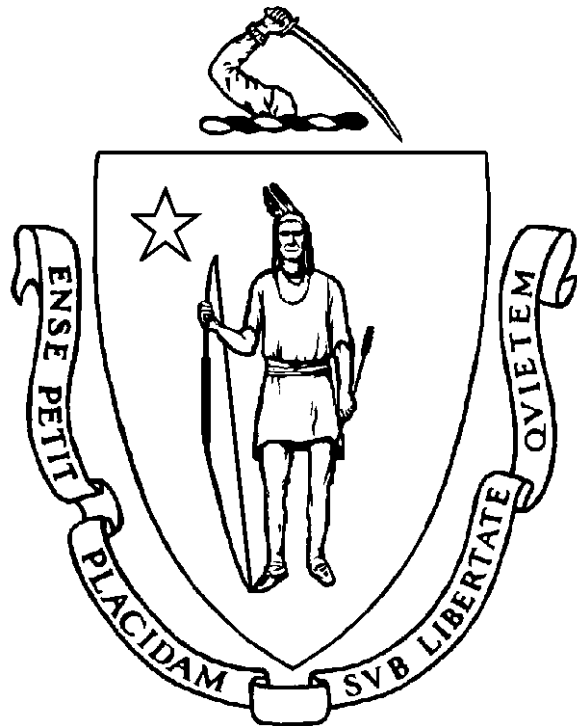


DIVISION OF PROFESSIONAL LICENSURE



ANNUAL REPORT

FISCAL YEAR 2020

*Division of Professional Licensure
Office of Consumer Affairs and Business Regulation
Executive Office of Housing and Economic Development
Commonwealth of Massachusetts
www.mass.gov/dpl*

I. MESSAGE FROM THE COMMISSIONER

His Excellency Charles D. Baker
Governor of the Commonwealth

The Honorable Karyn E. Polito
Lieutenant Governor of the Commonwealth

Mike Kennealy, Secretary
Executive Office of Housing and Economic Development

Edward A. Palleschi, Undersecretary
Office of Consumer Affairs and Business Regulation

Karen E. Spilka, Senate President
Massachusetts State Senate

Robert A. DeLeo, Speaker
Massachusetts House of Representatives

Honorable Members of the General Court:

The Division of Professional Licensure (DPL) is pleased to present to you with this report summarizing the Agency's accomplishments and initiatives undertaken during Fiscal Year 2020 (FY2020), spanning July 1, 2019, to June 30, 2020.

FY2020 started as typical year for DPL. However, with the declaration of the COVID-19 State of Emergency in March 2020, the Agency and its operations were quickly and radically transformed. Following a brief shutdown at the start of the pandemic, the Agency worked to re-tool itself as a primarily remote workforce. This was no small feat, due to the majority of Agency programs operating on an office-based and in-person customer service business model.

However, despite significant hurdles, the Agency overcame these challenges. Within 90 days of the start of the State of Emergency, DPL distributed laptops, cell phones, and remote meeting software to more than 150 office-based employees, developed new electronic processes and policies to facilitate virtual transactions and other customer service functions, and procured personal protections equipment (PPE) for all field-based staff, enabling them to continue to perform their critical public safety and consumer protection functions. By the end of the fiscal year, DPL had been radically transformed, but admirably continued to meet its public safety and consumer protection missions.

In addition to these unprecedented challenges, DPL experienced significant changes in its leadership and executive management team in the second half of FY2020, coinciding with the start of the pandemic. I am proud not only of the work accomplished by our leadership team during the pandemic, but also the determination and hard work of the Agency's managers

MESSAGE FROM THE COMMISSIONER (CONT.)

administrative staff, and field staff, to continue to perform their responsibilities and obligations during such a challenging and uncertain moment.

On behalf of DPL's board members and employees, I thank both the Administration and the Legislature for their continued support of our Agency, particularly during such an unprecedented fiscal year. 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 cursive script that reads "Layla R. D'Emilia".

Layla R. D'Emilia, Commissioner
Division of Professional Licensure

II. DIVISION OF PROFESSIONAL LICENSURE (DPL): AGENCY OVERVIEW

About DPL

The Division of Professional Licensure (DPL) is an Agency within the Office of Consumer Affairs and Business Regulation. DPL oversees 28 boards of registration and offices, which license and regulate more than 580,000 individuals and businesses to practice some 167 trades and professions in the Commonwealth of Massachusetts. DPL also licenses and regulates Private Occupational Schools, and oversees the Office of Public Safety and Inspections.

Mission

DPL's mission is to protect the public 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. DPL also seeks to promote consumer protection, a fair and competitive marketplace, and engage in education and outreach events.

Boards, Offices and Units

Introduction

DPL 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, and the Accounting and Electronic Data Processing Unit.

Boards of Registration

DPL's 28 boards of registration carry out the Agency's mission by licensing individuals and businesses in more than 50 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, DPL boards of registration investigate and resolve consumer complaints with the assistance of the Agency's enforcement units.

In FY2020, the boards of registration overseen by the DPL included the following:

- Board of Allied Health Professions
- Board of Registration of Allied Mental Health and Human Services Professions
- Board of Registration of Architects
- Board of Certification of Health Officers
- Board of Registration of Chiropractors
- Board of Registration of Cosmetology and Barbering

- Board of Registration of Dietitians and Nutritionists
- Board of Registration of Dispensing Opticians
- Board of State Examiners of Electricians
- Board of Registration in Embalming and Funeral Directing
- Board of Registration of Hearing Instrument Specialists
- 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 Registration in Optometry
- Board of State Examiners of Plumbers and Gas Fitters
- Board of Registration in Podiatry
- Board of Registration of Professional Engineers and of Professional Land Surveyors
- Board of Public Accountancy
- Board of Registration of Psychologists
- Board of Registration of Real Estate Appraisers
- Board of Registration of Real Estate Brokers and Salespersons
- Board of Registration of Sanitarians
- Board of Examiners of Sheet Metal Workers
- Board of Registration of Social Workers
- Board of Registration in Speech-Language Pathology and Audiology
- Board of Registration in Veterinary Medicine

In addition to the boards of registration listed above, DPL 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), DPL's parent agency.

Office of Public Safety and Inspections

DPL'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 DPL in achieving the Agency's mission of protecting the public health, safety, and welfare through the inspection, investigation, and sanctioning of the activities and industries that it regulates. In FY2020, 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 DPL’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 DPL’s jurisdiction. OP also includes a Health Care Fraud Unit (HCFU), which prosecutes licensees for health care related misconduct and participates in a referral network with law enforcement agencies and private insurance companies.

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 and Electronic Data Processing Unit

The Accounting and Electronic Data Processing Unit (EDP) handles all fiscal matters on behalf of DPL, with a focus on collecting and managing all revenue generated by the Agency. EDP processes paper and electronic payments for licensing applications, civil administrative penalties, and all other transactions associated with the services provided by the Agency.

III. AGENCY ACCOMPLISHMENTS AND ACTIVITIES DURING FISCAL YEAR 2020

FY2020 Notable Accomplishments and Initiatives

- **DPL COVID-19 Pandemic Response:** The COVID-19 Pandemic transformed DPL’s operations in a way that could not be foreseen at the start of FY2020. The following is a

summary of the Agency's efforts to adapt to such an unprecedented situation, while continuing to deliver services to licensees, consumers, and the public:

- **Workforce Transformation:** Within 90 days following the declaration of the COVID-19 State of Emergency, DPL leadership transformed the Agency's workforce from a paper-heavy, office-based workforce, into an almost completely remote one. This included the distribution of more than 150 laptops, cell phones, and the development of new internal procedures around document control and Personally Identifiable Information (PII). This early work has positioned the Agency to embrace a more permanently remote workforce in the future.
- **Board COVID-19 Policies:** DPL worked closely with its licensing and public safety boards to draft and adopt policies to provide guidance to licensees to facilitate compliance with COVID-19 standards and restrictions. During the COVID-19 State of Emergency, 15 boards adopted 25 policies to assist and guide their regulated professions through the height of the pandemic.
- **PPE Distribution:** Through coordinated efforts with the Massachusetts Emergency Management Agency (MEMA) and the Massachusetts National Guard, DPL leadership obtained PPE that was delivered on a weekly basis to all Agency inspectors, investigators and staff required to conduct field work. This included state building inspectors, engineering inspectors, trade inspectors, who continued to perform vital public safety functions throughout the pandemic, uninterrupted.
- **Board of Registration Consumer Complaints Investigated:** DPL's Office of Investigations (OI) investigated approximately 732 new complaints on behalf the Agency's 28 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: 105 complaints
 - Board of Registration of Cosmetology and Barbering: 86 complaints
 - Board of Registration of Massage Therapy: 60 complaints
 - Board of State Examiners of Plumbers and Gas Fitters: 50 complaints
 - Board of Registration of Allied Mental Health and Human Services Professions: 43 complaints
- **Board of Registration Consumer Complaints Resolved:** With the input and assistance of other DPL boards, offices, and units, OI also helped to resolve over 1,255 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: 253 complaints

- Board of Registration of Cosmetology and Barbering: 189 complaints
 - Board of Registration of Social Workers: 98 complaints
 - Board of Registration in Veterinary Medicine: 68 complaints
 - Board of Registration of Allied Mental Health and Human Service Professionals: 66 complaints
- **Board of Registration Consumer Disciplinary Actions:** DPL's Office of Prosecutions (OP) assisted DPL boards of registration in prosecuting and resolving 424 complaints, through the prosecution and issuance of various disciplinary actions against both licensed and unlicensed, individuals and businesses. These disciplinary actions included:
 - Fines Assessed: 544
 - License Revocations: 150
 - License Voluntary Surrender: 94
 - License Stayed Suspensions: 52
 - License Reprimand: 37
 - License Suspensions: 39
 - License Probation: 30

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

1. Board of Registration of Cosmetology and Barbering: 38 disciplinary actions
2. Board of Registration of Real Estate Brokers and Salespersons: 28 disciplinary actions
3. Board of State Examiners of Plumbers and Gas Fitters: 26
4. Board of State Examiners of Electricians: 21 disciplinary actions
5. Board of Registration of Real Estate Appraisers: 14 disciplinary actions

IV. DATA TABLES

The following data tables show key statistics about different aspects of DPL's operations and the professions that it licenses or oversees. The data represents a snapshot of this information, which is dynamic and changes daily. DPL 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, FY2020 | | |
|---|--------------------------------|--|
| BOARD OF REGISTRATION OR DIVISION | NUMBER OF LICENSEES | NUMBER OF NEW LICENSES ISSUED |
| Board of Allied Health Professions | 25,791 | 1,529 |
| Board of Registration of Allied Mental Health and Human Services Professions | 11,098 | 956 |
| Board of Registration of Architects | 8,003 | 444 |
| Board of Registration of Chiropractors | 2,139 | 64 |
| Board of Registration of Cosmetology and Barbering | 91,840 | 4,122 |
| Board of Registration of Dietitians and Nutritionists | 2,999 | 259 |
| Board of Registration of Dispensing Opticians | 1,519 | 36 |
| Board of Certification of Operators of Drinking Water Supply Facilities | 5,391 | 560 |
| Board of State Examiners of Electricians | 37,230 | 1,277 |
| Board of Registration in Embalming and Funeral Directing | 2,448 | 204 |
| Board of Certification of Health Officers | 83 | 1 |

| TABLE 1: NUMBER OF LICENSEES & NUMBER OF NEW LICENSES ISSUED, FY2020 | | |
|---|----------------------------|--------------------------------------|
| BOARD OF REGISTRATION OR DIVISION | NUMBER OF LICENSEES | NUMBER OF NEW LICENSES ISSUED |
| Board of Registration of Hearing Instrument Specialists | 251 | 23 |
| Board of Registration of Home Inspectors | 625 | 70 |
| Board of Registration of Landscape Architects | 876 | 37 |
| Board of Registration of Massage Therapy | 11,083 | 480 |
| Board of Registration in Optometry | 1,462 | 51 |
| Board of State Examiners of Plumbers and Gas Fitters | 28,379 | 1,231 |
| Board of Registration in Podiatry | 553 | 33 |
| Board of Registration of Professional Engineers and of Land Surveyors | 29,111 | 858 |
| Board of Public Accountancy | 20,859 | 644 |
| Board of Registration of Psychologists | 6,204 | 212 |
| Board of Registration of Real Estate Appraisers | 4,222 | 192 |

| TABLE 1: NUMBER OF LICENSEES & NUMBER OF NEW LICENSES ISSUED, FY2020 | | |
|---|----------------------------|--------------------------------------|
| BOARD OF REGISTRATION OR DIVISION | NUMBER OF LICENSEES | NUMBER OF NEW LICENSES ISSUED |
| Board of Registration of Real Estate Brokers and Salespersons | 68,890 | 4,796 |
| Board of Registration of Sanitarians | 328 | 4 |
| Board of Examiners of Sheet Metal Workers | 11,995 | 202 |
| Board of Registration of Social Workers | 27,762 | 2,001 |
| Board of Registration for Speech-Language Pathology and Audiology | 8,028 | 494 |
| Board of Registration in Veterinary Medicine | 3,470 | 251 |
| Office of Private Occupational School Education | 225 | 28 |
| OPSI - Elevator Division | N/A | N/A |
| OPSI - Building & Engineering Division | N/A | N/A |
| OPSI – Regulated Activities Division | N/A | N/A |
| OPSI - Massachusetts Athletic Commissioner | N/A | N/A |

TABLE 2: NUMBER OF COMPLAINTS OPENED/RECEIVED & NUMBER OF COMPLAINTS CLOSED, FY2020

| BOARD OF REGISTRATION OR DIVISION | NUMBER OF COMPLAINTS OPENED/RECEIVED | NUMBER OF COMPLAINTS CLOSED |
|---|---|--|
| Board of Allied Health Professions | 14 | 61 |
| Board of Registration of Allied Mental Health and Human Services Professions | 28 | 54 |
| Board of Registration of Architects | 11 | 32 |
| Board of Registration of Chiropractors | 16 | 24 |
| Board of Registration of Cosmetology and Barbering | 42 | 166 |
| Board of Registration of Dietitians and Nutritionists | 0 | 0 |
| Board of Registration of Dispensing Opticians | 3 | 85 |
| Board of Certification of Operators of Drinking Water Supply Facilities | 3 | 7 |
| Board of State Examiners of Electricians | 44 | 139 |

TABLE 2: NUMBER OF COMPLAINTS OPENED/RECEIVED & NUMBER OF COMPLAINTS CLOSED, FY2020

| BOARD OF REGISTRATION OR DIVISION | NUMBER OF COMPLAINTS OPENED/RECEIVED | NUMBER OF COMPLAINTS CLOSED |
|--|---|------------------------------------|
| Board of Registration in Embalming and Funeral Directing | 8 | 56 |
| Board of Certification of Health Officers | 1 | 0 |
| Board of Registration of Hearing Instrument Specialists | 1 | 5 |
| Board of Registration of Home Inspectors | 9 | 25 |
| Board of Registration of Landscape Architects | 0 | 2 |
| Board of Registration of Massage Therapy | 36 | 92 |
| Board of Registration in Optometry | 2 | 19 |
| Board of State Examiners of Plumbers and Gas Fitters | 68 | 103 |
| Board of Registration in Podiatry | 40 | 10 |
| Board of Registration of Professional Engineers and of Land Surveyors | 23 | 43 |

TABLE 2: NUMBER OF COMPLAINTS OPENED/RECEIVED & NUMBER OF COMPLAINTS CLOSED, FY2020

| BOARD OF REGISTRATION OR DIVISION | NUMBER OF COMPLAINTS OPENED/RECEIVED | NUMBER OF COMPLAINTS CLOSED |
|--|---|------------------------------------|
| Board of Public Accountancy | 24 | 58 |
| Board of Registration of Psychologists | 22 | 37 |
| Board of Registration of Real Estate Appraisers | 15 | 33 |
| Board of Registration of Real Estate Brokers and Salespersons | 106 | 311 |
| Board of Registration of Sanitarians | 2 | 1 |
| Board of Examiners of Sheet Metal Workers | 15 | 27 |
| Board of Registration of Social Workers | 39 | 94 |
| Board of Registration for Speech-Language Pathology and Audiology | 2 | 10 |
| Board of Registration in Veterinary Medicine | 32 | 89 |
| Office of Private Occupational School Education | 9 | 22 |

TABLE 2: NUMBER OF COMPLAINTS OPENED/RECEIVED & NUMBER OF COMPLAINTS CLOSED, FY2020

| BOARD OF REGISTRATION OR DIVISION | NUMBER OF COMPLAINTS OPENED/RECEIVED | NUMBER OF COMPLAINTS CLOSED |
|--|---|--|
| 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, FY2020

| BOARD OF REGISTRATION OR DIVISION | NUMBER OF DISCIPLINARY ACTIONS ISSUED |
|---|--|
| Board of Allied Health Professions | 5 |
| Board of Registration of Allied Mental Health and Human Services Professions | 5 |
| Board of Registration of Architects | 4 |
| Board of Registration of Chiropractors | 8 |
| Board of Registration of Cosmetology and Barbering | 38 |
| Board of Registration of Dietitians and Nutritionists | 0 |
| Board of Registration of Dispensing Opticians | 1 |
| Board of Certification of Operators of Drinking Water Supply Facilities | 0 |
| Board of State Examiners of Electricians | 21 |
| Board of Registration in Embalming and Funeral Directing | 2 |
| Board of Certification of Health Officers | 0 |

TABLE 3: NUMBER OF DISCIPLINARY ACTIONS ISSUED, FY2020

| BOARD OF REGISTRATION OR DIVISION | NUMBER OF DISCIPLINARY ACTIONS ISSUED |
|--|--|
| Board of Registration of Hearing Instrument Specialists | 0 |
| Board of Registration of Home Inspectors | 12 |
| Board of Registration of Landscape Architects | 1 |
| Board of Registration of Massage Therapy | 7 |
| Board of Registration in Optometry | 2 |
| Board of State Examiners of Plumbers and Gas Fitters | 26 |
| Board of Registration in Podiatry | 1 |
| Board of Registration of Professional Engineers and of Land Surveyors | 2 |
| Board of Public Accountancy | 9 |
| Board of Registration of Psychologists | 7 |
| Board of Registration of Real Estate Appraisers | 14 |

| TABLE 3: NUMBER OF DISCIPLINARY ACTIONS ISSUED, FY2020 | |
|--|--|
| BOARD OF REGISTRATION OR DIVISION | NUMBER OF DISCIPLINARY ACTIONS ISSUED |
| Board of Registration of Real Estate Brokers and Salespersons | 28 |
| Board of Registration of Sanitarians | 1 |
| Board of Examiners of Sheet Metal Workers | 5 |
| Board of Registration of Social Workers | 11 |
| Board of Registration for Speech-Language Pathology and Audiology | 2 |
| Board of Registration in Veterinary Medicine | 6 |
| 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 Professional Licensure (DPL), 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 DPL during Fiscal Year 2020, and are subject to change.

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