

MINUTES OF SPECIAL PUBLIC MEETING

This special meeting of the Occupational Licensing Advisory Commission scheduled to begin at 9:00 a.m. on the 9th day of September 2021 was convened in accordance with the Oklahoma Open Meeting Act [25 O.S. § 301 et seq.]. Advance public notice was sent to the Secretary of State's Office by electronic transmission specifying the time and place of the meeting. (<https://omes.ok.gov/boards-commissions/occupational-licensing-advisory-commission>) Notice was also prominently displayed on the Oklahoma Department of Labor's Internet website and posted at its offices at 3017 N Stiles Ave, Oklahoma City, OK, at least forty-eight (48) hours prior to the meeting.

PUBLIC BODY: Occupational Licensing Advisory Commission (OLAC)
DATE: Thursday, September 9, 2021
ANSWER: Oklahoma Department of Labor (ODOL), 3017 N Stiles, Suite 100, Oklahoma City
CONTACT PERSON: Janet DeVeny-Edwards Telephone: 405-521-2612

Agenda Item 1:

Call to Order:

Commissioner Leslie Osborn called the meeting to order at 9:08 a.m.

Agenda Item 2:

Introduction of Commission Members

The Commission members introduced themselves.

Agenda Item 3:

Roll Call:

Commission members present at the time of roll call: Commissioner Leslie Osborn, Senator Kay Floyd, Senator Adam Pugh, Representative Mark McBride, Representative Mike Osburn, Lisa Dillon, Michael Robins, and Steven Shoemaker
Members absent at roll call: Senator Nathan Dahm, Representative Cyndi Munson, Jerry Moore, and Matthew Burns
Representative Cyndi Munson entered the meeting at 9:13 a.m. Senator Nathan Dahm entered the meeting at 9:32 a.m.

Agenda Item 4:

Statement of Compliance with Open Meetings Act

The Statement of Compliance with the Open Meeting Act was read by Ruth Neville.

Agenda Item 5:

Approval of August 10, 2021 Meeting Minutes

Commissioner Leslie Osborn made a motion to approve the August 10, 2021 Meeting Minutes. The motion was seconded by Senator Adam Pugh.

Roll call:

Yes: Commissioner Leslie Osborn, Senator Kay Floyd, Senator Adam Pugh, Representative Mark McBride, Representative Mike Osburn, Lisa Dillon, Michael Robins, and Steven Shoemaker

No: none

Abstain: none Motion approved.

Agenda Item 6:

License Review

The following public licensing entities, having originally appeared before the Committee on August 10, 2021, return for clarification and presentation of additional information regarding listed licenses:

State Board of Chiropractic Examiners

1. Chiropractor

Beth Kidd, Executive Director, returned to continue discussion regarding the Chiropractor license. Ms. Kidd said she had conducted a power poll since the last meeting. Ms. Kidd and the Commission discussed the results of the poll, the structure of the Chiropractic Board, representation on the board, how complaints are handled, and public meetings. The Commission asked Ms. Kidd to reach out to the community and return next month for further discussion regarding the Board and allow opportunity for public comment.

Department of Consumer Credit

1. Precious Metal and Gem Dealer Employee

Steven Coates, General Counsel, and Ruben Tornini, Deputy Administrator, returned to continue discussion regarding the Precious Metal and Gem Dealer Employee license. Mr. Coates, Mr. Tornini, and the Commission discussed consolidating the Precious Metal & Gem Dealer license with the Pawn Broker license, differences between the two licenses, requirements for each of the two licenses, and complaints. Mr. Coates said the two agencies that issue these licenses prefer to keep them separate. Mr. Coates agreed to return to the next meeting for further discussion regarding the Board.

Council on Law Enforcement Training

1. Bail Enforcer – Armed

Brandon Clabes, Director, returned to continue discussion regarding the Bail Enforcer – Armed license. Mr. Clabes and the Commission discussed training, MMPI requirements, regulation of requirements, structure of the board, and public attendance at meetings and hearings. Commission discussion shifted to the role of the Commission. The Commission determined licensing, boards, and open meetings are separate issues and further discussion regarding licensing boards was not necessary.

Commissioner Osborn made a motion to recommend keeping the Bail Enforcer – Armed license as is. The motion was seconded by Representative McBride.

Roll call:

Yes: Commissioner Leslie Osborn, Senator Kay Floyd, Senator Adam Pugh, Representative Mark McBride, Representative Cyndi Munson, Representative Mike Osburn, Lisa Dillion, Michael Robins, and Steven Shoemaker

No: Senator Nathan Dahm

Abstain: none

Motion approved.

Occupational Licenses to be Reviewed on September 9, 2021

Oklahoma Board of Examiners for Long Term Care Administrators

1. Adult Day Care (ADC) Administrator
2. Certified Nursing Home Assistant Administrator (CAA)
3. Nursing Home Administrator (NHA)
4. Residential Care Administrator (RC)
5. Residential Care/Assisted Living (RCAL) Administrator

Gaylord Thomas, Director, was present at the meeting. Mr. Thomas answered questions about the structure of the board, requirements for each of the five (5) licenses, criminal background checks, and disciplinary actions.

Commissioner Osborn made a motion to accept with no change the five (5) licenses/certifications under the Oklahoma Board of Examiners for Long Term Care Administrators. The motion was seconded by Representative Mark McBride.

Roll call:

Yes: Commissioner Leslie Osborn, Senator Kay Floyd, Representative Mark McBride, Representative Cyndi Munson, Representative Mike Osburn, Lisa Dillion, Michael Robins, and Steven Shoemaker

No: Senator Nathan Dahm

Abstain: none

Senator Adam Pugh was out of the room when the vote was taken. Motion approved.

Board of Dentistry

1. Dental Assistant Permit
2. Dental Hygiene License
3. Dental License

Susan Rogers, Director, was present at the meeting. Ms. Rogers answered questions about the structure of the board, Rules and Statutes, and the statewide shortage of Dental Hygienists.

Commissioner Osborn made a motion to leave as is licenses issued by the Board of Dentistry. The motion was seconded by Lisa Dillon.

Roll call:

Yes: Commissioner Leslie Osborn, Senator Kay Floyd, Senator Adam Pugh, Representative Mark McBride, Representative Cyndi Munson, Representative Mike Osburn, Lisa Dillion, and Steven Shoemaker

No: Senator Nathan Dahm and Michael Robins

Abstain: none

Motion approved.

Department of Mental Health & Substance Abuse Services

1. Alcohol and Drug Substance Abuse Course Assessor
2. Alcohol and Drug Substance Abuse Course Facilitator
3. Behavioral Health Case Manager
4. Peer Recovery Support Specialists

No representative from the Department of Mental Health & Substance Abuse Services was present. This department will be on the agenda next month.

Oklahoma Department of Public Safety

1. Commercial Motorcycle Training School Instructor
2. Commercial Truck Driver Training School Instructor
3. Driver License – Designated Examiners
4. Driver License – Third Party Testers
5. Driver Training Commercial School Instructor
6. Wrecker Service Operator

Kevin Behrens, Assistant General Counsel, was present for the meeting. Mr. Behrens said DPS does not have a board. Only Wrecker Service Operator is a license, the rest are certificates.

Commissioner Osborn made a motion to recommend no changes to the license/certificates offered by DPS. The motion was seconded by Representative McBride.

Roll call:

Yes: Commissioner Leslie Osborn, Senator Kay Floyd, Representative Mark McBride, Representative Cyndi Munson, Representative Mike Osburn, Lisa Dillion, Michael Robins, and Steven Shoemaker

No: Senator Nathan Dahm and Senator Adam Pugh

Abstain: none

Motion approved.

Oklahoma Real Estate Commission

1. Active Broker License
2. Broker Associate License
3. Provisional Sales License

4. Sales Associate License

Grant Cody, Director, was present for the meeting. Mr. Cody answered questions regarding licensing and complaints.

Commissioner Osborn made a motion to recommend leaving as is the license issued by the Oklahoma Real Estate Commission. The motion was seconded by Steven Shoemaker.

Roll call:

Yes: Commissioner Leslie Osborn, Senator Kay Floyd, Senator Adam Pugh, Representative Mark McBride, Representative Cyndi Munson, Representative Mike Osburn, Lisa Dillion, Michael Robins, and Steven Shoemaker

No: Senator Nathan Dahm

Abstain: none

Motion approved.

Oklahoma Securities Department

1. Broker-Dealer Agent
2. Investment Adviser Representative (or Individual Investment Adviser)
3. Issuer Agent (Non-FINRA)
4. Subdivided Land Sales Agent

Melanie Hall, Administrator, was present at the meeting. Ms. Hall and the Commission discussed the number of licensed Broker-Dealer Agents, fraud prevention, legal remedies, role of each license, and whether Subdivided Land Sales Agent should be moved under the Real Estate Commission. Ms. Hall said Oklahoma residents are exempt from registration for Subdivided Land Sales Agent and currently five (5) licenses are issued.

Commissioner Osborn made a motion to recommend leaving as is Broker-Dealer Agent, Investment Adviser Representative (or Individual Investment Adviser), and Issuer Agent (non-FINRA). The motion was seconded by Representative McBride.

Roll call:

Yes: Commissioner Leslie Osborn, Senator Kay Floyd, Senator Adam Pugh, Representative Mark McBride, Representative Cyndi Munson, Representative Mike Osburn, Lisa Dillion, Michael Robins, and Steven Shoemaker

No: Senator Nathan Dahm

Abstain: none

Motion approved.

Steven Shoemaker made a motion to recommend repealing the Subdivided Land Sales Agent license. The vote was seconded by Senator Dahm.

Roll call:

Yes: Senator Nathan Dahm, Senator Adam Pugh, Representative Mike Osburn, Michael Robins, and Steven Shoemaker

No: Commissioner Leslie Osborn, Senator Kay Floyd, Representative Mark McBride, Representative Cyndi Munson, and Lisa Dillion

Abstain: none

The motion did not carry.

Commissioner Osborn made a motion to leave the Subdivided Land Sales Agent License as is. The vote was seconded by Representative Mark McBride. Voting was halted for additional discussion. Commissioner Osborn rescinded her motion. Ms. Hall agreed to return to next month's meeting for additional discussion on Subdivided Land Sales Agent License.

Oklahoma Insurance Department

1. Bail Bondsman License
2. Adjuster Individual-Public
3. Adjuster Individual-Insurance Adjuster
4. Customer Service Rep

5. Insurance Consultant
6. Producer – Limited Lines
7. Producer – General Lines and Variable

Ashley Scott was present at the meeting. Ms. Scott discussed the licenses and processes to obtain the licenses, the agency, and industry. Ms. Scott said her agency will be recommending to the legislature that licensure for Customer Service Rep and Insurance Consultant be dropped.

Representative Mike Osburn made a motion to recommend to the legislature that licensing requirements for Customer Service Rep and Insurance Consultant be removed.

Roll call:

Yes: Commissioner Leslie Osborn, Senator Nathan Dahm, Senator Kay Floyd, Senator Adam Pugh, Representative Mark McBride, Representative Cyndi Munson, Representative Mike Osburn, Lisa Dillon, Michael Robins, and Steven Shoemaker

No: none

Abstain: none

Motion approved.

Senator Pugh made a motion to recommend leaving as is the Bail Bondsman License, Adjuster Individual-Public, Adjuster Individual—Insurance Adjuster, Insurance Consultant, Producer – Limited Lines, Producer – General Lines and Variable. The motion was seconded by Commissioner Osborn.

Roll call:

Yes: Commissioner Leslie Osborn, Senator Kay Floyd, Senator Adam Pugh, Representative Mark McBride, Representative Cyndi Munson, Representative Mike Osburn, Lisa Dillon, Michael Robins, and Steven Shoemaker

No: Senator Nathan Dahm

Abstain: none

Motion approved.

Real Estate Appraiser Board

1. Certified General Real Estate Appraiser
2. Certified Residential Real Estate Appraiser
3. State Licensed Real Estate Appraiser
4. Trainee Real Estate Appraiser

Christine McIntire, Director, and Lee Caesar Jr, Vice Chairman, were present at the meeting. Ms. McIntire discussed requirements, structure, and role of the board. Ms. McIntire explained the difference between the licenses. Mr. Caesar discussed federal requirements, pathways for licensing and banking laws. Ms. McIntire and Mr. Caesar agreed to return next month for additional discussion on Trainee Real Estate Appraiser.

Commissioner Osborn made a motion to recommend leaving as is Certified General Real Estate Appraiser, and State Licensed Real Estate Appraiser. The motion was seconded by Representative Munson.

Roll call:

Yes: Commissioner Leslie Osborn, Senator Kay Floyd, Senator Adam Pugh, Representative Mark McBride, Representative Cyndi Munson, Representative Mike Osburn, Lisa Dillon, Michael Robins, and Steven Shoemaker

No: Senator Nathan Dahm

Abstain: none

Motion approved.

Agenda Items 7 and 8:

Discussion and Next Steps

Commissioner Osborn asked members of the Commission to come to the meeting next month prepared to discuss the next steps for the Commission. Closing discussion included funding for the Commission and means to increase public/industry attendance at Commission meetings.

Agenda Item 9:

Adjournment

Commissioner Osborn adjourned the meeting at 12:05 p.m.