

State of Colorado
Department of Regulatory Agencies
Division of Registrations



*Public Protection through
Effective Licensure and Enforcement*

JULY 2000

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EXECUTIVE SUMMARY

Citizens increasingly demand that the results of government programs be clearly demonstrated. Since the state's resources are finite, resources should be spent on ensuring that government programs are accomplishing their objectives and achieving their results.

This strategic planning effort is designed to establish a system to meet these important objectives.

It is also intended to:

- Proactively plan for change in increasingly complex environments i.e. increasing demands for service, shrinking resource bases and greater expectations for service.
- Focus on achieving and improving outcomes and on the efficiency and effectiveness of the Division's operations. It allows for evaluation and improvement of programs and services by systematically tracking performance measures.
- Determine how to address customer expectations.
- Promote and facilitate communication and foster orderly decision making and successful implementation of goals and objectives. Such planning improves communication not only from front-line employees to the Director and back but also among programs.
- Support allocation of activities and resources that meet the overall mission.

Much remains to be done to improve the Division of Registrations Strategic Plan, but its primary value lies in its use as a tool for a better government in carrying out its mission of effective licensure and enforcement.

INTRODUCTION

The basis of the Division's Strategic Plan is its mission and underlying standing goals. The Division's mission is:

**Public protection through
effective licensure and enforcement**

The Division has established five goals that provide the framework for the results it wants to achieve in furtherance of its mission.

Identify and license qualified practitioners, facilities, programs, and equipment.

Conduct investigations and inspections to ensure compliance with generally accepted standards of practice, conduct, or safety.

Restrict or revoke licenses when generally accepted standards of practice, conduct, or safety are not met.

Communicate effectively to inform, verify, educate and advise.

Administer the regulatory programs efficiently.

In the development of its strategic plan, the Division also considers the vision, mission, goals and strategic business objectives established by the Department.

Mission Statement

The Department of Regulatory Agencies' mission is to serve the public through responsible regulation and the vigorous and fair enforcement of Colorado law.

Vision Statement

The Department of Regulatory Agencies' regulatory presence will continue to touch the lives of every Colorado citizen. DORA will strengthen its focus on efficient and flexible regulation that responds to rapidly changing markets and economies. With an emphasis on customer service, our processes will ensure the timely delivery of information and services via multiple sources.

Accomplishing our mission of public protection will be achieved through systematic planning in a cooperative and collaborative environment, bringing regulated businesses, industries and individuals into the process.

Department's Philosophy of Regulation

The Department of Regulatory Agencies is one of the principal departments in the Executive Branch of state government. Although an Executive Branch agency, DORA is the Legislature's agent for protecting Colorado's citizens where the Legislature has determined that such protection and oversight is necessary and appropriate. DORA's purpose is to protect the citizens of Colorado from fraudulent, dangerous, incompetent or unsafe professionals or businesses. In accordance with Colorado's Sunset Statutes, §24-34-104(9), C.R.S., the Department strives to provide regulatory oversight of professions and industries *only* where such regulation is necessary to protect the public health, safety and welfare. Therefore, an important part of the Department's mission is to identify and recommend elimination of regulatory programs, statutes, rules and regulations that limit or inhibit economic development and the efficient workings of the free market.

Broadly speaking, DORA's regulatory function is two-fold: 1) to protect the public from those persons or institutions who may be in a position to harm them, physically or economically, and 2) to encourage a vigorous and competitive free market economy in which persons and organizations can thrive and succeed. Thus, in those areas deemed by the Legislature to need regulation, the Department seeks to balance two important but often conflicting needs: The public's right to consistent, high quality professional and occupational services, and the rights of businesses to exist and thrive in a highly competitive market, free from unfair, costly or unnecessary regulation.

Acting in conjunction with its primarily policy-autonomous boards and commissions, whose members contribute thousands of hours of volunteer time, the Department carries out its mandate in several ways:

- It establishes standards of education, training and competency, which must be met by those who seek entry to its regulated professions and occupations.
- It establishes the standards by which those professions or occupations are to be practiced.
- It offers a process for investigating and redressing the injuries suffered by citizens who have, in one way or another, been harmed by negligent or unscrupulous practitioners.
- Finally, it provides a mechanism by which regulated individuals and institutions can be sanctioned or even stripped of the credentials allowing them to practice if, following appropriate due process, such action is warranted by the licensee's wrongful conduct.

The Importance of Customer Service

The most basic tenet of our mission statement is public service. This involves periodically reviewing not only *what* we do, to make sure it still meets a public need, but also *how* we do it. Providing quality customer service means ensuring that each individual customer is helped in a respectful and responsive manner. DORA agencies have

many diverse customers, often with conflicting interests and expectations (for example, in any complaint and investigation, both the licensee and the complaining consumer are our customers).

A larger customer service goal, within the guidelines of our legislative mandate, is to balance those needs and expectations so that the public is protected and served, but the professional or occupational activities of the licensee are not unduly restricted. This drives the need for a Department legislative presence as regulatory issues are debated, so that all sides of an issue are actively represented and the General Assembly has the balanced information it needs to make the right policy decisions. That legislative presence is most typically seen through the Sunrise and Sunset reports and testimony of the Department's Office of Policy and Research. Additionally, staff from the Executive Director's Office also assist the Legislature by responding to questions or requests for information, and by explaining how a particular legislative proposal may or may not be consistent with DORA's historical mission, processes and responsibilities. Finally, each division director within DORA is an expert with many years of experience in regulating the individuals and institutions within their respective purview, and all stand ready to assist the Legislature by providing information and analysis wherever and whenever such assistance is appropriate.

Prioritizing What We Do To “Regulate”

A functioning regulatory program has many parts. We found it not only difficult, but impossible, to prioritize among the activities (functions) in a particular program because all contribute an important piece to the regulatory whole. For example, we cannot say that if we spent more of our resources on developing licensing requirements and fewer on ensuring continuing competency of licensed individuals, the number of complaints would decrease. Nor can we say that if we reduced the time spent communicating with the financial institutions we regulate and expended more resources on performing examination and analytical functions, that a smaller or a greater number of compliance violations would occur, be discovered and corrected.

While we have prioritized departmental business *objectives*, we cannot overstate the importance of preserving virtually all program functions in order to have effective regulatory programs. Just as a hand functions most effectively when all four fingers and a thumb, though of varying sizes and strengths, work together, an effective regulatory program generally requires sufficient resources to perform its primary business functions: regulation of entry into a business or profession, enforcement of laws, inspection/financial examination/analysis and communication with all citizens the program serves.

All the major program/functions listed above are necessary to the overall effectiveness and viability of DORA's regulatory programs and, while one function may require more in the way of resources than

another, none can be wholly eliminated without rendering the remaining components of the program ineffectual.

Strategic Goals

DORA's goals are based on statutory requirements. They also reflect a strong commitment to and alignment with the Governor's goals for Colorado.

Governor Owen's Goals (New Century Colorado)

- *Make state government more efficient, effective and user-friendly.*
 - *Transform state government through the use of innovative technology solutions.*
 - *Improve access to and interaction with state government.*
 - *Increase collaboration and sharing of information within state government.*
1. Protect the public from fraudulent, dangerous, incompetent, discriminatory or unsafe professionals or businesses and from inadequate choice and unreasonably priced services and products.
 2. Facilitate vigorous and competitive free market economy in which persons and organizations can thrive and succeed.
 3. Transform DORA into a department that provides transactional services to customers on-line and be a catalyst for a statewide enterprise e-government transformation.
 4. Improve (standardize, automate, reengineer) work processes to be make them more efficient, effective, flexible and increasingly automated, as resources and technology permit.
 5. Continue to develop a secure and reliable information management infrastructure to provide complete, accurate and up-to-date information for internal and external customers that is delivered in a customer friendly and timely manner at a reasonable cost.
 6. Continue to improve communication with the public and our stakeholders through a variety of media that are responsive, reliable and easy to access. This includes not only the Internet, but also through town meetings, educational seminars, and distribution of brochures and news releases.
 7. Provide customer service that fosters trust and confidence.
 8. Provide improved service and new services to customers as related to direct service programs for a targeted portion of the population.

Objectives

Prioritization under the four levels has been based according to the degree of benefit, with consideration of the following:

- prevention of public harm
- situation urgency
- addition or improvement to electronic commerce
- increased technological access to information and forms for consumers
- changes driven by statutory mandates
- potential improvement to productivity or efficiencies
- enhancement to customer service
- areas identified by stakeholders as needing focus and/or resources
- potential number of people or businesses impacted
- extent of impact to entire department operations

SUMMARY OF FY 00-01 PRIORITIZED OBJECTIVES

Essential/Level One—critically important to core business of the department/no-choice due to mandates or other constraints	High/Level Two—substantial support for the core business of the department/generate significant efficiencies or significant improvement in customer service
1.1 Move toward E-government to improve customer service and benefit from efficiencies 1.2 Avoid federal preemption of insurance regulation 1.3 Maintain quality and quantity of financial exams in light of changes in the industry 1.4 Provide a fair and equitable utility assessment structure due to changes in the telecommunications industry	2.1 Make it easier and less costly to do business with the PUC 2.2 Increase customer satisfaction with enforcement and intervention activities in Civil Rights 2.3 Refine, refocus scope, mission and structure in Banking to accommodate financial modernization act 2.4 Maintain timeliness in certifying Disadvantaged Business Enterprises
Medium/Level Three—support a critical portion of the department’s core business/reasonable likelihood of generating efficiencies or improved service	Low/Level Four—support only a narrow portion of core business/modest potential for generating efficiencies or improved service
3.1 Better serve the interests of those whom OCC represents 3.2 Improve Real Estate licensee competence	4.1 Assess critical issues and focus resources on targeted consumer needs (Insurance customers and PUC’s relay services)

OVERVIEW OF THE PLAN

History

To meet the changing demands of an increasingly diverse population, growing interstate and international economic transitions, changing public expectations and legislative mandates, the Colorado Division of Registrations began a process to plan for the future. Like other regulatory agencies, the Division of Registrations desires to improve its responsiveness to the public interest while at the same time working with constant or even dwindling resources.

In the Spring of 1993, the Division of Registration's Management Staff met and re-developed its mission statement and goals and began to conduct a strategic planning process for the Division. On an annual basis since 1993, the Division has systematically developed objectives consistent with its mission and goals and conducted semi-annual and annual progress reviews to monitor the status of each fiscal year's plan.

At its Annual Planning Meeting in June 1998, the Division's Management Staff conducted a comprehensive update session on its business and strategic planning process. The meeting built upon the 1997 goals and objectives, noting 1997's accomplishments and refining and prioritizing the tasks and objectives to be carried over to the 1998/99 plan. The meeting further focused on a comprehensive review of the Department's mission and goals and their correlation to the Division's mission and goals. These efforts resulted in the development of the Division's first Strategic Plan and an Annual Business Plan that focuses on the parts of its Strategic Plan the Division would work on in the coming fiscal year.

The Division continued to improve its strategic planning process in 1999. Performance measures were added and linked to objectives and tracking of these measures continues to be analyzed and re-defined. Annual plans for each section within the Division were implemented beginning in July 1999 and linked not only upward to the Division's Annual Business Plan but also downward to individual employee performance plans. Objectives are also being analyzed to ensure that they meet specific criteria.

This strategic plan is the result of bringing together a range of information collected throughout the strategic planning process. However, it is more than a collection of goals, objectives and strategies. It operates as an important management tool and conveys the Division's priorities for the future. It presents strategic direction in order to guide both long-term decision making and short-term day to day operations. It also gives stakeholders an understanding of the Division's direction.

The strategic plan should function as the foundation for other plans and reports developed by the Division. The strategic plan will include references to these other plans and reports as a source of more in-depth information.

SUMMARY OF MANDATES

Mandates prescribe what must be done under the Division's enabling statutes, federal or other state laws, regulations, etc. They also are the basis for much of the strategic plan.

Division of Registrations	§24-34-102
Accountancy	§12-2-101
Acupuncturists	§12-29.5-101
Alcohol/Drug Abuse Counselors	§24-34-102
Architects	§12-4-101
Audiologists & Hearing Aid Providers	§12-5.5-101 & 201
Barber/Cosmetology	§12-8-101
Chiropractic	§12-33-101
Dental	§12-35-101
Electrical	§12-23-101
Engineering/Land Surveying	§12-25-101 & 201
Lay Midwives	§12-37-101
Marriage & Family Therapists	§12-43-502
Medical Examiners	§12-36-101
Mental Health Grievance	§12-43-702
Nurse Aides	§12-38.1-101
Nursing Home Administrators	§12-39-101
Nursing	§12-38-101
Optometric	§12-40-101
Outfitters	§12-55.5-101
Passenger Tramway Safety	§25-05-701
Pharmacy	§12-22-101
Physical Therapy	§12-41-102
Plumbing	§12-58-101
Podiatry	§12-32-101
Professional Counselors	§12-43-602
Psychology	§12-43-302
Respiratory Therapists	§12-41.5-101
Social Work	§12-43-401
Veterinarians	§12-64-101
Administrative Procedure Act	§24-4-101
Conflict of Interest Law	§24-18-101
Financial Responsibility Accountability Act	§24-17-102
Interest in Contract Law	§24-18-201
Open Meetings Law	§24-6-401
Public Records Law	§24-72-201
Sunrise Law	§24-34-104.1
Sunset Law	§24-34-104
Americans with Disabilities Act	
Governor's Executive Orders	
State Archives Records Scheduling and Disposal Procedures	
State Fiscal Rules	
State Personnel Board Rules and Director's Administrative Procedures	
Department Policies and Procedures	
Division Policies and Procedures and other directives	

CORE BUSINESS ACTIVITIES

The Division regulates over 230,000 licensees within more than 30 professions and occupations. The Division's boards and licensing programs have been created by the Colorado Legislature to ensure a minimal level of competence of licensees and to protect the public.

The Division identifies and licenses qualified practitioners, facilities, programs and equipment. Licensing examinations are administered to measure applicants' knowledge, skills, and abilities relevant to the practice of the regulated profession or occupation. Public protection is further enforced by conducting inspections, investigating complaints, and restricting, suspending or revoking licenses when generally accepted standards of practice, conduct or safety are not met.

The Boards are empowered to determine the qualifications to obtain a license, regulate the standards of conduct for the professions, review complaints against licensees and take disciplinary action as they determine necessary. Boards typically meet on a monthly basis in order to make these decisions in conformance with their statutory authority. There are 181 Board members who serve on 20 boards and 5 statutorily created committees. Board members give generously of their time and expertise when serving on these boards. They are compensated at the rate of \$50 per day for their services plus actual expenses. If Colorado were compensating these board members at the market value of their services, this kind of expertise would be an enormous cost, not currently reflected in the Division's budget.

The Division effectively administers the licensing programs, provides information to the public and licensees, provides administrative and staff support to the boards, and manages the day to day business of the boards. The Division is funded by fees paid by licensees and from inspections, with the exception of the Nurse Aide program, which is subsidized by Medicare and Medicaid funds.

The Division meets its goals through the performance of six critical activities and measures the value and effectiveness of each activity through performance measures and in the identification of risks to the citizens of Colorado and the licensees if the activity did not exist.

- I. Licensing and license renewal
- II. Examination programs
- III. Inspection programs
- IV. Enforcement
- V. Communications
- VI. Administration

Following are the purpose and brief description of each of these critical activities. A more detailed description of the activities is contained in the annual budget narrative document.

The purpose of **LICENSING AND LICENSE RENEWAL** is to ensure that applicants possess the statutorily mandated knowledge, skills, and abilities to practice professions and occupations.

Licensure by education, experience & examination allows qualified individuals to obtain license privileges in Colorado by demonstrating they have met education, experience, and examination requirements that meet the statutory requirements.

Licensure by endorsement allows individuals licensed in other states to obtain license privileges in Colorado.

License renewal generates revenue necessary to fund the licensing programs, facilitates accuracy of licensee information and is a mechanism for enforcement of numerous statutory mandates.

The purpose of **EXAMINING** is to license competent individuals, ensure that examinations of applicants are fair and impartial and assure the technical quality and defensibility of examinations.

Examination evaluation and development ensures that the tests which Colorado's licensing applicants are required to pass, whether national or state in origin, are technically sound, fair and defensible.

Administering examinations and assuring examination security ensures that the conditions under which examinations are administered meet candidates' high expectations and that examinations are properly protected in order to assure validity and fairness.

Examination scoring, analyzing and reporting ensure that the test processing that follows test administration meets quality assurance and candidate service standards that are just as high as those observed in connection with test development and administration.

The purpose of the **INSPECTION PROGRAMS** is to provide a proactive mechanism to assure compliance with laws and standards that directly impact the health, safety, and financial welfare of the Colorado citizens and the millions of individuals who visit Colorado every year. Inspection programs inspect and approve or disapprove new and existing installations and facilities to determine compliance with nationally accepted standards and state codes, and regulations.

The purpose of **COMMUNICATION** is to inform, verify, educate and advise.

Communicating to Inform helps licensees and public understand the Division's licensing and regulatory purpose, procedures and processes.

Communicating to Verify provides appropriate and accurate information to the public for the purpose of making informed choices about licensees. This activity ensures that licensee information is available and accessible in a variety of ways.

Communicating to Educate and Advise promotes licensee compliance with existing and new laws. By keeping licensees aware of laws and changes to laws the Division allow increased compliance and continued public protection.

The purpose of **ENFORCEMENT** is to ensure public protection through investigation and prosecution of illegal, incompetent and unethical practitioners; and to monitor and rehabilitate through probation or peer assistance programs impaired or incompetent practitioners.

Investigating Complaints provides objective, detailed evaluation of complaints by skilled professionals using due process to fairly determine facts. Investigations are an essential element of the enforcement process. Investigations are the mechanism used to determine if there has been a violation of the practice act.

Prosecuting Cases is an essential element of the public protection functions of licensing. It also provides the licensee due process. This process includes the promotion of equitable settlement of cases through negotiation and the utilization of mediation in appropriate cases.

Peer Assistance Programs provide licensees an opportunity for rehabilitation with appropriate monitoring before irreparable harm is done and their impairment creates grounds for discipline.

Inherent in accomplishing the Division's program functions is the essential component of **ADMINISTRATION**.

This includes the Division's efforts to retain and foster a competent employee workforce and attract, train and retain board members who participate effectively in the regulatory process. Division employees provide the day-to-day operational support necessary for all of the Division's boards and committees which includes ensuring that fiscal and human resources are utilized efficiently and maintaining an adequate system of internal controls. Board administrators strive to maintain currency, appropriateness, and flexibility of regulatory rules and policies and continually plan, implement and evaluate the quality and efficiency of operations. One of the Division's top priorities is to enhance service to external customers by using technology for communication and business transactions.

Without all of these basic support functions that are integrally linked to all other activities, programs could not be administered in a timely and efficient way, state laws and board decisions would not be effectively implemented and licensing programs would not have an atmosphere in which to carry out statutory directives.

SITUATION ASSESSMENT

The Situation Assessment is an analysis of internal conditions and external data and factors that affect the Division. It provides a baseline assessment of the organization. The data gathered during the assessment will lead to the identification of strategic issues. The last component of the Situation Assessment is the identification and surveying of stakeholders which is included in the following chapter.

Government Initiatives and Mandates

The TABOR amendment will continue to affect State Government. In 1992, Colorado voters approved an amendment to the state constitution called the Taxpayer's Bill of Rights, "TABOR." TABOR requires state and local governments to receive voter approval prior to expanding their revenue base and spending authority beyond a formula-based level. Programs are faced with the challenge of increased customer needs and expectations while at the same time citizens resist the notion of bigger government, demanding instead more efficient government.

Colorado Peak Performance. As the employee personnel and salary system shifts from pay policies that have been in place for more than 30 years to a performance management system that links employee pay to performance, state government will undergo a major culture change. Employees, used to a predictable system that primarily rewarded time in service, will adjust to a performance-based system that aligns their job duties with state, department and division goals and objectives.

New Administration. In November 1998, Colorado endorsed a change in state leadership for the first time in more than a decade. With the change in political party leadership comes new perspectives, new initiatives and new ways of doing business.

Government Streamlining. "Our goal in State Government should be to do more with less, to provide even more efficient and effective services for citizens. As we move into this new century, those of us responsible for state government are facing a moment of truth. Colorado business is on the cutting edge of the technology world. It is essential that we transform state government so that we too are prepared for the digital age. That is what New Century Colorado, in partnership with the Joint Budget Committee, will do." - . State of the State Address 2000, Governor Bill Owens, January 6, 2000

New Century Colorado. The goal of this long-term effort is to use technology to better serve the people of Colorado. The project goals are to make State government more efficient, effective, and user-friendly, transform State government through the use of innovative technology solutions, improve access to and interaction with Colorado government and increase collaboration and sharing of information within State government.

Sunset Legislation is a process by which a program or agency is reviewed to determine whether there is a continued need for regulation in order to protect the public safety, health or welfare. If continued need is found, necessary

revisions are made to the statutes, which can result in changes to rules, processes and staffing. The following programs are scheduled for Sunset 2001 -- 2010.

2001

*Physical Therapists
Board of Veterinary Medicine
Passenger Tramway Safety Board
Registration of Direct-Entry Midwifery
Electrical Board*

2002

*Board of Optometric Examiners
Registration of Acupuncturists*

2003

*Nurse Aide Certification
Registration of Outfitters
Board of Dental Examiners
Board of Pharmacy
Plumbing Board*

2004

*Board of Registration of
Professional Engineers and
Professional Land Surveyors
Grievance Board and Mental Health
Licensing Boards*

2008

Architect Board

2009

Nursing Home Administrators

2010

*Licensing of Psychiatric Technicians
Board of Medical Examiners
Podiatry Board
Board of Chiropractic Examiners
Nursing Board*

Technological Developments

Customers have constantly increasing expectations with respect to the accessibility of information and services, with speed of service delivery being a critical issue. They expect that government will be able to provide the type of services, speed and quality that they would receive from a private company. Advances in the field of information technology have created real opportunities to meet these expectations. Acquiring up-to-date technology and training staff to use that technology efficiently continues to be a priority and a challenge.

Consumer and licensee demands for use of current technology for communication and services are increasing, especially use of the Internet.

- Telepractice, including telemedicine and telenursing, and the use of such services is increasing. This is in part due to the fact that the federal government is now reimbursing for these services in certain circumstances which is making it much more attractive to health care providers and institutions.
- The use of the Internet to provide healthcare and prescription services is a growing trend of concern to state and federal regulators. In particular, diagnosing, prescribing and planning treatment over the Internet by health care practitioners without any examination of or follow-up with the patient is extremely concerning to health care regulators. State regulatory boards, the FDA and FTC are all studying this practice and ways in which patient safety can be assured.

Business and Economic Variables

Over the last few years, Colorado's growing population and strong economy has affected the Division in a number of ways, including an increase in the number of persons licensed and seeking licensure by examination and by endorsement from other states. The tight labor market also presents a challenge to the Division in hiring and retaining qualified persons.

A steady increase in complaints filed that may be due to expanding consumer awareness, especially with regard to complaints against health care practitioners.

Other trends specifically related to regulation in health care professions include:

- Increasing efforts to help impaired practitioners into treatment programs or out of the profession.
- The effect of managed care and insurance providers on medical decision making is another trend, relating to the ability of managed care organizations to in essence override the decision of the treating physicians and other health care providers as it relates to necessary treatment or procedures, drug prescribing and hospitalization. This trend has resulted in an increase in the number of complaints filed by consumers against health care practitioners responsible for those decisions within managed care organizations. It also has increased concerns, policy and practical, regarding the recourse of Colorado citizens and Boards, with these decision-makers who reside outside the State and are not licensed by the State of Colorado.
- Another nationwide trend that will change health care and how it is regulated is the movement to expand health care options to alternative medicine and practitioners who provide such services. This involves not only the regulation of such practices but also a trend toward reimbursement by insurers for such services. Consumer use of alternative health care providers is increasing. One example is the rising number of individuals who are being licensed as acupuncturists or are studying the occupation. In some cases, alternative providers are forging closer ties to traditional providers and health systems.

Program specific Trends

In addition to the conditions and factors listed here, there are other trends that impact specific boards and programs within the Division. These trends are not all listed in this plan since they do not affect the Division as a whole. However, it should be noted that these trends may significantly affect a particular program.

They include:

A high level of construction that is expected to continue. This has had, and will continue to have, workload implications relating to increased electrical and plumbing inspections.

Continued intensity of competition among Colorado ski resorts. Despite poor snow conditions this past winter, there is no let-up in the ski lift construction activity. The pace of such construction has increased each of the past three years and shows no sign of leveling off.

An increased demand for nursing services resulting in a nursing shortage. The shortage may impact staffing ratios and thus the quality and standard of nursing care provided.

Internal Organizational Aspects and Issues

Geographical. The Division is basically centralized in downtown Denver, except for the Electrical and Plumbing inspection programs which include geographically dispersed offices. Those programs have intermediate supervisors to oversee functions and both they and the program administrator communicate frequently.

Division Structure and Workload. The "flat" organizational structure of the Division results in several benefits, including limiting duplicative functions, providing better focus on policy solutions, facilitating communication between administrative and line staff and promoting greater and more immediate adaptive responses to internal and external change. Management periodically reviews or restructures the organization and makes changes for new programs or growth. The Division has centralized activities where appropriate. However, employment of sufficient numbers of employees does not exist. The workload continues to increase yet the number of full time employees has not increased at a proportional rate.

Then and Now			
	FY91	<i>Percent of Increase</i>	FY99
FTE	126.5	19.0	150.6
Examinations	19,684	19.0	23,422
New Licenses	16,227	14.6	18,592
License Renewals	78,439	34.2	105,314
Active Licenses	172,154	31.9	227,157
Complaints Received & Handled by Board Staff	2,164	57.6	3,411
Inspections performed	32,528	91.1	62,165
Cases investigated	757	21.4	919
Disciplinary actions	1,233	143.3	3,000

Legal Services Funding. The number of Legal Services hours used by the Division has increased significantly over the last 10 years. In fact, it has more than doubled. The primary source of Legal Services utilization is in the area of enforcement actions. It stands to reason that as the population of the state increases, the number of professional and occupational licensees will also increase. As the number of licensees increases, it can be expected that the number of complaints will also increase, giving rise to increasing Legal Services needs.

Accomplishments. Since 1990, the Division of Registrations has improved the efficiency and effectiveness of operations. The Division has

- implemented a new automated records management system used by the entire Division and created a systems administrator to oversee it.
- implemented coordination of examination services by the centralized Office of Examination Services.
- improved controls over cash receipts and licensing documents and established formal policies and procedures.
- improved the complaint process - developed and implemented time guidelines for complaint intake and investigations. The Investigations Section established and implemented a prioritization system.
- developed and implemented training for all board members.
- created a three- member Internal Control Committee to monitor, improve and modify internal controls throughout the Division.
- consolidated the review of expert-witness contracts, the oversight of budget issues, and management review of Division-wide issues.
- outsourced examination related functions to the private sector including collection of fees, exam administration and development.
- implemented two reward programs. The Investigations section has a reward program for meeting specific production goals. In line with the Executive Order on incentives and rewards for citizen satisfaction, the Division developed and implemented an Incentive Plan that has been very well received and used as a model plan by other Divisions.
- developed a (HELP!) Manual intended to supplement existing policies and procedures. Included are decisions, directives, and procedures that have been made verbally or in writing. The manual was written for Division management staff and is also being used by administrative staff. The Manual will be placed on the Department's Intranet by the end of the fiscal year to allow better access.
- reviewed and reorganized in order to take on additional programs created by the Legislature. The Division created an "allied health" section to administer the five smaller health care programs. Also created was a Centralized Licensing Section to manage and administer the licensing and renewal activities for the Division.
- effectively uses groups of employees to facilitate communication. A Budget Action Group has been put in place to help plan and monitor the Division's budget and serves as a link between Division staff and the Department's Accounting and Budget staff. In 1997 the Division instituted the Registrations Information Technology Steering group to assist the Division in satisfying its information technology needs. This group serves

as a communication link between Division employees and the Department's Information Technology Section.

- trained all employees in the areas of Continuous Quality Improvement, Customer Service, Diversity and Colorado Peak Performance.
- established web pages on the Internet to provide information to the general public. Provide data on licensees to allow citizens to verify licensure status. Also provide licensing applications for applicants to download and complete on a personal computer.
- implemented an interactive voice response telephone system (ALIS) for 24-hour verification of licensee information for most programs.
- developed a program of Alternative Dispute Resolution employing mediation as an alternative to the traditional disciplinary process in appropriate cases.

STAKEHOLDER ANALYSIS

Following are the Division's stakeholders as identified by management staff:

The public at large
Licensees
Applicants
Individuals who file complaints
Individuals against whom complaints are filed
Co-workers and employees with the Division
Employees in other Divisions within the Department
Legislators
Board members
Professional association representatives
National organizations of licensing boards
Other governmental agencies
Educational institutions
Media

Licensee Opinion Surveys

The Division has used a basic comment card program to solicit input from new licensees concerning their experience with the individual boards and programs for many years. In FY99, the Division's Office of Examination Services developed a new and much improved survey for measuring the satisfaction of newly licensed persons with the Division's examination programs and with other elements of the licensing process. This survey was implemented on a pilot basis for 4 licensing programs. The Division expanded the survey to include all other boards and programs in July 2000. A plan will be developed to provide for reviewing and following up on the information gathered from these new licensees.

Y2 Regulate -- A Departmental Assessment

The *Y2 Regulate* project in 1999 was an attempt by the Colorado Department of Regulatory Agencies (DORA) to find out from the perspective of major stakeholders how the agency is doing in balancing the often conflicting interests inherent in regulation. The eight divisions within DORA were included in the project. Each division identified stakeholder groups that have an interest in its regulatory programs. Representatives from each stakeholder group were invited to attend a two-hour session to discuss their views. Each group was asked the same five questions regarding how the division regulates specifically within the major functions of licensing, examination, investigation, discipline, and communication. A full copy of the *Y2 Regulate* report is available on the Internet at <http://www.dora.state.co.us/>

After all the focus groups had been held, a small group of Division of Registrations managers met to review and analyze the Division's data. Managers were asked to identify the most important issues from the perspective

of the stakeholders. This review of the data revealed the following issues as those most important to stakeholders:

COMMUNICATIONS

One common topic that ran throughout many comments about the Division functions was communications. Stakeholders, including licensees, applicants, staff and the public, want consistent, accurate, and timely communication. Use of technology to communicate has increased and should continue to do so. Communication should be done proactively in order to educate both licensees and the public and to prevent violation of rules by licensees. Methods of communication should include e-mail, the Internet, newsletters, annual meetings, focus groups, outreach, public relations and professional organizations. No other issue was identified as frequently or as strongly by the focus group participants.

CUSTOMER SERVICE

In addition to communication, many stakeholders agreed that processes and forms should be simplified and streamlined and made available with as much ease of accessibility (through better use of technology) as possible. Licensing and renewal forms should be streamlined and made "user friendly." A number of stakeholders suggested longer renewal periods and more information being provided to licensees by the Division via the Internet as areas for improvement. Input concerning accessibility revolved around the need for improved customer services from staff both in person and by telephone. Administration of licensing programs should use technology effectively, be user friendly and not complex, be prompt and efficient, and communicate standards and requirements consistently.

RULEMAKING

Rulemaking could also be improved by facilitating early involvement of stakeholders in the rulemaking process, by opening the process, in general, to more input and by communicating rules more quickly and accurately.

Stakeholders support an aggregate review of all rules to be conducted periodically. Some commented that yearly reviews would be most beneficial. This recommendation appears to stem from stakeholders' perceptions that the present process fails to keep pace with rapid market changes and changes in technology. Some stakeholders perceive that rules and regulations should focus more on protection of the public than on protection of professionals and licensees. A systematic review of all rules could have the effect of balancing this situation.

LICENSING AND CONTINUING COMPETENCE

Stakeholders believe that licensing occupations should only be considered where necessary and must demonstrate a public protection

need. Further, licensing should demonstrate independence from market considerations. Licensed stakeholders stressed the value of continuing education and the promotion of endorsement of licenses and mobility of practitioners. Many advocated for mandatory continuing education for licensed professionals. Finally, licensed stakeholders appear to look to the Division and Department to help resolve scope of practice issues.

DISCIPLINE

Disciplinary functions are important to all stakeholders. Perhaps most importantly, it is clear that stakeholders perceive a lack of consistency, equity, and fairness among boards in terms of discipline. This is perceived both when comparing one board against another and when comparing cases adjudicated by a single board over time.

Licensed stakeholders believe that consumer protection is more important than punishing licensees. Consequently, they recommend more use of alternative dispute resolution and increased use of Letters of Admonition as opposed to more severe sanctions. Focus group members report that boards need more reliable information for decision making. A number of issues are related to this. For example, performance of and reporting by investigators, better prioritization of cases, and elimination of backlogs are seen as priorities by focus group participants.

LEGAL SERVICES

Related to improving disciplinary operations, stakeholders recognized the importance of the performance of individual Assistant Attorneys General (AAGs) as well as the lack of necessary funding for legal services as contributing factors to disciplinary case delays and backlogs. Also, stakeholders raised the issue of turnover and reassignment of AAGs, which appears to be frequent and a significant problem. Consequently, boards sometimes receive inconsistent legal advice. That being said, focus group members reported that establishing contracts (including performance standards) for AAGs on an individual basis and the implementation of case status reports by AAGs to boards on a regular schedule can improve the existing process.

BOARDS

Stakeholders addressed the role of the boards and their level of authority. Stakeholders stressed the importance of selecting and training board members to understand and perform their role and responsibilities. Some also believe that boards should have more authority in the area of rule making.

STAFF

Some staffing needs were identified by stakeholders. The majority of stakeholders felt that staff are dedicated and do their best to meet the needs of constituents. However, some of the Division's administrative,

inspection, and investigation functions could be improved, and in some cases, increasing the number of staff would be helpful.

The Division of Registrations full management staff met in December 1999 to review and prioritize the issues identified above. The management staff identified the following 5 issues as being the most important to our stakeholders. The goal is to create an action plan that targets these issues identified by stakeholders as most important. These actions will be integrated with the Strategic and Business Plans during our next regular planning cycle in the Spring of 2000.

- Simplify and streamline forms and processes and make them available with as much ease of accessibility (through better use of technology) as possible.
- Promote endorsement of licenses and mobility of practitioners.
- Address the perceived lack of consistency, equity, and fairness among boards in terms of discipline, both when comparing one board against another and when comparing cases adjudicated by a single board over time. Also address the issue of turnover and reassignment of AAGs, which appears to be a frequent and significant problem that sometimes results in inconsistent legal advice.
- Address the importance of the performance of individual Assistant Attorneys General (AAGs) as well as the lack of necessary funding for legal services as contributing factors to disciplinary case delays and backlogs in order to improve disciplinary functions,.
- Improve the Division's administrative, inspection, and investigation functions by increasing the number of staff where needed.

CRITICAL ISSUES

From the data collected relating to the agency's mandates, business activities, stakeholder perspective, and situation assessment, critical issues have been identified. Critical issues are defined as points of discussion (1) where no clear point of view is "most correct" and thus constitutes a challenge to the agency and (2) *over which the agency has influence or control*. In order to perform its general business or functions, the Division must address these critical issues. The current issues fell into six overall concepts, coinciding with the areas of business activity of the Division: licensing and renewal, examinations, inspections, enforcement, communication, and administration. However, there was a thread that emerged in most areas: the increasing impact of electronic media, including the Internet, upon regulatory processes and functions.

- One of the Division's primary goals is to license only qualified practitioners. At the same time, unnecessary or overly burdensome regulatory barriers should be eliminated and endorsement of licensees and mobility of practitioners should be promoted in order to allow all qualified licensees to practice in Colorado.
- Stakeholders have ever increasing expectations with respect to accessibility of information and speed of service delivery. Advances in the field of information technology continue to improve our ability to meet those expectations. The Division is challenged to utilize current technology for communication and services within its existing resources.
- State government is shifting from pay policies that have been in place for 30 years to a performance management system that links employee pay to performance. This new system constitutes a major culture change for some long-time employees and will require time to implement and administer successfully.
- The Division continues to be required to do more with less. Mandated activities must be performed in the face of growing workloads and increasing demands of the public. Funding and staffing resources must constantly be analyzed and prioritized. In addition to a tight labor market and the retirement of some key position staff, this creates a challenge for both managers and employees.
- Licensing programs must continually re-examine and improve their business processes in order to make them more efficient, flexible and customer-friendly with available technology and resources. Implementation of new processes and systems, such as the new licensing system, constitutes a major task for all Division staff.
- Disciplinary functions are a high priority to all stakeholders. Boards operate within their specific statutory requirements, which are not always similar. The Division must strive to ensure that sanctions for violations of law are consistent, fair and equitable, both within one board or program as well as across boards and programs.

STRATEGIC SUMMARY

Integration of Goals and Objectives

Objectives have been set and linked to each of the Division's five goals that provide the framework for the results it wants to achieve in furtherance of its mission. Objectives are more specific statements that describe movement toward the goal.

Additionally, in response to the Critical Issues identified, the Division will analyze each issue and decide how it can most effectively manage each one within the established mission and goals. Objectives may need to be revised or added to incorporate these issues.

Following are the Division's major goals and related objectives.

Identify and license qualified practitioners, facilities, programs, and equipment.

- A. Review and license only qualified applicants after verification of qualifications and credentials.
- B. Continue to improve the application process so that qualified applicants are able to complete the process and are licensed to practice in a timely fashion.
- C. Continue to provide licensing examinations that are relevant and technically sound.
- D. Maintain high levels of test administration service.
- E. Continue to ensure that examinations are scored, analyzed and reported accurately and promptly.
- F. Administer valid examinations in order to license competent individuals.
- G. Efficiently renew licenses of persons who meet statutory requirements.

Conduct investigations and inspections to ensure compliance with generally accepted standards of practice, conduct or safety.

- A. Reduce the potential for public harm from unsafe facilities, supplies, equipment and individuals by ensuring compliance with state or federal laws, regulations, standards or codes.
- B. Continue to maintain and improve work processes to ensure that inspections

are conducted in the most efficient and effective manner, thereby decreasing the probability of public hazard and maximizing the value of the inspection cost to the business community and the consumer.

C. Accommodate requests for inspections in a timely manner to meet the needs of the consumers, economy and industry.

Restrict or revoke licenses when generally accepted standards of practice, conduct, or safety are not met.

A. Take action on complaints in a timely manner in order to resolve them efficiently for complainants, respondents and the public.

B. Resolve matters which require disciplinary action expeditiously by actively participating in early settlement prior to referral to the Attorney General's Office for hearing.

C. Monitor licensee compliance with terms of stipulations and other final board actions to assess their ability to safely practice.

D. Continue to provide effective peer assistance programs in order to safeguard the public, rehabilitate health care professionals and avoid increasing the Division's disciplinary caseload.

E. Strive to ensure that sanctions for violations of law are consistent, fair and equitable.

Communicate to effectively inform, verify, educate and advise.

A. Enhance the Division's communication efforts with its customers.

B. Continue to analyze and improve the effectiveness of information systems in order to ensure that accurate licensee information is accessible in a variety of ways.

C. Use a variety of communication methods to educate and advise the public and licensees regarding laws, licensing requirements and regulatory issues.

Administer the regulatory programs efficiently.

A. Enable the Division to maintain its records in a more efficient manner, meet the needs of its internal customers, and improve service to external customers using technology for communication and business transactions.

- B. Facilitate productive relationships with relevant local, state, and federal governmental entities as well as associations, organizations and the media.
- C. Attract, train, and retain board members who participate effectively in the regulatory process.
- D. Provide operational support for all of the Division's boards and committees.
- E. Maintain currency, appropriateness, and flexibility of regulatory statutes, rules and policies.
- F. Establish and maintain an adequate system of internal controls.
- G. Ensure that fiscal and human resources are utilized efficiently.
- H. Retain and foster a competent employee workforce.
- I. Plan, implement and evaluate the quality and efficiency of operations.

Implementation of the Plan

The Division is committed to being held accountable for meeting the goals and objectives stated, and for measuring and reporting our progress. This Strategic Plan will be assessed periodically to help the Division evaluate progress toward goals and objectives and to modify it to make it more realistic depending upon changing circumstances.

The Division's **Annual Business Plan** will be one tool for tracking progress and identifying areas for improvement. Strategies or Activities will be outlined in the plan. These strategies are broad statements of the major actions taken to achieve objectives that in turn achieve goals.

The second tool to track progress will be through the use of workload and performance **Measures**. Measures serve as important indicators of whether or not resources are being managed efficiently and effectively in order to achieve objectives and goals. *Attachment A* to this Strategic Plan outlines the measures that are currently being tracked by staff. Measures will be reported at the end of each fiscal year for inclusion in the annual budget narrative document.

Section Plans and individual employee **Performance Plans** lay out more specific tactics for all boards and programs in the Division.

GLOSSARY OF TERMS

Business Plan: A description of the strategies and activities to be used during a fiscal year to implement the Division's Strategic Plan.

Critical Issues: Those concerns of vital importance to the Division, which often impact several or all programs in the Division.

Goals: The desired end-result, generally long term, slightly more specific areas of results that flow from the mission. Based on statutory requirements and may not change much over time. Aka Public Policy Purpose.

Guiding Principles: The core values and philosophies that describe how an agency conducts itself in carrying out its mission.

Mandate: Requirements of federal laws, state statute, executive orders, departmental directives, etc. Aka Public Policy.

Mission: A brief comprehensive statement of the purpose of the Division. It is based on the intent of statutory mandates.

Objectives: Short-term (sometimes annual) desired results or outcomes that serve to achieve long-term goals. Objectives must be specific and measurable. For budget purposes, objectives are frequently identified as changes; using verbs like increasing, decreasing and improving. Objectives are the "what" you will do to get what you want.

Performance Budgeting: System whereby performance or outcome measures are tied to future funding requests.

Performance Management: The systematic process of linking and aligning organizational resources to execute strategies that are expected to achieve specific measurable results.

Performance Measures: Used to measure results and ensure accountability. Should provide useful information to management, legislature and the public to show whether or not resources are being managed efficiently and effectively in order to achieve Objectives (Public Policy Purposes). There are 3 types:

Input & Output: Measures "how much or how many" and is used to help calculate efficiency. Most commonly used. Aka Workload Measure. Input identifies the amount of resources needed to provide particular products or services. Output focuses on the level of activity in a particular program.

Process: Measures any steps of a process by which one thing becomes an outcome or output. Process measures are factors that affect the outcome or output. Aka Efficiency Measure. Could measure how quickly a process was completed or how many within a period of time. Should be able to narrate how the improvement has or will be beneficial to meeting objectives. Reflects the productivity or cost of providing a good or service.

Outcome: Measures how well something was done. Measures the results of a process. Represents the effect of processes on a customer at one point in time. Used to calculate effectiveness. Aka Performance Indicator or Effectiveness Measure. Show the results of what we did so we know if we accomplished our objectives. Most difficult measure to implement. Reflects the actual results achieved, as well as the impact or benefit of a program.

Performance Target: Quantifiable estimate of results expected for a given period of time.

Planning Assumptions: Expectations concerning future trends that could significantly impact performance. Derived from the Situation Assessment results.

Situation Assessment: An analysis of key external and internal elements that affect the environment in which the Division functions. Also called an Environmental Scan.

Stakeholder: Any person or group with a vested interest in or with expectations of a certain level of performance or compliance from the Division, boards and programs.

Strategic Business Objectives: Generally the same as objectives. This term was put in place by the IMC and is used in the budget document to describe the Department's Objectives.

Strategic Plan: A practical, action-oriented guide based on an examination of internal and external factors that directs goal-setting and resource allocation to achieve meaningful results over time.

Strategic Planning: The continuous and systematic process whereby guiding members of an organization make decisions about its future based on its vision, mission and goals. Planning includes developing the necessary procedures and operations to achieve that future, and determining how success is to be measured.

Strategies: Broad statements of the major actions taken to achieve objectives that in turn achieve goals. Strategies are the "how" you will do what you want. Aka Activities

Tactics: Detailed descriptions of activities or projects to be undertaken to support strategies. Tactics are the details of the "how" you will do what you want.

Tracking Systems: Used to monitor progress, compile management information and keep goals on track.

Vision: A statement of where you want to be in the future. In State Government, Vision is set by legislative mandate, though it may be left to the agency to articulate for planning purposes.

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