athletic Trainer Advisors			
Todd M. Neuharth	Member	May 17, 2005	May 17, 2008
Zafir Bludevich	Member	February 1, 2002	January 31, 2009
Auctioneer Advisors			
Duane E. Merrill	Member	August 30, 2002	July 31, 2012
Thomas Broughton	Member	August 30, 2002	August 30, 2007
Barbers & Cosmetologists, Board of			
Janice Crossan	Chair	June 14, 1999	December 31, 2008
Dolores Martineau	Member	December 22, 1999	December 31, 2009
Josephine Thomas	Secretary	August 1, 2000	December 31, 2009
Madeline Roy	Vice-Chair	December 1, 1997	December 31, 2007
Gregory Josselyn	Member	May 12, 2000	December 31, 2009

**Appendix O: Roster of Board/Commission/Advisor Members
As of June 30, 2007**

Body Piercer/Tattooist Advisors

Anita L. Licata M.D.	Member	September 1, 1996	August 30, 2007
Walter William Henshaw	Member	August 1, 1997	July 31, 2010
Kenneth A. Saxe	Member	March 1, 2002	April 30, 2012

Boxing Control Board

Ed Patterson	Member	April 1, 2002	March 31, 2012
Richard H. Bernstein M.D.	Member	March 9, 1993	April 30, 2008

Chiropractic, Board of

Denise Natale D.C.	Chair	April 26, 2001	December 31, 2011
Charles Patterson	Member	May 4, 2007	December 31, 2011
Anne Valliere	Member	October 1, 2004	December 31, 2009
Charles Foster D.C.	Member	February 13, 2004	December 31, 2008
Sean Mahoney D.C.	Vice-Chair	September 22, 1999	December 31, 2009

Clinical Social Worker Advisors

Maureen C. Wilson LICSW	Member	July 28, 2003	July 27, 2008
Gary Chaudoir LICSW	Member	May 1, 1999	April 30, 2008

Dental Examiners, Board of

Edward Pantzar, DDS	Member	February 15, 2007	December 31, 2011
Rena Katz Chernick R.D.H.	Member	January 14, 2005	January 30, 2009
Linda Retchin R.D.H.	Member	February 20, 2001	December 31, 2010
Raymond N. McCandless	Member	August 4, 2003	December 31, 2007
John Lavoie D.D.S.	Member	January 12, 2006	December 31, 2010
John C. Langfeldt D.D.S.	Member	January 1, 2005	December 31, 2009
Wesley Baker D.M.D.	Member	January 3, 2004	December 31, 2008
Gertrude M. Hodge	Member	April 12, 2000	December 31, 2008
Richard A. Dickinson D.D.S.	Vice-Chair	February 26, 2003	December 31, 2007

Dietician Advisors

Priscilla Roberts Carpenter	Member	July 1, 1997	June 30, 2010
Mary Anne Kyburz-Ladue	Member	May 20, 2003	May 19, 2008

Electrologist Advisors

Margaret McGoff	Member	August 1, 2000	July 31, 2009
Nancy Cameron RN, CPE	Member	August 1, 2000	July 31, 2010

Funeral Service, Board of

Peter Beck	Member	February 20, 2007	December 31, 2009
Stephen H. Russell	Member	December 19, 2002	December 31, 2009
John T. Coffin	Member	May 21, 2001	December 31, 2010
Lyndon Mann	Member	March 31, 2006	December 31, 2011
Paul Guare	Vice Chair	June 4, 1999	December 31, 2009

Hearing Aid Dispenser Advisors

Bernie Sage	Member	July 1, 2005	August 31, 2010
David R. Charnock M.D.	Member	September 1, 1996	August 30, 2007
Sandra Duncan Farnum	Member	May 1, 1998	April 30, 2011

**Appendix O: Roster of Board/Commission/Advisor Members
As of June 30, 2007**

Land Surveyors, Board of

Albert (Terry) Harris L.S.	Chair	June 12, 2001	December 31, 2009
Timothy J. Ruggles	Member	January 23, 2004	December 31, 2009
Malcolm Moore L.S.	Member	November 5, 2001	December 31, 2008
Dorothy Hayden	Member	December 15, 2003	December 31, 2010
Shane B. Clark L.S.	Member	January 9, 2003	December 31, 2008
Blake Thomsen L.S.	Secretary	June 28, 2002	December 31, 2010
Larry Walter L.S.	Vice Chair	August 15, 1998	December 31, 2007

Licensed Midwife Advisors

Stephen H. Genereaux M.D.	Member	June 12, 2002	December 31, 2009
Mary Lawlor LM	Member	January 25, 2001	December 31, 2009
Carol Gibson Warnock LM	Member	July 1, 2000	December 31, 2009

Motor Vehicle Racing Advisors

Wayne Demar	Member	July 9, 1998	December 31, 2007
Harmon Dragon	Member	December 31, 2006	December 31, 2011
Bernard Champney	Member	August 17, 1999	December 31, 2012

Naturopathic Physician Advisors

Sam Russo, ND, Lic. Ac	Member	December 7, 2006	December 7, 2011
William Warnock N.D.	Member	January 1, 1999	April 30, 2008

Nursing Home Administrators, Board of Examiners

Walter Griffiths MD	Chair	November 8, 1999	December 31, 2009
Linda Phipers, N.H.A.	Member	March 21, 2006	December 31, 2010
Catherine McGee	Member	September 1, 1999	December 31, 2005
Mary M. Johnson N.H.A.	Member	July 1, 2004	December 31, 2008
Diana Peirce RN	Secretary	December 13, 2002	December 13, 2004
Tressa Condon RN, NHA	Vice Chair	August 21, 1998	December 31, 2008

Nursing, Board of

Laurey Tyo, RN		July 1, 2001	December 31, 2011
Susan Farrell RN	Chair	August 15, 1998	December 31, 2007
Sandra J. Norton LNA	Member	September 21, 2001	March 31, 2007
Kenneth W. Bush R.N.	Member	February 1, 2005	December 31, 2009
Ellen W. Leff RN	Member	January 1, 2004	December 31, 2008
Deann Welch LPN	Member	May 1, 2002	December 31, 2010
Donarae Metcalf LPN	Member	January 1, 2003	December 31, 2007
Alan Weiss	Member	June 28, 2001	December 31, 2009
Linda Rice APRN	Vice Chair	June 7, 1999	December 31, 2008

Occupational Therapy Advisors

John J. Barry O.T.	Member	May 2, 2003	May 1, 2008
Pauline Migneault O.T.	Member	May 6, 2005	May 6, 2008

Opticians, Board of Examiners

Joan Wagner	Chair	March 14, 2000	December 31, 2009
Dale R. Davenport	Vice-Chair	October 16, 2001	December 31, 2009

**Appendix O: Roster of Board/Commission/Advisor Members
As of June 30, 2007**

Optometry, Board of

Daniel Dapolito	Member	October 4, 2006	December 31, 2010
Lois M. Shiozawa O.D.	Member	December 31, 2002	December 31, 2007
Jon Eriksson O.D.	Vice-Chair	August 8, 2001	December 31, 2008
Joyce Zampieri	Member	October 4, 2006	December 31, 2010

Osteopathic Physicians & Surgeons, Board of

Howard Jonas D.O.	Chair	October 14, 1999	December 31, 2011
John Welch Esq.	Member	March 14, 2000	December 31, 2009
Paul Donovan D.O.	Member	November 15, 1999	December 31, 2010
Mary C. Mazzariello	Member	August 2, 2001	December 31, 2009
William Cove D.O.	Vice Chair	August 6, 2001	December 31, 2008

Pharmacy, Board of

Earl W. Pease Pharm.D.	Chair	September 2, 2003	December 31, 2007
Julia Eaton R.Ph.	Member	January 23, 2004	December 31, 2008
Ann Overton	Member	March 21, 2006	December 31, 2010
Jeffrey P. Firlik R.Ph.	Member	March 24, 2005	December 31, 2009
John R. Dorvee Jr., Pharm.D.	Member	November 20, 1997	December 31, 2010
Emma J. Pudvah	Secretary	January 1, 2003	December 31, 2007
Steven M. Vincent R.Ph.	Vice-Chair	January 20, 2004	December 31, 2008

Physical Therapy Advisors

Leonie B. Nelson P.T.	Member	May 1, 2003	April 30, 2008
Susan Arbogast P.T.	Member	July 28, 2003	July 27, 2008

Private Investigative & Security Services, Board of

James Eckhardt	Chair	March 8, 2007	December 31, 2009
Leo P. Blais	Member	April 4, 1998	December 31, 2007
Elizabeth M. Gilligan	Member	February 1, 2005	December 31, 2008
Robert Edwards	Vice-Chair	May 29, 2003	December 31, 2010
Stacey Nelson	Member	April 2, 2007	December 31, 2008

Professional Engineering, Board of

Thomas F. O'Connor P.E.	Chair	May 3, 2000	December 31, 2008
Bonnie Giuliani	Member	August 1, 2004	December 31, 2009
Robert F. Kischko P.E.	Member	February 13, 2004	December 31, 2008
Michael H. Quaid P.E.	Secretary	March 31, 2003	January 31, 2011
Daniel W. Dupras P.E.	Vice Chair	April 24, 2001	December 31, 2011

Psychoanalyst Advisors

Michael Conforti PsyA.	Member	December 1, 1997	November 30, 2011
Lorraine Smithberg PsyA.	Member	December 1, 1997	November 30, 2011

Psychological Examiners, Board of

Steve Lewis Psy.D.	Chair	January 1, 2002	December 31, 2011
Deborah Wallis, Ph. D	Member	April 6, 2007	December 31, 2009
Vera Jones	Member	January 1, 2007	December 31, 2008
Richard W. Root II, Ed.D.	Vice-Chair	February 1, 2005	December 31, 2009

**Appendix O: Roster of Board/Commission/Advisor Members
As of June 30, 2007**

Radiological Technology, Board of

David Gervais BS, CNMT	Chair	June 6, 2005	December 31, 2009
Stephen Koller MD	Member	August 3, 2005	December 31, 2007
Carla White	Member	May 7, 2004	December 31, 2011
Thomas Harty	Member	January 26, 2007	December 31, 2012
Donna Holbrook	Vice-Chair	October 6, 2005	December 31, 2007

Real Estate Appraisers, Board of

Wayne Calderara	Member	August 4, 2003	December 31, 2010
Ami C. Milne-Allen	Member	May 4, 2005	December 31, 2009
Kenneth P. Miner Jr.	Member	September 8, 2003	December 31, 2009
James Postma	Secretary	February 13, 2004	December 31, 2008
Lawrence Martin	Vice Chair	August 11, 1998	December 31, 2008

Real Estate Commission

Gloria K. Rice Esq.	Attorney Membe	June 25, 2004	December 31, 2008
Susan (Sam) Matthews	Chair	June 1, 1997	December 31, 2008
Claire M. Porter	Member	September 24, 2004	December 31, 2011
Maretta A. Hostetler Broker	Member	October 25, 2004	December 31, 2009
Elizabeth A. Wilkel Broker	Member	February 2, 2005	December 31, 2009
Herbert Beggs Broker	Member	March 21, 2006	December 31, 2010
Tara Dowden	Vice-Chair	February 28, 2005	December 31, 2009

Respiratory Care Advisors

Gregory Ward RCP	Member	April 16, 2007	April 16, 2012
Robert St. Pierre RCP	Member	April 16, 2007	April 16, 2012

Board of Veterinary

Mark Basol D.V.M.	Chair	March 15, 1999	December 31, 2008
Kristin Haas D.V.M.	Member	February 3, 2004	December 31, 2008
Robert Bergman D.V.M.	Member	May 9, 2003	December 31, 2007
Linda Johnston	Member	April 18, 2005	February 28, 2009
Ronald Svec D.V.M.	Member	January 1, 2002	December 31, 2011
Terry York	Member	March 12, 2007	December 31, 2012