

Biennium: 2008-10 ▼

**Mission and Vision****Mission Statement**

The Department of Professional and Occupational Regulation's mission is to protect the health, safety and welfare of the public by licensing qualified individuals and businesses and enforcing standards of professional conduct for professions and occupations as designated by statute.

**Vision Statement**

The Department of Professional and Occupational Regulation will be the Commonwealth's most effective agency, discovering creative ways to integrate regulatory efficiency with consumer protection via a commitment to exceptional customer service, efficient business processes, technological proficiency, and empowered employees who are committed to public service and professional development.

**Agency Values**

- Security & Safety  
*Promoting the well-being of the public and our employees*
- Education  
*Cultivating an enlightened workforce and citizenry*
- High Ethical Standards  
*Pledging exemplary conduct*
- Teamwork  
*Coming together as a diverse workforce to achieve our shared vision and supporting the decisions of our staff*
- Quality of Life  
*Continuing to improve communications, interactions and service to our employees, regulants and other customers*

**Executive Progress Report****Service Performance and Productivity**

- *Summary of current service performance*

As of June 2007, DPOR licensed, certified or registered more than 310,000 individuals and businesses in nearly 40 occupations and professions, with an agency workforce of 197 classified and wage employees budgeted for FY 2008.

An analysis of DPOR's operational activities, through FY 2007, indicates an overall increase of 23% in the number of licensees from FY02 through FY07. In FY07, DPOR processed 34,922 applications for licensure, an increase of 26% from FY02 through FY07. The Department expects to process approximately 35,000 - 40,000 applications in FY08.

Four of the agency's 18 regulatory boards comprise the majority of DPOR's activities. The Board for Contractors' service population represents 33% of the agency's total regulants, with the Real Estate Board at 26%; Board for Barbers and Cosmetology at 21%; and the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) at 12%. All other boards together account for 8% of DPOR's regulant population.

In FY07, DPOR logged more than 5,200 complaints against individuals and businesses under its regulatory jurisdiction. The Alternative Dispute Resolution Section of the Compliance and Investigations Division offers mediation services to complainants and respondents in more than 400 cases annually, and the Adjudication Section conducts 250 - 350 disciplinary informal fact-finding conferences each year.

In FY07, DPOR achieved performance expectations in all the Governor's Management Scorecard administrative support functions encompassing Human Resource Management; Financial Management; Government Procurement; IT/Enterprise Architecture Initiatives; Performance Management; and Environmental and Historic Resources Stewardship.

- *Summary of current productivity*

DPOR productivity has increased markedly over time, with the agency providing a broader array of services to a greater number of customers every year. The agency operates efficiently and effectively, with 100% of agency procurements

processed through eVA. DPOR received no APA audit points and no outstanding Information Technology audit points in the last audit.

From FY02 to FY07, the number of licensees per employee (Full-Time Equivalent) increased from 1,609 to about 1,870. During that time period, the number of applications processed per FTE in the Licensing and Regulation Division increased from about 472 to 541 annually.

### **Initiatives, Rankings and Customer Trends**

- *Summary of Major Initiatives and Related Progress*

After 24 years in the 3600 Centre on West Broad Street in Richmond, DPOR moved on August 10, 2007 to the Perimeter Center at the Deep Run Business Park in Henrico County. DPOR co-located to the Perimeter Center with five other state agencies, the Board of Accountancy, Department of Conservation and Recreation's state parks reservation division, Department of Health's Office of Licensure and Certification, Department of Health Professions, and Department of Rehabilitative Services' Disability Determination Services. In accordance with the Commonwealth's real estate management initiative, each agency leases space from the Department of General Services.

DPOR acknowledges that many opportunities exist to improve efficiency through technology. A technological advancement initiated in the 2002-04 biennium, the DPOR website "License Lookup" feature has evolved in recent years to include final orders, consent orders and continuing education information. As of the close of FY07, 22.4% of eligible regulants were taking advantage of DPOR's online renewal option, while the Department prepares for the FY08 development and implementation of an enterprise system solution that will allow customers to complete and submit online (1) license applications and (2) consumer complaints.

During FY07, DPOR took major strides toward establishing the Department as an agency leader in electronic document management. The Department updated its electronic records management system to a web-based portal in order to streamline the management of digital images throughout the record life-cycle. Additionally, a "virtual" records room was created in order to store electronic images of documents previously stored in paper format. By embracing electronic document management, DPOR employees have contributed to cost savings resulting from a reduction in the amount of leased space required to store paper records and enhanced customer service associated with desktop storage, retrieval and distribution of records.

Building on DPOR's commitment to excellence, during FY07, the Department initiated a training program designed to develop a culture that is focused on quality, teamwork and customer assistance. The training curriculum is based on the Chart House Learning FISH! Philosophy to help employees become more engaged with their work and the people they serve, and to encourage employees to choose positive, productive attitudes that foster an environment of responsiveness, energy, creativity, and performance excellence. Forty-four employees participated in FISH! workshops and activities during the year.

Greater diversity in applicant, regulant and consumer customer bases require multi-lingual skills to communicate with individuals possessing a limited understanding of English. In September 2006, DPOR began offering Spanish classes to its employees during two one-hour sessions each week. The classes are offered at the beginner and intermediate level. The Department currently has seven employees fluent in Spanish.

- *Summary of Virginia's Ranking*

A comparison of DPOR to its national peers is complicated by the vastly different regulatory schemes across all 50 states. DPOR's structure is unusual as an umbrella agency administering a wide array of regulatory programs across multiple boards.

Among our neighbors, for example, Maryland oversees certain contractors through its Home Improvement Commission, while in North Carolina three different boards regulate electrical contractors; plumbing, heating and fire sprinkler contractors; and general contractors. The California Contractors State License Board, for instance, licenses 295,000 contractors in dozens of classifications – nearly three times Virginia's contractor licensee population – but the autonomous board is staffed by 404 employees with a \$53.7 million budget for FY 06-07.

Despite the difficulty of finding a true "apple-to-apple" comparison, DPOR is recognized nationally – and beyond – as a leader in its field. The Council on Licensure, Enforcement and Regulation (CLEAR), an international association of organizations involved in professional and occupational regulation, awarded DPOR employees with its highest honors twice in 2003 (Member Achievement and Investigator of the Year) and previously in 2000 (Member Achievement). In addition, the Department's Complaint Analysis and Resolution Director served as the president of the international organization for the 2004-05 term.

- *Summary of Customer Trends and Coverage*

As of the close of FY07, DPOR licensed, certified, or registered more than 315,000 individuals and businesses in

regulated professions, and expects the number of regulants to increase by an average of about 3% annually. The agency serves between 35,000 - 40,000 applicants each year. The customer population of licensees and applicants is geographically and demographically diverse.

One hundred sixty-three practitioner and citizen members from every part of Virginia currently serve on DPOR's 19 boards (18 regulatory boards and the Board for Professional and Occupational Regulation). Trade and professional organizations affiliated with regulated occupational areas number more than 60, including national, state and regional associations. The affiliated organizations participate in the regulatory and legislative processes affecting program areas. In addition, DPOR works directly with approximately 149 local, state and federal government offices and agencies in accomplishing its public protection mission and organizational goals.

At the start of FY08, the internal customer base was composed of 176 classified and wage employees, located primarily in the central Richmond office with field investigators working off-site in the Northern Virginia, Central, Tidewater, and Southwest regions of the Commonwealth. As in public agencies through Virginia and the federal government, the Department faces a potential staff shortage and loss of institutional knowledge due to a "graying" workforce. Over one-half of the agency's classified employees are retirement-eligible within the next 10 years.

Given the various professions and occupations assigned to DPOR, it is conceivable that all Virginia residents are served through and affected by agency's service area programs. Although the agency does not attempt to count individuals served outside of the licensure and complaint processes, DPOR responds to the needs of consumers and the general public through public records management (i.e., license verification and public records disclosure) and consumer education and outreach (i.e., media affairs, speaking engagements and publications). DPOR produces and distributes consumer education brochures and other materials for a variety of constituencies, including pamphlets targeted to Spanish-speaking consumers and senior citizens.

DPOR emphasizes consumer education of senior Virginians, who are potential targets for unscrupulous business practices in five particular regulatory areas: construction and home repair, fair housing, hearing aid specialists, cemeteries and pre-need burial contracts, and opticians. Through a dedicated hotline and partnerships with law enforcement and other senior service providers, DPOR is increasing awareness of elder fraud prevention and consumer protection for older Virginians. The Department will continue its partnerships and sharing of best practices among all public agencies and private organizations targeting older Virginians to promote a coordinated service delivery.

### **Future Direction, Expectations, and Priorities**

- *Summary of Future Direction and Expectations*

DPOR's development of fully interactive business processes – including on-line licensure, address changes, case management, and reporting capabilities – is essential to improving customer service, excelling with e-government initiatives, managing and evaluating operations effectively, and redirecting staff to higher-level workflow activities. Yet the transition will require significant resource investments in application and employee development. The Department continues to explore other processing efficiencies through technology. For example, by expanding its electronic document management capabilities, Freedom of Information and in-house research requests may be completed from the employee's work station in a fraction of the time needed to retrieve paper documents.

In an effort to cultivate a "quality" culture and provide exemplary customer service to all Virginians, DPOR will continue its process improvement efforts by investing in employee professional development and emphasizing the effective use of reliable data and measures to evaluate and improve performance.

- *Summary of Potential Impediments to Achievement*

As in public agencies throughout Virginia and the federal government, DPOR faces a potential staff shortage crisis and loss of institutional knowledge due to a "graying" workforce. Based on 2007 data, the median years of service for DPOR employees is 8.8 years, compared with the statewide median of 8.3 years. Over half the agency's classified employees (98) are retirement-eligible within the next 10 years. If not addressed through succession planning, recruitment, retention, and employee development, DPOR's ability to satisfy expectations and achieve its mission will be limited.

Since 2000, the legislature has expanded DPOR's responsibilities by adding 11 new regulatory programs. The increasingly lengthy regulatory review process impedes the ability of DPOR to provide responsive and efficient services. The various reviews, approvals, and mandated timeframes required by the Administrative Process Act generally take 24-36 months to become effective. Regulations involving fee adjustments are especially challenging. Currently, to comply with the Callahan Act (§54.1-113) and ensure enough time for the APA requirements, fee increases must be identified and initiated a minimum of 2-3 years before the point that expenditures are projected to exceed revenues and cash balances. Financial activities, position and projections can change substantially during such an extended time period, so that fees initially proposed may not be appropriate by the time they become effective – requiring the boards to adjust fees again immediately.

**Service Area List**

Service Number	Title
222 560 46	Licensure, Certification, and Registration of Professions and Occupations
222 560 47	Enforcement of Licensing, Regulating and Certifying Professions and Occupations
222 560 48	Administrative Services

**Agency Background Information****Statutory Authority**

Title 54.1, Subtitle I (General Provisions Relating to Regulatory Boards)  
 Title 54.1, Subtitle II (Professions and Occupations Regulated by the Department of Professional and Occupational Regulation and Boards within the Department)  
 Title 2.2, Subtitle II, Part B (Transaction of Public Business)  
 Title 6.1, Chapter 1.3 (Consumer Real Estate Settlement Protection)  
 Title 36, Chapter 5.1 (Virginia Fair Housing Law)  
 Title 55, Chapter 4.1 (Horizontal Property)  
 Title 55, Chapter 4.2 (Condominium Act)  
 Title 55, Chapter 19 (Subdivided Land Sales Act)  
 Title 55, Chapter 21 (The Virginia Real Estate Time-Share Act)  
 Title 55, Chapter 24 (Virginia Real Estate Cooperative Act)  
 Title 55, Chapter 26 (Property Owners' Association Act)  
 Title 55, Chapter 27 (Virginia Residential Property Disclosure Act)  
 Title 55, Chapter 28 (Commercial Real Estate Broker's Lien Act)  
 Title 55, Chapter 29 (Common Interest Community Management Information Fund)  
 12 USC Sec. 3301 et seq. (Financial Institutions Reform, Recovery and Enforcement Act)  
 15 USC Sec. 6300 et seq. (Professional Boxing Safety Act of 1996, amended by the Muhammad Ali Boxing Reform Act effective 6/26/00)  
 24 CFR Part 14 et al (Implementation of the Fair Housing Amendments Act of 1988; Final Rule)  
 24 CFR Part I (Final Fair Housing Accessibility Guidelines)  
 24 CFR Parts 111 and 115 (Regulatory Reinvention; Certification and Funding of State and Local Fair Housing Enforcement Agencies; Final Rule)  
 24 CFR Part 100 (Fair Housing Enforcement-Occupancy Standards; Statement of Policy; Notice; Publication)  
 29 CFR 1926.1101 (Occupational Safety and Health Administration Asbestos Construction Industry Standard)  
 40 CFR Part 61 (EPA National Emission Standards for Hazardous Air Pollutants)  
 40 CFR 763 Appendix C to Subpart E (EPA Asbestos Hazard Emergency Response Act; EPA Model Accreditation Plan)  
 15 USC 2681-2692 (Title X of the Toxic Substances Control Act)  
 40 CFR Part 745 (EPA Requirements for Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities)

**Customers**

Customer Group	Customers served annually	Potential customers annually
Applicants (potential licensees)	34,922	40,000
Board members (regulatory & advisory)	163	163
Complainants (individuals submitting complaints)	5,200	5,500
Employees	186	197
Local, state and federal government offices and agencies	149	149
Recovery fund claimants	232	195
Regulants (individuals/businesses holding licenses, certifications, registrations, and other authorizations)	315,000	344,000
Trade & professional organizations associated with regulated professions & occupations	63	63

*Anticipated Changes To Agency Customer Base*

In FY07, the Department received almost 35,000 applications. The volume of applications increased an average of 5% annually from FY02 through FY07.

At the close of FY07, the Department regulated more than 315,000 individuals and businesses. The volume of regulants increased an average of 4.6% annually from FY02 through FY07. A forecast of that trend into the next five years indicates that the Department should expect an estimated 3% increase annually, resulting in a regulant population of more than 340,000 individuals and businesses by FY10.

The Department estimates that it will receive more than 5,000 complaints against regulants and unlicensed practitioners in FY08 with approximately 600-700 disciplinary cases brought before the boards annually.

From FY02 through FY07, the Department's maximum employment level (MEL) increased from 132 to 149 as the result of new regulatory programs and increased workloads. In FY08, the Department received 32 positions to address workload issues in the Compliance and Investigations Division, bringing the MEL to 181. If the forecasted growth in programs, applications, complaints, and licensees continues over the next five years, the Department would anticipate an ongoing increase in its MEL of 2-3 positions annually. In addition, over half (54%) of all the agency's classified employees are retirement-eligible within the next 10 years, which raises concerns over staff shortages and loss of institutional knowledge within the workforce base.

Changes in the overall number or composition of regulatory programs - as determined by the General Assembly - will affect the number of potential customers in the bases of applicants, regulants, affiliated organizations, board members, and employees. In addition, greater diversity in the applicant, regulant and consumer customer bases presents increasing demands for services in languages other than English.

### Partners

Partner	Description
Housing Opportunities Made Equal (H.O.M.E.), funded by the U.S. Department of Housing and Urban Development	The purpose of the H.O.M.E. partnership is to promote greater awareness of and compliance with design and construction requirements of fair housing law. H.O.M.E. is a private, non-profit corporation that advocates for equal access to housing for all people. The partnership agreement between H.O.M.E. and the DPOR Fair Housing Office includes staff training and compliance reviews of design and construction fair housing violations in the Richmond, Fredericksburg and Hampton Roads regions.

### Products and Services

- *Description of the Agency's Products and/or Services:*
  - \*Licenses, certifications, registrations, and other authorizations
  - \*Alternative dispute resolution
  - \*Board administration
  - \*Budget and financial planning
  - \*Case (disciplinary) adjudication
  - \*Case (disciplinary) compliance tracking and documentation
  - \*Community outreach
  - \*Complaint intake and analysis
  - \*Continuity of Operations Planning
  - \*Customer assistance
  - \*Document conversion (paper to electronic) and indexing
  - \*Education curricula development
  - \*Employee benefits administration
  - \*Employee development
  - \*Employee recruitment
  - \*Employee recognition program administration
  - \*Examination administration
  - \*Financial management
  - \*Information systems development
  - \*Investigation of regulatory, fair housing and unlicensed activity complaints
  - \*Legislative analysis
  - \*Mail processing and delivery
  - \*Management analysis

- \*Media relations
- \*Policy development
- \*Procurement of goods and services
- \*Public relations
- \*Quality assurance and performance measurement
- \*Records management
- \*Records and information disclosure
- \*Recovery fund claim processing
- \*Regulation promulgation
- \*Supply inventory management
- \*Strategic planning
- \*Visitor access control

● **Factors Impacting Agency Products and/or Services:**

- \*New regulatory programs
- \*Increases in the number of applications received
- \*Increases in the number of licenses issued
- \*Increases in the number of complaints filed (including regulatory, fair housing and unlicensed activity)
- \*Increases in the number of Contractor and Real Estate recovery fund claims submitted
- \*Changes in the frequency of board meetings
- \*Changes to the Administrative Process Act (APA)
- \*Greater diversity in applicant, regulant and consumer customer bases
- \*Changes in the composition of the Department's workforce
- \*Changes in state policy
- \*Changes in state directives and reporting requirements
- \*Information technology opportunities and challenges

● **Anticipated Changes in Products or Services:**

New program - Onsite Sewage System Professionals (Board for Waterworks and Wastewater Works Operators), effective 7/1/09 may result in an estimated 300 new regulants

Increases in population (consumer base), coupled with DPOR's customer awareness and education initiatives creating increased demand for Department services.

Renewed emphasis on planning and accountability creates a greater demand for data, analysis and performance measures to support planning and decision-making as well as evaluate performance.

Implementation of a new licensing and enforcement system, while expected to enhance automated processing capabilities, may have limited functionality available to handle nuances across programs. Additionally, learning curve delays may be experienced early in the implementation phase.

**Finance**

● **Financial Overview:**

The agency's primary source of funding is licensing fees charged to applicants and regulants, which represent approximately 98% of revenues. Fee amounts are established for each board to provide revenues and cash reserves that are sufficient for operating expenses, but not excessive. Revenues from fees pay the expenses of each board, as well as a proportionate share of agency operations and support services. Approximately 2% of the agency's funds come from federal grants, which primarily support Fair Housing activities. The agency receives only non-general funds.

● **Financial Breakdown:**

	FY 2009		FY 2010	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$0	\$19,558,546	\$0	\$19,551,410
Change To Base	\$0	\$0	\$0	\$0
Agency Total	\$0	\$19,558,546	\$0	\$19,551,410

*This financial summary is computed from information entered in the service area plans.*

**Human Resources**

● **Overview**

The Department of Professional and Occupational Regulation's workforce is comprised of an experienced and diverse

group of salaried and wage employees. The Department is committed to the professional development of all employees through support of both formal and informal educational opportunities. The Department uses tools such as compensation factors, employee recognition awards and tuition assistance to recruit and retain qualified employees. The agency regularly monitors, analyzes and reports turnover, with positions in active recruitment remaining vacant on average less than 39 days after approval to fill is granted.

Based on 2007 data, the median years of service for a Department employee is 8.8 years, compared with the statewide median of 8.3 years. As with most state agencies, DPOR faces a potential staff shortage crisis and loss of institutional knowledge due to a “graying” workforce with over half (54%) of the agency classified employees (98) retirement-eligible within the next 10 years. Of those 98, more than one-third (35) will be eligible to retire with full benefits within the next 5 years and more than one-quarter (26) eligible for full retirement benefits within the next 2 years.

● *Human Resource Levels*

Effective Date	7/1/2008
Total Authorized Position level	186
Vacant Positions	-21
<b>Current Employment Level</b>	<b>165.0</b>
Non-Classified (Filled)	2
Full-Time Classified (Filled)	158
Part-Time Classified (Filled)	0
Faculty (Filled)	0
Wage	18
Contract Employees	0
<b>Total Human Resource Level</b>	<b>183.0</b>

*breakout of Current Employment Level*

*= Current Employment Level + Wage and Contract Employees*

● *Factors Impacting HR*

As in public agencies throughout Virginia and the federal government, the Department faces a potential staff shortage and loss of institutional knowledge due to a “graying” workforce with over half (54%) of the agency classified employees retirement-eligible within the next 10 years. Of those 98, more than one-third (35) will be eligible to retire with full benefits within the next five years and more than one-quarter (26) eligible for full retirement benefits within the next two years. Within the next two years, 57 of the agency’s classified workforce are eligible for retirement at full or reduced benefits.

In addition, the discrepancy in state versus federal and private sector salaries creates recruitment and retention problems, especially when hiring field investigators in the Northern Virginia area.

● *Anticipated HR Changes*

With over half of the agency’s classified employees (98) retirement-eligible within the next 10 years, and over 80% of those 98 employees eligible to retire with full or reduced benefits within the next 5 years, a staff shortage crisis and loss of institutional knowledge will result. The Department’s workforce plan provides for position replacement through promotions facilitated by professional development training, recruitment strategies, and the use of wage staff including retirees.

Greater diversity in DPOR’s applicant, regulant and consumer customer bases requires recruitment of individuals with skills in multiple languages.

**Information Technology**

● *Current Operational IT Investments:*

DPOR places high priority on maximizing efficiencies through information technology to improve customer service and decrease costs across all functional service areas. Current IT efforts include the development of a web-enabled application to replace two in-house legacy systems (CLES and ETS) and to support new business requirements such as online license renewal and license application processing.

A number of DPOR’s IT solutions are aging and approaching obsolescence. Agency-critical applications reside on outdated technology platforms and are increasingly hard to support from a software resource perspective. Non-integrated agency applications result in lost productivity due to data quality and workflow process issues.

● *Factors Impacting the Current IT:*

Population increases and new regulatory programs (customer bases) create increased demand for agency services, particularly fully interactive business processes including on-line licensure and case management. Renewed emphasis on planning and accountability generates greater demand for automated data reporting capabilities to support planning and decision-making as well as evaluate performance.

Implementation of a new licensing and enforcement system, while expected to enhance automated processing capabilities, may have limited functionality available to handle nuances across programs. Additionally, learning curve delays may be experienced early in the implementation phase.

Changes driven by VITA transformation activities may affect DPOR’s ability to serve its internal and external customers, and increase overhead costs to meet VITA mandates.

● *Proposed IT Solutions:*

DPOR’s future IT environment is one of continued integration and centralization of all IT systems across functional service areas. The Department’s long-term solution involves the implementation of one fully integrated program: the Electronic Access to Government Licensing and Enforcement System (EAGLES). The agency has contracted with VERSA Management Systems to purchase a COTS (commercial off the shelf) application to support EAGLES.

The EAGLES project will:

- revolutionize service delivery by enabling external customers to apply for licenses via the Internet;
- meet external customers’ accessibility needs by offering an additional means of interacting with the agency;
- enhance the efficiency and effectiveness of government services by decreasing transaction costs and improving license processing; and
- upgrade IT services for internal customers by providing an integrated suite of products for use in performing job responsibilities.

Ideally, DPOR will receive high quality and time-sensitive service from VITA, responsive to the central Richmond office as well as staff located in the field, with no increases in service costs.

● *Current IT Services:*

Estimated Ongoing Operations and Maintenance Costs for Existing IT Investments

	Cost - Year 1		Cost - Year 2	
	General Fund	Non-general Fund	General Fund	Non-general Fund
Projected Service Fees	\$0	\$1,394,593	\$0	\$1,415,512
Changes (+/-) to VITA Infrastructure	\$0	\$0	\$0	\$0
<b>Estimated VITA Infrastructure</b>	\$0	\$1,394,593	\$0	\$1,415,512
Specialized Infrastructure	\$0	\$0	\$0	\$0
Agency IT Staff	\$0	\$0	\$0	\$0
Non-agency IT Staff	\$0	\$0	\$0	\$0
Other Application Costs	\$0	\$0	\$0	\$0
<b>Agency IT Current Services</b>	\$0	\$1,394,593	\$0	\$1,415,512

*Comments:*

[Nothing entered]

● *Proposed IT Investments*

Estimated Costs for Projects and New IT Investments

Cost - Year 1		Cost - Year 2	
General	Non-general	General	Non-general



	Fund	Fund	Fund	Fund
Major IT Projects	\$0	\$1,241,000	\$0	\$0
Non-major IT Projects	\$0	\$0	\$0	\$0
Agency-level IT Projects	\$0	\$0	\$0	\$0
Major Stand Alone IT Procurements	\$0	\$0	\$0	\$0
Non-major Stand Alone IT Procurements	\$0	\$0	\$0	\$0
<b>Total Proposed IT Investments</b>	\$0	\$1,241,000	\$0	\$0

● *Projected Total IT Budget*

	Cost - Year 1		Cost - Year 2	
	General Fund	Non-general Fund	General Fund	Non-general Fund
Current IT Services	\$0	\$1,394,593	\$0	\$1,415,512
Proposed IT Investments	\$0	\$1,241,000	\$0	\$0
<b>Total</b>	\$0	\$2,635,593	\$0	\$1,415,512

[Appendix A](#) - Agency's information technology investment detail maintained in VITA's ProSight system.

**Capital**

- *Current State of Capital Investments:*  
N/A
- *Factors Impacting Capital Investments:*  
N/A
- *Capital Investments Alignment:*  
N/A

**Agency Goals**

**Goal 1**

Promote a positive business climate and ensure a competent workforce by issuing licenses, certifications and registrations to qualified individuals and businesses for the authorized practice of regulated professions.

**Goal Summary and Alignment**

Professional regulation establishes entry standards to ensure that individuals and businesses engaged in activities that pose potential harm to the public are sufficiently qualified by meeting standards of competency via education, experience, and/or examination.

**Goal Alignment to Statewide Goals**

- Be a national leader in the preservation and enhancement of our economy.
- Engage and inform citizens to ensure we serve their interests.
- Protect the public's safety and security, ensuring a fair and effective system of justice and providing a prepared response to emergencies and disasters of all kinds.

**Goal 2**

Protect the public and promote fair housing opportunities by preventing statutory and regulatory violations and resolving complaints against regulated professionals who fail to comply with minimal standards of practice.

**Goal Summary and Alignment**

Demanding compliance with statutory and regulatory standards of practice – including non-discrimination in residential housing transactions – protects the public from incompetent or unscrupulous practitioners in a fair, expeditious, and uniform manner.

#### Goal Alignment to Statewide Goals

- Engage and inform citizens to ensure we serve their interests.
- Protect the public's safety and security, ensuring a fair and effective system of justice and providing a prepared response to emergencies and disasters of all kinds.

#### Goal 3

Maximize organizational effectiveness and improve the quality of customer service in all programs through efficient delivery of administrative support.

#### Goal Summary and Alignment

Internal and external customers expect effective, efficient business processes that support all agency operations. Stakeholders expect competent management of resources (financial, human and material), information technology, policy and planning activities, and public information supported by a comprehensive performance measurement system.

#### Goal Alignment to Statewide Goals

- Engage and inform citizens to ensure we serve their interests.
- Be recognized as the best-managed state in the nation.

#### Goal 4

We will strengthen the culture of preparedness across state agencies, their employees and customers

#### Goal Summary and Alignment

This goal ensures compliance with federal and state regulations, policies and procedures for Commonwealth preparedness, as well as guidelines promulgated by the Assistant to the Governor for Commonwealth Preparedness, in collaboration with the Governor's Cabinet, the Commonwealth Preparedness Working Group, the Department of Planning and Budget, and the Council on Virginia's Future. The goal supports achievement of the Commonwealth's statewide goal of protecting the public's safety and security, ensuring a fair and effective system of justice and providing a prepared response to emergencies and disasters of all kinds.

#### Goal Alignment to Statewide Goals

- Protect the public's safety and security, ensuring a fair and effective system of justice and providing a prepared response to emergencies and disasters of all kinds.

#### Goal Objectives

- We will be prepared to act in the interest of the citizens of the Commonwealth and its infrastructure during emergency situations by actively planning and training both as an agency and as individuals.

##### Objective Strategies

- The agency Emergency Coordination Officer will stay in continuous communication with the Office of Commonwealth Preparedness and the Virginia Department of Emergency Management.
- The agency will determine preparedness enhancements needed at the agency level from federal and state guidance and from comparisons of current capability and then distribute funds as needed.

##### Link to State Strategy

- nothing linked

##### Objective Measures

- Agency Continuity of Operations Plan (COOP) Assessment Score

Measure Class:  Measure Type:  Measure Frequency:  Preferred Trend:

Measure Baseline Value:  Date:

Measure Baseline Description: 2007 COOP Assessment Results (% out of 100)

Measure Target Value:  Date:  Measure Target Description: Minimum of 75% or, if at 75%, increase the average by 5% each year

Data Source and Calculation: The COOP Assessment Review is a 24-component assessment tool that helps measure the viability of a COOP plan.

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## Service Area Strategic Plan

## Department of Professional &amp; Occupational Regulation (222)

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## Service Area 1 of 3

## Licensure, Certification, and Registration of Professions and Occupations (222 560 46)

## Description

The licensure, certification, and registration service area maintains clear licensure requirements and standards, and issues licenses, certifications, and registrations for the authorized practice of regulated professions and occupations.

## Background Information

## Mission Alignment and Authority

- Describe how this service supports the agency mission

This service area aligns directly with DPOR's mission to serve and protect the public through licensure of qualified individuals and businesses in professions that, if not regulated, may harm the public's health, safety and welfare.

- Describe the Statutory Authority of this Service

Title 54.1, Subtitle I (General Provisions Relating to Regulatory Boards)

Title 54.1, Subtitle II (Professions and Occupations Regulated by the Department of Professional and Occupational Regulation and Boards within the Department)

Title 2.2, Subtitle II, Part B (Transaction of Public Business)

Title 6.1, Chapter 1.3 (Consumer Real Estate Settlement Protection)

Title 55, Chapter 4.1 (Horizontal Property)

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Title 55, Chapter 21 (The Virginia Real Estate Time-Share Act)

Title 55, Chapter 24 (Virginia Real Estate Cooperative Act)

Title 55, Chapter 26 (Property Owners' Association Act)

Title 55, Chapter 27 (Virginia Residential Property Disclosure Act)

Title 55, Chapter 28 (Commercial Real Estate Broker's Lien Act)

Title 55, Chapter 29 (Common Interest Community Management Information Fund)

12 USC Sec. 3301 et seq. (Financial Institutions Reform, Recovery and Enforcement Act)

15 USC Sec. 6300 et seq. (Professional Boxing Safety Act of 1996, amended by the Muhammad Ali Boxing Reform Act effective 6/26/00)

29 CFR 1926.1101 (Occupational Safety and Health Administration Asbestos Construction Industry Standard)

40 CFR Part 61 (EPA National Emission Standards for Hazardous Air Pollutants)

40 CFR 763 Appendix C to Subpart E (EPA Asbestos Hazard Emergency Response Act; EPA Model Accreditation Plan)

15 USC 2681-2692 (Title X of the Toxic Substances Control Act)

40 CFR Part 745 (EPA Requirements for Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities)

## Customers

Agency Customer Group	Customer	Customers served annually	Potential annual customers
Applicants (potential licensees)	Applicants (potential licensees)	34,922	40,000
Board members (regulatory & advisory)	Board members (regulatory & advisory)	163	163
Local, state and federal government offices and agencies	Local, state and federal government offices and agencies	149	149
Recovery fund claimants	Recovery fund claimants	232	195
Regulants (individuals/businesses holding licenses, certifications, registrations, and other authorizations)	Regulants (individuals/businesses holding licenses, certifications, registrations, and other authorizations)	315,000	344,000
Trade & professional organizations associated with regulated professions	Trade & professional organizations associated with regulated professions &	63	63

& occupations

occupations

#### *Anticipated Changes To Agency Customer Base*

In FY07, the Department received more than 35,000 applications. The volume of applications increased an average of 5% annually from FY02 through FY07.

At the close of FY07, the Department regulated more than 315,000 individuals and businesses. The volume of regulants increased an average of 4.6% annually from FY02 through FY07. A forecast of that trend into the next five years indicates that the Department should expect a continuing increase of about 3% annually, resulting in a regulant population of more than 340,000 individuals and businesses by FY10.

#### Partners

**Partner**

**Description**

[None entered]

#### Products and Services

- *Factors Impacting the Products and/or Services:*

- \*New regulatory programs
- \*Increases in the number of applications received
- \*Increases in the number of licenses issued
- \*Increases in the number of complaints filed (including regulatory, fair housing and unlicensed activity)
- \*Increases in the number of Contractor and Real Estate recovery fund claims submitted
- \*Changes in the frequency of board meetings
- \*Changes to the Administrative Process Act (APA)
- \*Greater diversity in applicant, regulant and consumer customer bases
- \*Changes in the composition of the Department's workforce
- \*Changes in state policy
- \*Changes in state directives and reporting requirements
- \*Information technology opportunities and challenges

- *Anticipated Changes to the Products and/or Services*

New program - Onsite Sewage System Professionals (Board for Waterworks and Wastewater Works Operators), effective 7/1/09 may result in an estimated 300 new regulants

Increases in population (consumer base), coupled with DPOR's customer awareness and education initiatives that create increased demand for Department services.

Renewed emphasis on planning and accountability creates a greater demand for data, analysis and performance measures to support planning and decision-making as well as evaluate performance.

Implementation of a new licensing and enforcement system, while expected to enhance automated processing capabilities, may have limited functionality available to handle nuances across programs. Additionally, learning curve delays may be experienced early in the implementation phase.

- *Listing of Products and/or Services*

- Licenses, certifications, registrations, and other authorizations
- Board administration
- Case (disciplinary) compliance tracking and documentation
- Community outreach
- Customer assistance
- Education curricula development
- Records management
- Examination administration
- Legislative analysis
- Management analysis
- Records/information disclosure
- Recovery fund claim processing

- Regulation promulgation

**Finance**

- *Financial Overview*

The major source of funding for this service area is licensing fees charged to applicants and regulants. Fee amounts are established for each board to provide revenues and cash reserves that are sufficient for operating expenses, but not excessive. Revenues from fees pay the expenses of each board, as well as a proportionate share of agency operations and support services. In addition, this service area may receive federal grants to support environmental protection activities, generally representing less than 0.5% of the service area’s total funding. This service area is funded entirely from non-general funds.

- *Financial Breakdown*

	FY 2009		FY 2010		FY 2009	FY 2010	FY 2009	FY 2010
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund				
Base Budget	\$0	\$5,699,470	\$0	\$5,677,959				
Change To Base	\$0	\$0	\$0	\$0				
Service Area Total	\$0	\$5,699,470	\$0	\$5,677,959				
Base Budget	\$0	\$5,699,470	\$0	\$5,677,959				
Change To Base	\$0	\$0	\$0	\$0				
Service Area Total	\$0	\$5,699,470	\$0	\$5,677,959				
Base Budget	\$0	\$5,699,470	\$0	\$5,677,959				
Change To Base	\$0	\$0	\$0	\$0				
Service Area Total	\$0	\$5,699,470	\$0	\$5,677,959				

**Human Resources**

- *Human Resources Overview*

[Nothing entered]

- *Human Resource Levels*

Effective Date		
Total Authorized Position level	0	
Vacant Positions	0	
<b>Current Employment Level</b>	<b>0.0</b>	
Non-Classified (Filled)		breakout of Current Employment Level
Full-Time Classified (Filled)		
Part-Time Classified (Filled)		
Faculty (Filled)		
Wage		
Contract Employees		

**Total Human Resource Level**  = *Current Employment Level + Wage and Contract Employees*

- *Factors Impacting HR*  
[Nothing entered]
- *Anticipated HR Changes*  
[Nothing entered]

### Service Area Objectives

- We will issue licenses, certifications, registrations, and other authorizations to individuals and businesses in an efficient manner.

#### Objective Description

Efficient licensure of qualified individuals and businesses ensures that those entering regulated professions and occupations receive authorization to practice their chosen profession with minimal application processing delays.

#### Alignment to Agency Goals

- Agency Goal: Promote a positive business climate and ensure a competent workforce by issuing licenses, certifications and registrations to qualified individuals and businesses for the authorized practice of regulated professions.

#### Objective Strategies

- Implement a new web-based licensing and enforcement system to enable customers to complete and submit new license applications and consumer complaints online.
- Perform periodic audits of applications, forms and instructions to ensure compliance with applicable laws and regulations while maintaining clarity to improve applicant comprehension and completion rates.

#### Link to State Strategy

- nothing linked

#### Objective Measures

- Increase the percentage of licenses issued within 15 days of receipt of completed application, payment or exam post date.

Measure Class:  Measure Type:  Measure Frequency:  Preferred Trend:

Frequency Comment: Annual, after close of fiscal year

Measure Baseline Value:  Date:

Measure Baseline Description: 78.7% average percentage for 2002-04 Biennium

Measure Target Value:  Date:

Measure Target Description: 90.0% average percentage for 2008-10 Biennium

- Regulate professions and occupations in an effective manner.

#### Objective Description

Effective regulation requires legal standards that minimize barriers to entry into and practice of regulated professions and occupations while ensuring professional competence.

#### Alignment to Agency Goals

- Agency Goal: Promote a positive business climate and ensure a competent workforce by issuing licenses, certifications and registrations to qualified individuals and businesses for the authorized practice of regulated professions.

#### Objective Strategies

- Promulgation of non-restrictive regulations, which establish minimal standards of proficiency and conduct, required to ensure professional and occupational competence.
- Administer examination contracts to ensure psychometrically valid, reasonably accessible and properly administered exams.

**Link to State Strategy**

- nothing linked

**Objective Measures**

- Percentage of agency regulants with no disciplinary violations during the year

Measure Class:  Measure Type:  Measure Frequency:  Preferred Trend:

Measure Baseline Value:  Date:

Measure Baseline Description: 99.6% average percentage for 2002-04 Biennium

Measure Target Value:  Date:

Measure Target Description: 99.6% average percentage for 2008-10 Biennium

Data Source and Calculation: Data Source: Enforcement Tracking System & Cost Allocation System

Calculation: Divide the total number of regulants with no violations for the year by the total number of regulants

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Service Area Strategic Plan

Department of Professional & Occupational Regulation (222)

3/13/2014 11:33 am

Biennium: 2008-10 ▼

Service Area 2 of 3

**Enforcement of Licensing, Regulating and Certifying Professions and Occupations (222 560 47)**

**Description**

The enforcement of licensing, regulating, and certifying service area investigates, ascertains probable cause, and processes complaints of violations of statutory and regulatory requirements including possible violations of fair housing laws that prohibit discriminatory practices in residential housing.

**Background Information**

**Mission Alignment and Authority**

- *Describe how this service supports the agency mission*  
 This service area aligns directly with DPOR’s mission to protect the public health, safety, and welfare through enforcement of laws that demand professional compliance, competence, and conduct.
- *Describe the Statutory Authority of this Service*  
 Title 54.1, Subtitle I (General Provisions Relating to Regulatory Boards)  
 Title 54.1, Subtitle II (Professions and Occupations Regulated by the Department of Professional and Occupational Regulation and Boards within the Department)  
 Title 2.2, Subtitle II, Part B (Transaction of Public Business)  
 Title 6.1, Chapter 1.3 (Consumer Real Estate Settlement Protection)  
 Title 36, Chapter 5.1 (Virginia Fair Housing Law)  
 Title 55, Chapter 4.1 (Horizontal Property)  
 Title 55, Chapter 4.2 (Condominium Act)  
 Title 55, Chapter 19 (Subdivided Land Sales Act)  
 Title 55, Chapter 21 (The Virginia Real Estate Time-Share Act)  
 Title 55, Chapter 24 (Virginia Real Estate Cooperative Act)  
 Title 55, Chapter 26 (Property Owners’ Association Act)  
 Title 55, Chapter 27 (Virginia Residential Property Disclosure Act)  
 Title 55, Chapter 28 (Commercial Real Estate Broker’s Lien Act)  
 Title 55, Chapter 29 (Common Interest Community Management Information Fund)  
 12 USC Sec. 3301 et seq. (Financial Institutions Reform, Recovery and Enforcement Act)  
 15 USC Sec. 6300 et seq. (Professional Boxing Safety Act of 1996, amended by the Muhammad Ali Boxing Reform Act effective 6/26/00)  
 24 CFR Part 14 et al (Implementation of the Fair Housing Amendments Act of 1988; Final Rule)  
 24 CFR Part I (Final Fair Housing Accessibility Guidelines)  
 24 CFR Parts 111 and 115 (Regulatory Reinvention; Certification of Funding of State and Local Fair Housing Enforcement Agencies; Final Rule)  
 24 CFR Part 100 (Fair Housing Enforcement-Occupancy Standards; Statement of Policy; Notice; Publication)  
 29 CFR 1926.1101 (Occupational Safety and Health Administration Asbestos Construction Industry Standard)  
 40 CFR Part 61 (EPA National Emission Standards for Hazardous Air Pollutants)  
 40 CFR 763 Appendix C to Subpart E (EPA Asbestos Hazard Emergency Response Act; EPA Model Accreditation Plan)  
 15 USC 2681-2692 (Title X of the Toxic Substances Control Act)  
 40 CFR Part 745 (EPA Requirements for Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities)

**Customers**

Agency Customer Group	Customer	Customers served annually	Potential annual customers
Board members (regulatory & advisory)	Board members (regulatory & advisory)	163	163
Complainants (individuals submitting complaints)	Complainants (individuals submitting complaints)	5,200	5,500
Local, state and federal government offices and agencies	Local, state and federal government offices and agencies	149	149

Regulants (individuals/businesses holding licenses, certifications, registrations, and other authorizations)	Regulants (individuals/businesses holding licenses, certifications, registrations, and other authorizations)	315,000	344,000
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#### *Anticipated Changes To Agency Customer Base*

At the close of FY07, DPOR regulated more than 315,000 individuals and businesses. The volume of regulants increased an average of 4.6% annually from FY02 through FY07. A forecast of that trend into the next five years indicates that the Department should expect an estimated 3% annually, resulting in a regulant population of more than 340,000 individuals and businesses by FY10.

The Department estimates that it will receive more than 5,000 complaints against regulants or unlicensed practitioners in FY08 with approximately 600-700 disciplinary cases brought before the boards annually.

#### **Partners**

<b>Partner</b>	<b>Description</b>
Housing Opportunities Made Equal (H.O.M.E.), funded by the U.S. Department of Housing and Urban Development	The purpose of the H.O.M.E. partnership is to promote greater awareness of and compliance with design and construction requirements of fair housing law. H.O.M.E. is a private, non-profit corporation that advocates for equal access to housing for all people. The partnership agreement between H.O.M.E. and the DPOR Fair Housing Office includes staff training and compliance reviews of design and construction fair housing violations in the Richmond, Fredericksburg and Hampton Roads regions.

#### **Products and Services**

- *Factors Impacting the Products and/or Services:*

- \*New regulatory programs
- \*Increases in the number of applications received
- \*Increases in the number of licenses issued
- \*Increases in the number of complaints filed (including regulatory, fair housing and unlicensed activity)
- \*Increases in the number of Contractor and Real Estate recovery fund claims submitted
- \*Changes in the frequency of board meetings
- \*Changes to the Administrative Process Act (APA)
- \*Greater diversity in applicant, regulant and consumer customer bases
- \*Changes in the composition of the Department's workforce
- \*Changes in state policy
- \*Changes in state directives and reporting requirements
- \*Information technology opportunities and challenges

- *Anticipated Changes to the Products and/or Services*

New program - Onsite Sewage System Professionals (Board for Waterworks and Wastewater Works Operators), effective 7/1/09 may result in an estimated 300 new regulants

Increases in population (consumer base), coupled with DPOR's customer awareness and education initiatives that create increased demand for Department services.

Renewed emphasis on planning and accountability creates a greater demand for data, analysis and performance measures to support planning and decision-making as well as evaluate performance.

Implementation of a new licensing and enforcement system, while expected to enhance automated processing capabilities, may have limited functionality available to handle nuances across programs. Additionally, learning curve delays may be experienced early in the implementation phase.

- *Listing of Products and/or Services*

- Alternative dispute resolution
- Case (disciplinary) adjudication
- Complaint intake and analysis
- Customer assistance
- Investigation of regulatory, fair housing and unlicensed activity complaints

- Management analysis
- Records management
- Records and information disclosure

**Finance**

- *Financial Overview*

The major source of funding for this service area is licensing fees charged to applicants and regulants. Fee amounts are established for each board to provide revenues and cash reserves that are sufficient for operating expenses, but not excessive. Revenues from fees pay the expenses of each board and a proportionate share of agency operations, including enforcement activities conducted on behalf of the board. In addition, about 50% of the funding for Fair Housing enforcement activity is provided from federal grants. This service area is funded entirely from non-general funds.

- *Financial Breakdown*

	FY 2009		FY 2010		FY 2009	FY 2010
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund		
Base Budget	\$0	\$7,088,241	\$0	\$7,078,320		
Change To Base	\$0	\$0	\$0	\$0		
Service Area Total	\$0	\$7,088,241	\$0	\$7,078,320		
Base Budget	\$0	\$7,088,241	\$0	\$7,078,320		
Change To Base	\$0	\$0	\$0	\$0		
Service Area Total	\$0	\$7,088,241	\$0	\$7,078,320		

**Human Resources**

- *Human Resources Overview*

[Nothing entered]

- *Human Resource Levels*

Effective Date		
Total Authorized Position level	0	
Vacant Positions	0	
<b>Current Employment Level</b>	<b>0.0</b>	
Non-Classified (Filled)		breakout of Current Employment Level
Full-Time Classified (Filled)		
Part-Time Classified (Filled)		
Faculty (Filled)		
Wage		
Contract Employees		
<b>Total Human Resource Level</b>	<b>0.0</b>	= Current Employment Level + Wage and Contract Employees

- *Factors Impacting HR*

[Nothing entered]

- *Anticipated HR Changes*

[Nothing entered]

### Service Area Objectives

- We will investigate and resolve complaints efficiently through alternatives to the formal disciplinary process.

#### Objective Description

Enforcement serves to prevent violations and, when necessary, investigate and adjudicate complaints of failure to comply with legal or regulatory professional requirements, in a fair, expeditious and uniform manner. Rather than emphasizing board-imposed sanctions against the respondent, the Department will use a variety of alternatives to formal enforcement, including voluntary correction of administrative deficiencies and alternative dispute resolution.

#### Alignment to Agency Goals

- Agency Goal: Protect the public and promote fair housing opportunities by preventing statutory and regulatory violations and resolving complaints against regulated professionals who fail to comply with minimal standards of practice.

#### Objective Strategies

- Increase the Department's emphasis on correcting practitioner non-compliance issues.
- Require remedial education in addition or as an alternative to other sanctions imposed because of regulatory violations.

#### Link to State Strategy

- nothing linked

#### Objective Measures

- Reduce the proportion of complaints that are resolved through the official disciplinary process.

Measure Class:  Measure Type:  Measure Frequency:  Preferred Trend:

Measure Baseline Value:  Date:

Measure Baseline Description: 78.9% for FY04

Measure Target Value:  Date:

Measure Target Description: 53.0% for 2008-10 Biennium

Data Source and Calculation: Data Source: ADR Records, Enforcement Tracking System database Calculation: Divide the total number of cases resolved through the official disciplinary process by the total number of valid complaints. Valid complaints are defined as regulatory or unlicensed cases resulting in compliance, order, conviction, or ADR. Cases resolved through disciplinary process includes consent orders, final orders, citations, and convictions.

- Percent of disciplinary violations resolved through consent order. Violations are defined as disciplinary cases resulting in Final Order, Consent Agreement/Citation, or Consent Order.

Measure Class:  Measure Type:  Measure Frequency:  Preferred Trend:

Measure Baseline Value:  Date:

Measure Baseline Description: 38.3% for 2002-04 Biennium

Measure Target Value:  Date:

Measure Target Description: 53.0% for 2008-10 Biennium

Data Source and Calculation: Data Source: Enforcement Tracking System data ("Orders Created During Specified Period" report) Calculation: Divide total number of consent orders entered during the fiscal year by the total number of orders entered during the same time period.

- Investigate and resolve disciplinary complaints efficiently.

#### Objective Description

Enforcement serves to prevent violations and, when necessary, investigate and adjudicate complaints of failure to comply with legal or regulatory professional requirements, in a fair, expeditious and uniform manner. Customer service (to the regulant, complainant and consumer customer bases) is improved by expeditious resolution of complaints.

#### Alignment to Agency Goals

- Agency Goal: Protect the public and promote fair housing opportunities by preventing statutory and regulatory violations and resolving complaints against regulated professionals who fail to comply with minimal standards of practice.

#### Objective Strategies

- Evaluate alternative methods and develop new processes to increase the number of disciplinary cases closed within 150 days.
- Explore ways to reduce and simplify disciplinary case documentation requirements.

#### Link to State Strategy

- nothing linked

#### Objective Measures

- Percent of "valid" disciplinary files closed with findings of compliance obtained, successful ADR, orders, or citations within 150 days.

Measure Class:  Measure Type:  Measure Frequency:  Preferred Trend:

Measure Baseline Value:  Date:

Measure Baseline Description: 29.3% achieved in FY05

Measure Target Value:  Date:

Measure Target Description: 45.0% for 2008-10 Biennium

Data Source and Calculation: Data Source: Enforcement Tracking System database Calculation: Divide the total number of disciplinary cases closed with findings of compliance obtained, successful ADR, citation, consent order, or final order within 150 days or less by total number of cases with the same findings.

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## Service Area Strategic Plan

## Department of Professional &amp; Occupational Regulation (222)

3/13/2014 11:33 am

Biennium: 2008-10 ▼

## Service Area 3 of 3

## Administrative Services (222 560 48)

## Description

The administrative services area provides efficient and effective operational support to all functional areas of the Department.

## Background Information

## Mission Alignment and Authority

- *Describe how this service supports the agency mission*

This service area aligns with DPOR's mission to serve and protect the public by providing efficient and effective support to all agency licensure and enforcement functions with many administrative work units working collaboratively within the service area to enhance agency efficiency overall. While administrative services supports primarily internal customers; the service area aligns directly with the agency mission to serve and protect the public, in sections that service a variety of external customers (e.g., customer assistance, community outreach, public relations, public records/information disclosure, and employee recruitment).

- *Describe the Statutory Authority of this Service*

Title 54.1, Subtitle I (General Provisions Relating to Regulatory Boards)

Title 54.1, Subtitle II (Professions and Occupations Regulated by the Department of Professional and Occupational Regulation and Boards within the Department)

Title 2.2, Subtitle II, Part B (Transaction of Public Business)

## Customers

Agency Customer Group	Customer	Customers served annually	Potential annual customers
Applicants (potential licensees)	Applicants (potential licensees)	34,922	40,000
Board members (regulatory & advisory)	Board members (regulatory & advisory)	163	163
Complainants (individuals submitting complaints)	Complainants (individuals submitting complaints)	5,200	5,500
Employees	Employees	186	197
Local, state and federal government offices and agencies	Local, state and federal government offices and agencies	149	149
Recovery fund claimants	Recovery fund claimants	232	195
Regulants (individuals/businesses holding licenses, certifications, registrations, and other authorizations)	Regulants (individuals/businesses holding licenses, certifications, registrations, and other authorizations)	315,000	344,000
Trade & professional organizations associated with regulated professions & occupations	Trade & professional organizations associated with regulated professions & occupations	63	63

*Anticipated Changes To Agency Customer Base*

In FY07, the Department received almost 35,000 applications. The volume of applications increased an average of 5% annually from FY02 through FY07.

At the close of FY07, the Department regulated more than 315,000 individuals and businesses. The volume of regulants increased an average of 4.6% annually from FY02 through FY07. A forecast of that trend into the next five years indicates that the Department should expect an estimated 3% increase annually, resulting in a regulant population of more than 340,000 individuals and businesses by FY10.

The Department estimates that it will receive more than 5,000 complaints against regulants and unlicensed practitioners in



FY08 with approximately 600-700 disciplinary cases brought before the boards annually.

From FY02 through FY07, the Department's maximum employment level (MEL) increased from 132 to 149 as the result of new regulatory programs and increased workloads. In FY08, the Department received 32 positions to address workload issues in the Compliance and Investigations Division, bringing the MEL to 181. If the forecasted growth in programs, applications, complaints, and licensees continues over the next five years, the Department would anticipate an ongoing increase in its MEL of 2-3 positions annually. In addition, over half (54%) of all the agency's classified employees are retirement-eligible within the next 10 years, which raises concerns over staff shortages and loss of institutional knowledge within the workforce base.

Changes in the overall number or composition of regulatory programs - as determined by the General Assembly - will affect the number of potential customers in the bases of applicants, regulants, affiliated organizations, board members, and employees. In addition, greater diversity in the applicant, regulant and consumer customer bases presents increasing demands for services in languages other than English.

### Partners

Partner	Description
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[None entered]

### Products and Services

- *Factors Impacting the Products and/or Services:*

- \*New regulatory programs
- \*Increases in the number of applications received
- \*Increases in the number of licenses issued
- \*Increases in the number of complaints filed (including regulatory, fair housing and unlicensed activity)
- \*Increases in the number of Contractor and Real Estate recovery fund claims submitted
- \*Changes in the frequency of board meetings
- \*Changes to the Administrative Process Act (APA)
- \*Greater diversity in applicant, regulant and consumer customer bases
- \*Changes in the composition of the Department's workforce
- \*Changes in state policy
- \*Changes in state directives and reporting requirements
- \*Information technology opportunities and challenges

- *Anticipated Changes to the Products and/or Services*

New program - Onsite Sewage System Professionals (Board for Waterworks and Wastewater Works Operators), effective 7/1/09 may result in an estimated 300 new regulants

Increases in population (consumer base), coupled with DPOR's customer awareness and education initiatives that create increased demand for Department services.

Renewed emphasis on planning and accountability creates a greater demand for data, analysis and performance measures to support planning and decision-making as well as evaluate performance.

Implementation of a new licensing and enforcement system, while expected to enhance automated processing capabilities, may have limited functionality available to handle nuances across programs. Additionally, learning curve delays may be experienced early in the implementation phase.

- *Listing of Products and/or Services*

- Budget and financial planning
- Community outreach
- Continuity of Operations Planning
- Customer assistance
- Document conversion and indexing
- Employee benefits administration
- Employee development
- Employee recruitment
- Employee recognition program administration

- Financial management
- Information systems development
- Legislative analysis
- Mail processing and delivery
- Management analysis
- Media relations
- Policy development
- Procurement of goods and services
- Public relations
- Quality assurance and performance measurement
- Records management
- Records and information disclosure
- Supply inventory management
- Strategic planning
- Visitor access control

**Finance**

- *Financial Overview*

The source of funding for this service area is licensing fees charged to applicants and regulants. Fee amounts are established for each board to provide revenues and cash reserves that are sufficient for operating expenses, but not excessive. Revenues from fees pay the expenses of each board and a proportionate share of agency operations, including administrative support activities. This service area is funded entirely from non-general funds.

- *Financial Breakdown*

	FY 2009		FY 2010	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$0	\$6,770,835	\$0	\$6,795,131
Change To Base	\$0	\$0	\$0	\$0
<b>Service Area Total</b>	<b>\$0</b>	<b>\$6,770,835</b>	<b>\$0</b>	<b>\$6,795,131</b>

**Human Resources**

- *Human Resources Overview*

[Nothing entered]

- *Human Resource Levels*

Effective Date	
Total Authorized Position level	0
Vacant Positions	0
<b>Current Employment Level</b>	<b>0.0</b>
Non-Classified (Filled)	} breakout of Current Employment Level
Full-Time Classified (Filled)	
Part-Time Classified (Filled)	
Faculty (Filled)	
Wage	
Contract Employees	

<b>Total Human Resource Level</b>	<b>0.0</b>	= <i>Current Employment Level + Wage and Contract Employees</i>
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- *Factors Impacting HR*  
[Nothing entered]
- *Anticipated HR Changes*  
[Nothing entered]

### Service Area Objectives

- To ensure that resources are used efficiently and programs are managed effectively, and in a manner consistent with applicable state and federal requirements.

#### Objective Description

Administrative support services seek full compliance with all categories in the Management Scorecard through integration of IT/Enterprise Architecture Initiatives; and effective human resource management, government procurement, financial management, performance management, and resource stewardship.

#### Alignment to Agency Goals

- Agency Goal: Maximize organizational effectiveness and improve the quality of customer service in all programs through efficient delivery of administrative support.

#### Objective Strategies

- HR1: EMPLOYEE ATTRACTION AND RETENTION: Attract and retain a qualified workforce by strategically using existing human resource management flexibilities, pay practices and benefits with the objective of hiring and retaining the most qualified candidate for the job.
- HR2: FAIRNESS AND DIVERSITY: Apply management policies and practices fairly and consistently. Champion equal employment opportunity and inclusion by prohibiting discrimination. Monitor and utilize data and analytics of HuRMan system, and related software tools, to assist in decision making and addressing deficiencies.
- HR3: EMPLOYEE PERFORMANCE MANAGEMENT: Differentiate among levels of performance. Reward excellence. Mediocre/poor performance carries consequences.
- HR4: TRAINING AND DEVELOPMENT: Invest in workforce training to ensure that employees have the appropriate skill sets. Develop employees to meet the current and future needs of the Department. Understand the importance of, and proactively manage, succession planning through agency training and development activities.
- HR5: SAFE WORK ENVIRONMENT: Promote a healthy workforce and provide a safe work environment minimizing potential hazards.
- GP1: eVA USAGE: Conduct procurements using advanced technology by 1) completing all applicable agency purchases through the eVA portal, 2) posting notices of business opportunities on the eVA website, and 3) making purchases from vendors and suppliers who are registered in eVA.
- GP2: VIRGINIA PARTNERS IN PROCUREMENT CONTRACT USAGE: Purchase from VaPP contracts when available, and no alternative quality, reasonably priced SWaM vendor is available.
- GP3: SMALL, WOMEN AND MINORITY VENDOR PARTICIPATION: Exemplify commitment to using SWaM vendors by 1) achieving SWaM purchasing goals identified in agency's SWaM Plan, 2) implementing the non-goal elements of the agency's SWaM Plan, 3) executing (the Governor's) directives in Executive Order No. 33 (2006), and 4) timely submission of the annual agency SWaM Plan, SWaM Quarterly Expenditure Reports and Weekly SWaM Reports.
- FM1: BUDGET PLAN: Establish a financial plan to monitor expenditures to ensure that they stay within appropriations. Also ensure expenditures are made in accordance with the Appropriations Act and any other requirements that the Governor may add.
- FM2: INTERNAL CONTROLS: Comply with all state laws and regulations, ensure that agency internal control framework and procedures safeguard against the loss or inefficient use of Commonwealth assets, and record financial transactions properly in CARS.
- FM3: APA AUDITS: Ensure that material weaknesses, audit points and management letter comments from APA audits are adequately and promptly addressed and not recurring.
- FM4: PROMPT PAY: Ensure compliance with the minimal acceptable management standard of 95% compliance with the Prompt Pay Act.

- FM5: DISBURSEMENT POLICIES: Adhere to statewide disbursement policies governing the legal and proper disbursement of state funds, including but not limited to state travel policies.
- T1: IT PLANNING: Integrate information technology into business operations effectively by implementing a successful Agency IT Strategic Plan tied to the business issues of the agency. IT Plans address compliance with state laws, policies and standards for data security, Web development and IT accessibility issues for the disabled.
- T2: ENTERPRISE COLLABORATION AND IMPROVEMENT: Promote intra and inter-agency collaboration, invest agency resources in operational, tactical and strategic enterprise activities and adopt relevant solutions.
- PM1: STRATEGIC PLANNING: Develop and document agency priorities in agency strategic plan and provide for meaningful indicators to assess performance. Plan reflects the priorities of the Governor. Communicate the plan to all managers and staff and post strategic and service area plans to the agency website.
- PM2: COMMUNICATES AGENCY MANAGEMENT PERFORMANCE: Implement a plan to publicly communicate the agency's management performance to employees and stakeholders. Communicate accurate and timely Management Performance Reports to the Department of Planning and Budget, state oversight entities, the Office of the Secretary, and the Office of the Governor.
- PM3: ACTS TO CORRECT AND ENHANCE AGENCY PERFORMANCE: Take action to correct and improve performance in deficient areas. Document business conditions, analyses performed, dependencies on external entities, decisions made, actions taken, and specific results.
- PM4: CONTINUITY OF OPERATIONS: Included in Goals
- RS1: RESOURCE STEWARDSHIP: Lead by example in demonstrating stewardship of environmental and historic resources.

#### Link to State Strategy

- nothing linked

#### Objective Measures

- Percent of scorecard categories marked as "meets expectations" for the agency

Measure Class:  Measure Type:  Measure Frequency:  Preferred Trend:

Measure Baseline Value:  Date:

Measure Baseline Description: 100% of Governor's Scorecard categories achieved (meets expectations)

Measure Target Value:  Date:

Measure Target Description: Maintain 100% Governor's Scorecard categories achieved (meets expectations)

Data Source and Calculation: The Management Scorecard grades agencies on six criteria. Divide the number of cases where DPOR scored "Meets Expectations" by six.

- Integrate support services into individual service area operations efficiently to maximize customer satisfaction.

#### Objective Description

Administrative services strives to meet customers' high performance expectations in all functional areas of responsibility by providing expert resource management, cost-effective information technology applications, innovative public relations and outreach activities, and comprehensive planning and evaluation efforts.

#### Alignment to Agency Goals

- Agency Goal: Maximize organizational effectiveness and improve the quality of customer service in all programs through efficient delivery of administrative support.

#### Objective Strategies

- Develop a plan for maintaining/upgrading system hardware and software and allocating needed resources.
- Explore electronic document management opportunities.

#### Link to State Strategy

- nothing linked

**Objective Measures**

- The percentage of renewals processed through the agency's website

Measure Class:  Measure Type:  Measure Frequency:  Preferred Trend:

Measure Baseline Value:  Date:

Measure Baseline Description: 16.4% for FY 2005

Measure Target Value:  Date:

Measure Target Description: 20.0% for 2008-10 Biennium

Data Source and Calculation: Data Source: CLES Online Stats Files from the Finance Reports menu

Calculation: Divide the number of renewals processed on-line through the agency's website divided by the total number of renewals.

- To administer support services effectively while complying with legal, state and operational requirements.

**Objective Description**

Administrative services are conducted in a highly structured environment bound by numerous federal and state guidelines. The ongoing challenge to support areas is to identify process improvement opportunities that conform to the legal and operational confines in order to maximize agency effectiveness.

**Alignment to Agency Goals**

- Agency Goal: Maximize organizational effectiveness and improve the quality of customer service in all programs through efficient delivery of administrative support.

**Objective Strategies**

- Identify and address potential internal processing weaknesses.
- Design and implement a Departmental Performance Management Systems.

**Link to State Strategy**

- nothing linked

**Objective Measures**

- The percentage of Freedom of Information requests completed within 5 days.

Measure Class:  Measure Type:  Measure Frequency:  Preferred Trend:

Measure Baseline Value:  Date:

Measure Baseline Description: 95% based Departmental performance requirement

Measure Target Value:  Date:

Measure Target Description: 95% for 2008-10 Biennium

Data Source and Calculation: Data Source: Public Records FOIA Tracking Database Calculation: Divide number of requests completed within 5 days by the total number of FOIA requests received by the Public Records Section