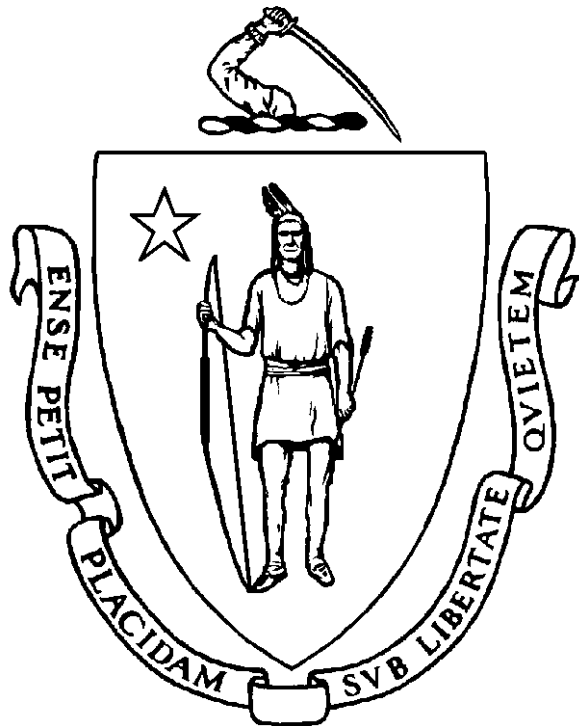


DIVISION OF OCCUPATIONAL LICENSURE



ANNUAL REPORT

FISCAL YEAR 2023

*Division of Occupational Licensure
Office of Consumer Affairs and Business Regulation
Executive Office of Economic Development
Commonwealth of Massachusetts*

www.mass.gov/dpl/licenses

I. MESSAGE FROM THE COMMISSIONER

Her Excellency Maura Healey
Governor of the Commonwealth

The Honorable Kim Driscoll
Lieutenant Governor of the Commonwealth

Yvonne Hao, Secretary
Executive Office of Economic Development

Layla R. D’Emilia, Undersecretary
Office of Consumer Affairs and Business Regulation

Karen E. Spilka, Senate President
Massachusetts State Senate

Ronald J. Mariano, Speaker
Massachusetts House of Representatives

Honorable Members of the General Court:

The Division of Occupational Licensure (DOL) is pleased to present to you with this report summarizing the Agency’s accomplishments and initiatives undertaken during Fiscal Year 2023 (FY2023), spanning July 1, 2022, to June 30, 2023.

In December 2022, DOL released the updated draft of the Unofficial 10th Edition Base Code (780 CMR) for the next edition of the Massachusetts building code. The 10th Edition Building Code will be based on modified versions of certain 2021 International Codes.

During FY23, DOL contracted with Gartner Consulting to complete a readiness assessment in preparation for a digital transformation of its existing disparate licensing, permitting and inspection platforms through the implementation and deployment of a single, modern enterprise Licensing, Permitting & Inspection (“LPI”) solution. The readiness assessment extensively mapped existing business processes across all platforms in anticipation of the redesign necessary to develop a consolidated, streamlined, and updated set of business processes which will guide the configuration of the new LPI solution.

In the spring, a number of new hires joined the DOL senior management team including Beth English as Deputy Commissioner for Boards and Operations, Dave Rodrigues as Chief of Staff, Lori Hindle as Chief Operating Officer, Allison Zimmon as Assistant General Counsel of Labor and Employment, Anthony Buonopane as Chief of Elevators, and Sarah Wilkinson as Commissioner. In addition, DOL was successful in hiring a number of vacant staff positions, especially in the elevator and building and engineering inspections units, to help address existing staffing shortages in our public safety department.

MESSAGE FROM THE COMMISSIONER (CONT.)

Several members of the senior management team joined Secretary Hao and the team from the Executive Office of Economic Development and the Office of Consumer Affairs and Business Regulations for the regional outreach meetings related to Governor Healey's economic development plan.

I am proud of the work accomplished by our leadership team during the year, but also the determination and hard work of the Agency's staff who prioritize DOL's mission to protect the public's health, safety and welfare by licensing qualified individuals who provide services to consumers and by the fair and consistent enforcement of its statutes and regulation.

On behalf of DOL's board members and employees, I thank both the Administration and the Legislature for their continued support of our Agency. I look forward to continuing our mission of protecting the health, safety, and welfare of the citizens of the Commonwealth, in the fiscal year ahead.

Sincerely,

A handwritten signature in black ink that reads "Sarah R. Wilkinson". The signature is written in a cursive style with a large initial "S".

Sarah R. Wilkinson, Commissioner
Division of Occupational Licensure

II. DIVISION OF OCCUPATIONAL LICENSURE (DOL): AGENCY OVERVIEW

About DOL

The Division of Occupational Licensure (DOL) is an Agency within the Office of Consumer Affairs and Business Regulation. DOL oversees 26 boards of registration and offices, which license and regulate more than 500,000 individuals and businesses to practice some 100 trades and professions in the Commonwealth of Massachusetts. DOL also licenses and regulates Private Occupational Schools, and oversees the Office of Public Safety and Inspections.

Mission

DOL's mission is to protect the public's health, safety and welfare by licensing qualified individuals and businesses to provide services to consumers, while ensuring the fair and consistent enforcement of licensing laws and regulations. DOL also seeks to promote consumer protection, a fair and competitive marketplace, and engage in education and outreach events.

Boards, Offices and Units

Introduction

DOL is organized into two core units: Boards of Registration; and the Office of Public Safety and Inspections. These two units perform the core licensing and regulatory functions of the Agency. Through a shared-services operational model, these units are supported by several other offices including the Office of Investigations, Office of Legal Counsel, Office of Prosecutions, the Accounting Unit, and the Technology, Analytics, and Digital Transformation Unit.

Boards of Registration

DOL's 26 boards of registration carry out the Agency's mission by licensing individuals and businesses in more than 100 trades and professions. Board members include licensed professionals, as well as members of the public, who serve on their respective boards on a voluntary basis. In addition to licensing qualified individuals, DOL boards of registration investigate and resolve consumer complaints with the assistance of the Agency's enforcement units.

In FY2023, the boards of registration overseen by the DOL included the following:

- Board of Registration of Architects
- Board of Registration of Cosmetology and Barbering
- Board of State Examiners of Electricians
- Board of Registration in Embalming and Funeral Directing
- Board of Registration of Home Inspectors
- Board of Registration of Landscape Architects

- Board of Registration of Massage Therapy
- Board of Certification of Operators of Drinking Water Supply Facilities
- Board of State Examiners of Plumbers and Gas Fitters
- Board of Registration of Professional Engineers and of Professional Land Surveyors
- Board of Public Accountancy
- Board of Registration of Real Estate Appraisers
- Board of Registration of Real Estate Brokers and Salespersons
- Board of Examiners of Sheet Metal Workers
- Board of Registration in Veterinary Medicine

In addition to the boards of registration listed above, DOL also manages the Office of Private Occupational School Education (OS). OS is responsible for the licensure and oversight of private occupational schools operating in Massachusetts. Occupational schools are institutions that offer courses, for profit or by charging tuition, for the purpose of educating and preparing individuals for a business, trade, technical or industrial occupation, or any other vocational purpose. OS is supported by a 12-member Advisory Council, consisting of representatives from other state agencies, consumer advocacy organizations, and the occupational school industry. The Advisory Council is chaired by the Undersecretary of Consumer Affairs and Business Regulation (OCABR), DOL's parent agency.

Office of Public Safety and Inspections

DOL's Office of Public Safety and Inspections (OPSI) is responsible for the oversight of certain infrastructure safety standards and the regulation of select entertainment industries in Massachusetts. It assists DOL in achieving the Agency's mission of protecting the public's health, safety, and welfare through the inspection, investigation, and sanctioning of the activities and industries that it regulates. In FY2023, OPSI consisted of the following boards and divisions:

- Architectural Access Board
- Building and Engineering Division
- Elevator Division
- Massachusetts State Athletic Commission
- Regulated Activities Division

Office of Investigations

The Office of Investigations (OI) serves as DOL's front line of consumer protection. The formal consumer complaint process is initiated when a consumer contacts or files a complaint with OI. OI staff conduct investigations into allegations of unlicensed practice or professional misconduct and inspects certain types of business establishments.

Office of Prosecutions

The Office of Prosecutions (OP) prosecutes complaints filed against licensed individuals and businesses, as well as individuals and businesses engaged in the unlicensed practice of a trade or profession falling under DOL's jurisdiction.

Office of Legal Counsel

The Office of Legal Counsel (OLC) consists of three units: Board Counsel; Hearing Counsel; and Public Records. Board Counsels provide legal advice to their assigned boards, offices, and units as it relates to the performance of their day-to-day responsibilities, including the issuance of licenses, the disciplinary process, and the conduct of board meetings. Hearings Counsel, also known as Hearing Officers, generally conduct adjudicatory hearings between licensees or unlicensed individuals and businesses alleged to have violated licensing statutes and regulations, and the relevant board of registration. The Public Records Unit consists of two Records Access Officers and other staff who process, review, and distribute records pursuant to requests from the public.

Accounting

The Accounting Unit focuses on collecting and managing all revenue generated by the Agency. DOL collects between \$40 million and \$48 million annually in over 275,000 individual transactions for all of the licenses, permits, and inspections overseen by the Agency.

Technology, Analytics, and Digital Transformation Unit

The Technology, Analytics, and Digital Transformation Unit focuses on managing three legacy technology platforms: Accela, My License One (MLO), and Inspection and Permitting System (IPS) utilized by both the Boards of Registration and the Office of Public Safety and Inspections. This Unit is currently investigating an agency-wide digital transformation through the implementation and deployment of a modern Licensing, Permitting, and Inspection solution.

III. AGENCY ACCOMPLISHMENTS AND ACTIVITIES DURING FISCAL YEAR 2023

FY2023 Notable Accomplishments and Initiatives

- **Welcome Center:** The Welcome Center assisted 11,024 walk-in visitors with basic customer service transactions, such as license renewals, verifications, or name and address changes.
- **Licensing Platform Unification and Modernization Project:** DOL currently operates on three different software platforms in support of Agency programs. These three platforms perform similar functions but cannot be cohesively integrated. In FY2022, DOL secured capital funding to develop a target Business Capability Model (BCM) that represents DOL's core capabilities and identifies DOL's differentiated capabilities when compared against market offerings readily available in the industry. In continuation of the Technology Modernization effort in FY2023, the DOL team completed a readiness assessment, extensively mapping business processes and analyzing data set documentation. The project team developed business process maps, which will inform the business process redesign necessary to guide the configuration of the new platform and provide the foundation for developing the core solution requirements.

Board of Registration Consumer Complaints Investigated: DOL's Office of Investigations (OI) investigated approximately 259 new complaints on behalf the Agency's 26 boards of registration and the Office of Private Occupational School Education. These complaints included consumer complaints, referrals from other federal and state agencies, and complaints opened by a board of registration to investigate potential wrongdoing. The top five boards of registration with the most complaints investigated by OI included:

- Board of Registration of Real Estate Brokers and Salespersons: 38 complaints
- Board of State Examiners of Plumbers and Gas Fitters: 35 complaints
- Board of Registration in Embalming and Funeral Directing: 28 complaints
- Board of State Examiners of Electricians: 26 complaints
- Board of Registration of Professional Engineers and Land Surveyors: 25 complaints

Board of Registration Consumer Complaints Resolved: With the input and assistance of other DOL boards, offices, and units, OI also helped to resolve over 558 complaints during this same period. The top 5 boards of registration with the most complaints closed included:

- Board of Registration of Real Estate Brokers and Salespersons: 185 complaints
- Board of State Examiners of Plumbers and Gas Fitters: 98 complaints
- Board of State Examiners of Electricians: 45 complaints
- Board of Registration in Veterinary Medicine: 41 complaints
- Board of Registration of Cosmetology and Barbering: 37 complaints

Board of Registration Consumer Disciplinary Actions: DOL’s Office of Prosecutions (OP) assisted DOL boards of registration in prosecuting and resolving 355 complaints, through the prosecution and issuance of various disciplinary actions against both licensed and unlicensed, individuals and businesses. These disciplinary actions included:

- Fines Assessed: 225
- License Revocations: 35
- License Voluntary Surrender: 23
- License Stayed Suspensions: 1
- License Reprimand: 1
- License Suspensions: 5
- License Probation: 8

The top five boards of registration with the most disciplinary actions issued were:

1. Board of Registration of Plumbers and Gasfitters: 70 disciplinary actions
2. Board of Registration of Massage Therapy: 68 disciplinary actions
3. Board of Registration of Real Estate Brokers and Salespersons: 32 disciplinary actions
4. Board of Registration of Architects: 30 disciplinary actions
5. Board of Examiners of Sheet Metal Workers: 27 disciplinary actions

IV. DATA TABLES

The following data tables show key statistics about different aspects of DOL’s operations and the professions that it licenses or oversees. The data represents a snapshot of this information, which is dynamic and changes daily. DOL is including this information to better inform readers of this report and help illustrate the scope of the Agency’s impact on the Commonwealth and its workforce. For more up-to-date information, please contact the Agency.

TABLE 1: NUMBER OF LICENSEES & NUMBER OF NEW LICENSES ISSUED, FY2023		
BOARD OF REGISTRATION OR DIVISION	NUMBER OF LICENSEES	NUMBER OF NEW LICENSES ISSUED
Board of Registration of Architects	8,372	396
Board of Registration of Cosmetology and Barbering	89,092	4,575
Board of Certification of Operators of Drinking Water Supply Facilities	6,452	698
Board of State Examiners of Electricians	41,369	1,857
Board of Registration in Embalming and Funeral Directing	3,036	189
Board of Registration of Home Inspectors	600	57
Board of Registration of Landscape Architects	844	43
Board of Registration of Massage Therapy	10,114	991
Board of State Examiners of Plumbers and Gas Fitters	29,350	2,476
Board of Registration of Professional Engineers and of Land Surveyors	29,772	1,067
Board of Public Accountancy	20,304	917

TABLE 1: NUMBER OF LICENSEES & NUMBER OF NEW LICENSES ISSUED, FY2023		
BOARD OF REGISTRATION OR DIVISION	NUMBER OF LICENSEES	NUMBER OF NEW LICENSES ISSUED
Board of Registration of Real Estate Appraisers	4,775	283
Board of Registration of Real Estate Brokers and Salespersons	76,673	4,465
Board of Examiners of Sheet Metal Workers	10,731	619
Board of Registration in Veterinary Medicine	4,634	356
Office of Private Occupational School Education	135	20
OPSI - Elevator Division	911	163
OPSI - Building & Engineering Division	28,857	7,495
OPSI – Regulated Activities Division	1,543	2,364
OPSI – Amusement Licenses	180	42

TABLE 2: NUMBER OF COMPLAINTS OPENED/RECEIVED & NUMBER OF COMPLAINTS CLOSED, FY2023

BOARD OF REGISTRATION OR DIVISION	NUMBER OF COMPLAINTS OPENED/RECEIVED	NUMBER OF COMPLAINTS CLOSED
Board of Registration of Architects	5	2
Board of Registration of Cosmetology and Barbering	2	37
Board of Certification of Operators of Drinking Water Supply Facilities	1	0
Board of State Examiners of Electricians	26	45
Board of Registration in Embalming and Funeral Directing	28	9
Board of Registration of Home Inspectors	2	10
Board of Registration of Landscape Architects	0	1
Board of Registration of Massage Therapy	17	24
Board of State Examiners of Plumbers and Gas Fitters	35	98
Board of Registration of Professional Engineers and of Land Surveyors	25	22

TABLE 2: NUMBER OF COMPLAINTS OPENED/RECEIVED & NUMBER OF COMPLAINTS CLOSED, FY2023		
BOARD OF REGISTRATION OR DIVISION	NUMBER OF COMPLAINTS OPENED/RECEIVED	NUMBER OF COMPLAINTS CLOSED
Board of Public Accountancy	5	14
Board of Registration of Real Estate Appraisers	7	20
Board of Registration of Real Estate Brokers and Salespersons	38	185
Board of Examiners of Sheet Metal Workers	7	15
Board of Registration in Veterinary Medicine	18	41
Office of Private Occupational School Education	0	4
OPSI - Elevator Division	N/A	N/A
OPSI - Building Division	N/A	N/A
OPSI - Engineering & Engineering	N/A	N/A
OPSI - Regulated Activities Division	N/A	N/A
OPSI – Architectural Access Board	N/A	N/A

TABLE 3: NUMBER OF DISCIPLINARY ACTIONS ISSUED, FY2023	
BOARD OF REGISTRATION OR DIVISION	NUMBER OF DISCIPLINARY ACTIONS ISSUED
Board of Registration of Architects	30
Board of Registration of Cosmetology and Barbering	0
Board of Certification of Operators of Drinking Water Supply Facilities	2
Board of State Examiners of Electricians	35
Board of Registration in Embalming and Funeral Directing	2
Board of Registration of Home Inspectors	1
Board of Registration of Landscape Architects	1
Board of Registration of Massage Therapy	68
Board of State Examiners of Plumbers and Gas Fitters	70
Board of Registration of Professional Engineers and of Land Surveyors	11

TABLE 3: NUMBER OF DISCIPLINARY ACTIONS ISSUED, FY2023

BOARD OF REGISTRATION OR DIVISION	NUMBER OF DISCIPLINARY ACTIONS ISSUED
Board of Public Accountancy	3
Board of Registration of Real Estate Appraisers	12
Board of Registration of Real Estate Brokers and Salespersons	32
Board of Examiners of Sheet Metal Workers	27
Board of Registration in Veterinary Medicine	23
Office of Private Occupational School Education	0
OPSI - Elevator Division	N/A
OPSI - Building Division	N/A
OPSI - Engineering Division	N/A
OPSI - Regulated Activities Division	N/A

V. DISCLAIMER

The information contained herein is general information about the operations of the Division of Occupational Licensure (DOL), the boards of registration, the Office of Private Occupational School Education, and the Office of Public Safety and Inspections, who operate under the supervision of the Agency, and their respective licensing and enforcement activities. It does not reflect the policies, laws or rules of any particular board, office, or person. All data and statistics in this document are intended only as a summary of the operations and activities of DOL during Fiscal Year 2023, and are subject to change.

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