2014-16 Strategic Plan

Department of Professional and Occupational Regulation [222]

Mission

The Department of Professional and Occupational Regulation protects 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

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.

Values			

Finance

Financial Overview

The Department of Professional and Occupational Regulation's (DPOR's) primary source of funding is licensing fees charged to applicants and regulants, which represent 99% 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. About 1% of DPOR's funds come from federal grants, which primarily support Fair Housing activities. DPOR receives only non-general funds.

Biennial Budget

	2015 General Fund	2015 Nongeneral Fund	2016 General Fund	2016 Nongeneral Fund
Initial Appropriation for the Biennium	0	22,153,069	0	22,153,069
Changes to Initial Appropriation	0	0	0	0

(Changes to Initial Appropriation will be 0 when the plan is created. They will change when the plan is updated mid-biennium.)

Customers

Anticipated Changes to Customer Base

At the close of FY 2010, the Department of Professional and Occupational Regulation (DPOR) regulated approximately 310,000 individuals and businesses. Over the following 2 biennia, the volume of regulants decreased almost 2%, primarily in contractor-related professions and partially in the real estate field. Most other regulated professions remained fairly stable. However, during FY 2014, the real estate regulant population did see a partial recovery of about 2,500 regulants. The overall regulant population is expected to see a modest increase of approximately 1% over the next two years, increasing to about 307,000 regulants.

The number of license, certification and registration applications received in FY 2013 was the lowest in more than ten years. However, applications in FY 2014 increased by about 1,000 to 27,400. Annual application volumes are expected to increase slightly over the next two years, assuming a stable economy. Applications in FY 2016 are expected to be about 28,500 or up approximately 3%.

The number of complaints processed by the Department has been stable for the last 3 years, with approximately 3,850 complaints in FY 2014. The Department estimates that there may be a minimal increase in the number of complaints due to a slight increase in the number of regulants. The number of complaints could total 4,000 each year of the 2014-16 Biennium.

New recovery fund claims vary year to year and have ranged from 120 to 150 annually over the last 3 years. The Department anticipates that this will be the case during the 2014-16 Biennium as well.

The Department's maximum employment level (MEL) is 203 and the MEL is expected to remain at 203 for the next two years. Similarly, the number of board members is expected to remain stable at 184 members.

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.

Current Customer List

Predefined Group	User Defined Group	Number Served	Potential Number of Annual Customers	Projected Customer
		Annually		Trend

Business and Finance	Regulants (individuals/businesses holding licenses, certifications, registrations and other authorizations issued by DPOR)	304,352	307,000	Increase
Applicants	Applicants (potential regulants)	27,400	28,500	Increase
Consumer	Complainants (individuals submitting complaints against regulants)	3,850	4,000	Increase
Consumer	Recovery fund claimants	124	150	Increase
Local or Regional Government Authorities	Local, state and federal government offices and agencies	149	149	Stable
State Agency(s),	Board members (regulatory & advisory)	184	184	Stable
State Government Employee	DPOR Employees	197	203	Stable

Partners

Name

Description

Agency Goals

• 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.

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.

Associated State Goal

Government and Citizens: Be recognized as the best-managed state in the nation.

Associated Societal Indicator

Consumer Protection

Objectives

» Issue licenses, certifications, registrations, and other authorizations to qualified individuals and businesses in an efficient manner.

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.

Objective Strategies

• 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.

• Align board statutes and regulations to ensure entry and renewal requirements for credentialed professions support Virginia's current and future workforce needs.

Measures

- Cost per licensee
- Cost per licensee
- Percent of licenses issued to qualified applicants within 15 days of receipt of completed application

» Regulate professions and occupations effectively.

Description

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

Objective Strategies

· Administer examination contracts to ensure psychometrically valid, ADA-compliant and properly administered exams.

• Promulgate least burdensome, reasonably restrictive regulations, which establish minimum standards of proficiency and conduct required to ensure professional and occupational competence.

Measures

- Cost per licensee
- Cost per licensee

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

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.

Objective Strategies

- Extend new licensing system functionality to expand online license capability to all professions and occupations.
- Explore new electronic document management opportunities.

Measures

• Percent of paid renewals processed through the agency's website

• Protect the public and promote fair housing opportunities by resolving complaints against regulated professionals who fail to comply with standards of practice.

Summary and Alignment

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.

Associated State Goal

Government and Citizens: Be recognized as the best-managed state in the nation.

Associated Societal Indicator

Consumer Protection

Objectives

» Investigate and resolve complaints efficiently through alternatives to the formal disciplinary process.

Description

Enforcement receives, analyzes and, when necessary, investigates and adjudicates complaints of failure to comply with legal or regulatory professional requirements. Rather than emphasizing board-imposed sanctions against the respondent, the Department of Professional and Occupational Regulation (DPOR) will use a variety of alternatives to formal enforcement, including voluntary correction of administrative deficiencies and alternative dispute resolution. Alternatives to the formal disciplinary process often offer respondents and complainants faster resolution with flexible terms more favorable to both parties.

Objective Strategies

Increase the Department of Professional and Occupational Regulation's emphasis on bringing respondents into compliance.

· Require remedial education in addition or as an alternative to other sanctions imposed because of regulatory violations.

Measures

- Percent of complaints resolved through alternatives to the official disciplinary process
- · Percent of disciplinary violations resolved through consent order and consent agreement

» Investigate and resolve disciplinary complaints efficiently.

Description

Enforcement receives, analyzes and, when necessary, investigates and adjudicates complaints of failure to comply with legal or regulatory professional requirements. Customer service (to the regulant, complainant and consumer customer bases) is improved by expeditious resolution of complaints.

Objective Strategies

- Evaluate alternative methods and develop new processes to increase the number of disciplinary cases closed within 180 days.
- Explore ways to reduce and simplify disciplinary case documentation requirements.

Measures

Percent of disciplinary files closed within 180 days

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

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.

Associated State Goal

Government and Citizens: Be recognized as the best-managed state in the nation.

Associated Societal Indicator

Government Operations

Objectives

» Administer support services effectively while complying with legal, state and operational requirements.

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.

Objective Strategies

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

Measures

- Cost per licensee
- Cost per licensee

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

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.

Objective Strategies

• Extend new licensing system functionality to expand online license capability to all professions and occupations.

· Explore new electronic document management opportunities.

Measures

Percent of paid renewals processed through the agency's website

Major Products and Services

Products and services with a direct impact on external customers include:

- Licenses, certifications, registrations, and other authorizations
- Complaint (disciplinary) intake and analysis
- Investigation of regulatory, fair housing and unlicensed activity complaints
- Case (disciplinary) adjudication
- Alternative dispute resolution
- Public relations and consumer outreach
- Recovery fund claim processing
- Office of Common Interest Community Ombudsman

Other products and services include:

- Application development and form design
- Board administration
- Budget and financial planning
- Business continuity planning
- Case (disciplinary) compliance tracking and documentation
- Education curricula development
- Examination procurement and administration
- Information management and record disclosure
- Legislative analysis
- Reports to the General Assembly
- Regulation promulgation

Performance Highlights

Of the more than 304,000 individuals and businesses holding current licenses, certifications or registrations issued by the Department of Professional and Occupational Regulation (DPOR) at the end of FY 2014, 99.6% had no disciplinary violations during the same fiscal year. During FY 2014, DPOR processed over 155,000 initial, renewal and reinstatement applications and related payments, including approximately 27,400 applications for new licenses. The Compliance and Investigations Section processed in excess of 3,850 disciplinary complaints during the same fiscal year.

During the 2012-14 biennium, DPOR completed the migration final phase of the Department's new web-based Electronic Access to Government Licensing and Enforcement System (EAGLES), retiring its legacy licensing database in October 2014. The new licensing system offers improved data collection, maintenance and reporting capabilities that were not available from the legacy system.

Following DPOR's comprehensive overhaul of its website in FY 2012, the Department expanded its online communications to social media channels. shing a Facebook page. The redesigned agency website launched in July 2012, featuring a more intuitive information architecture giving users multiple options for navigation, depending on their preferences. In April 2013, DPOR established its Facebook page, using the social networking site to communicate with followers about office closings/delays and service interruptions, share links to news articles, and respond to questions. The DPOR Facebook page has more than 1,200 followers at the close of FY 2014. In the spring of 2014, the Department launched its YouTube channel, which provides video tutorials (with more than 3,000 views at the close of the biennium) to assist applicants and licensees to avoid common mistakes leading to processing delays.

Staffing	
Authorized Maximum Employment Level (MEL)	203
Salaried Employees	165
Wage Employees	21
Contracted Employees	11

Key Risk Factors

The addition and modification of regulatory programs assigned to the Department of Professional and Occupational Regulation (DPOR) by the legislature, as well as the potential for additional environmental and housing-related mandates (appraisers and fair housing) issued by the federal government, are among the external challenges facing DPOR. Internally, the current regulatory review process impedes the Department's ability to provide responsive and efficient services. The various reviews, approvals and mandated timeframes required by the Administrative Process Act (APA) generally result in regulations taking at a minimum 24-36 months to become effective. Regulations involving fee adjustments are

especially challenging. Currently, to comply with the Callahan Act (Section 54.1-113 of the Code of Virginia) while ensuring enough time for APA requirements, fee increases must be identified and initiated two to three years before the point that expenditures are projected to exceed revenues and cash balances. Financial position and projections can change significantly 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 initiate fee adjustments immediately. Finally, ensuring the security and integrity of the license issuance process must be balanced with expectations for efficient and timely services. Any fraud prevention process improvement (e.g., identity verification, document authentication, tamper-resistant credentials) necessarily increases the workload, time and cost associated with license issuance. Given the inherent value of mandatory professional licenses to those unable or unwilling to procure them legally for whatever reason, the risk of potential fraudulent attempts is predictable, unavoidable, but also detectable and ultimately subject to prosecution.

Management Discussion

General Information About Ongoing Status of Agency

DPOR will continue its development of fully interactive business processes, including on-line licensure, address changes, case management, and reporting capabilities. Secure, user-friendly online services are essential to meeting citizen expectations, improving customer service, excelling with e-government initiatives, managing and evaluating operations effectively, and redirecting staff to higher-level workflow activities. Balancing the significant resource investments in application and employee development required for such transformation, however, requires the Department to identify other processing efficiencies.

Ongoing expansion of DPOR's innovative electronic document management capabilities will continue to improve Freedom of Information Act (FOIA) and in-house research response time through desktop retrieval of electronic records in a fraction of the time needed to retrieve paper documents. Additionally, the agency will continue its conversion of internal paper/non-interactive forms to interactive forms with digital (electronic signature) capability thereby eliminating the cost and delay associated with paper record processing.

The comprehensive restructuring of operational units during the FY 2012-14 biennia—largely in response to the new strategic initiative focused on ensuring the security and integrity of the license issuance process— identified several areas of opportunity for improved quality assurance, employee retention and succession planning. DPOR will continue its process improvement efforts by investing in employee professional development, specifically stressing technical training for customer service skill sets and coaching for core competencies, and emphasizing the effective use of reliable data and measures to evaluate and improve performance, teamwork and employee morale.

Information Technology

Population increases and new regulatory programs (affecting 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 performance evaluation.

Implementation of the Department's new licensing system and enhancement of the internal enforcement tracking system, while intended to expand automated processing capabilities, may provide limited functionality for handling nuances across diverse programs.

Changes driven by Virginia Information Technology Agency (VITA) support activities may affect DPOR's ability to serve its internal and external customers, and expenses associated with meeting VITA mandates likely will increase DPOR overhead costs.

Estimate of Technology Funding Needs

Workforce Development

As the operational needs of DPOR evolve to better align our mission and the expectations of our customers, professional development opportunities for our workforce are critical. DPOR is a customer service-orientated agency charged with assisting and protecting the public with regard to our regulated professions. In an effort to focus on enhancing our customer service philosophy throughout the agency, employees are encouraged to explore various online training opportunities afforded through the Commonwealth of Virginia Knowledge Center and other on-demand training providers. DPOR also continues to encourage and support specific employee development initiatives connected to individual positions, and extends a tuition reimbursement program as an additional consideration for job-related courses/programs. Implementation of the Department's new licensing system, requires continued training to allow employees to fully utilize this advanced system. DPOR partners with the Performance Management Group through Virginia Commonwealth University and identifies employees to participate in supervisory and/or management level programs to refine or establish their leadership skills. Considering all of DPOR's professional development efforts combined with our succession planning and cross-training initiatives, DPOR strives to be adequately prepared to meet our customer's needs as we move into the future.

Physical Plant

The Department of Professional and Occupational Regulation (DPOR) is located in the Perimeter Center office building in Henrico County's Deep Run Office Park. The Department of General Services leases the building at 9960 Mayland Drive, Richmond, Virginia, 23233 and in turn has assigned that space to six state agencies. DPOR leases approximately 40,000 sq. feet of commercial office and storage space in the four-story building.

The Department employs more than 200 individuals with 28% of those positions [many as field investigators with home offices] telecommuting at least 32 hours each month, and another 21% telecommuting on an occasional basis.

Supporting Documents

Title

Department of Professional & Occupational Regulation Organization Chart

File Type Adobe PDF

Licensure, Certification, and Registration of Professions and Occupations [56046]

Description of this Program / Service Area

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.

Mission Alignment

This service area aligns directly with the Department of Professional and Occupational Regulation's (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.

Products and Services

Description of Major Products and Services

Licenses, certifications, registrations, and other authorizations

Board administration

Case (disciplinary) compliance tracking and documentation

Community outreach

Customer assistance

Education curricula development

Examination administration

Legislative analysis

Quality assurance and performance management

Records/information management

Regulation promulgation

Anticipated Changes

New and modified programs

- New Appraisal Management Company licensure program within the Real Estate Appraiser Board, effective 7/1/14
- New Natural Gas Automobile Mechanics and Technicians certification program within the Department

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

New agency-wide strategic initiative focused on ensuring the security and integrity of the license issuance process, requiring identity verification, document authentication and demands for resource-intensive processes.

Factors Impacting

- Changes in state directives and reporting requirements
- Changes in state policy
- Changes in the composition of DPOR's workforce
- Changes in the frequency of board meetings
- Changes to existing regulatory programs
- Changes to the Administrative Process Act (APA)
- Delays in fee increase/regulation approvals
- Federal mandates (Environmental Protection Agency (EPA), etc.)
- Greater diversity in applicant, regulant and consumer customer bases
- Increases in the number of applications received
- Increases in the number of complaints filed (including regulatory, fair housing and unlicensed activity)
- Increases in the number of licenses issued

- Information technology opportunities and challenges
- New regulatory programs

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 one-half percent of the service area's total funding. This service area is funded entirely from non-general funds.

Biennial Budget

	2015 General Fund	2015 Nongeneral Fund	2016 General Fund	2016 Nongeneral Fund
Initial Appropriation for the Biennium	0	7,075,699	0	7,075,699
Changes to Initial Appropriation	0	0	0	0

Supporting Documents

Title

File Type

Enforcement of Licensing, Regulating and Certifying Professions and Occupations [56047]

Description of this Program / Service Area

The enforcement of licensing, regulating and certifying service area analyzes, investigates and adjudicates complaints of violations of statutory and regulatory requirements including possible violations of fair housing laws that prohibit discriminatory practices in residential housing. In addition, this area houses the Office of the Common Interest Community Ombudsman, which serves as an information resource for community association members and offers non-binding interpretations of laws and regulations governing associations.

Mission Alignment

This service area aligns directly with the Department of Professional and Occupational Regulation's mission to protect the public health, safety and welfare through enforcement of laws that demand professional compliance, competence and conduct.

Products and Services

Description of Major Products and Services

Alternative dispute resolution

Case (disciplinary) adjudication

Common Interest Community Ombudsman determinations

Complaint intake and analysis

Customer assistance

Investigation of regulatory, fair housing and unlicensed activity complaints

Licensing Informal Fact Finding conferences

Quality assurance and performance measures

Records and information disclosure

Records/information management

Recovery fund claims processing

Anticipated Changes

New and modified programs

- New Appraisal Management Company licensure program within the Real Estate Appraiser Board, effective 7/1/14
- New Natural Gas Automobile Mechanics and Technicians certification program within the Department

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

New agency-wide strategic initiative focused on ensuring the security and integrity of the license issuance process, requiring identity verification, document authentication and demands for resource-intensive processes.

Factors Impacting

- Changes in state directives and reporting requirements
- Changes in state policy
- Changes in the composition of DPOR's workforce
- Changes in the frequency of board meetings
- Changes to existing regulatory programs
- Changes to the Administrative Process Act (APA)
- Delays in fee increase/regulation approvals
- Federal mandates (Environmental Protection Agency (EPA, etc.)
- Greater diversity in applicant, regulant and consumer customer bases
- Increases in the number of complaints filed (including regulatory, fair housing and unlicensed activity)
- Increases in the number of licenses issued

- Increases in the number of Contractor and Real Estate recovery fund claims submitted
- Information technology opportunities and challenges
- New regulatory programs
- Reduction in federal funding used for fair housing investigations and training

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 40% of the funding for Fair Housing enforcement activity is provided from federal grants. This service area is funded entirely from non-general funds.

Biennial Budget

	2015 General Fund	2015 Nongeneral Fund	2016 General Fund	2016 Nongeneral Fund
Initial Appropriation for the Biennium	0	7,087,572	0	7,087,572
Changes to Initial Appropriation	0	0	0	0

Supporting Documents

Title

File Type

Administrative Services [56048]

Description of this Program / Service Area

Description of Major Products and Services

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

Mission Alignment

This service area aligns with the Department of Professional and Occupational Regulation'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 collaborating to enhance overall Department efficiency. 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).

Products and Services

Description of Major Products and Services
Application and form design
Budget and financial planning
Business continuity planning
Community outreach
Customer assistance
Document management (scanning/importing, indexing, storing and retrieving)
Employee benefits administration
Employee development
Employee recruitment
Facilities management
Financial management
Information systems development
Legislative analysis
Mail processing and delivery
Management analysis
Media relations
Policy development
Procurement of goods and services
Project management
Public relations
Quality assurance and performance measurement
Records/information management
Records and information disclosure
Risk management
Supply inventory management
Strategic planning
Visitor access control

Website/social media content

Anticipated Changes

New and modified programs

- New Appraisal Management Company licensure program within the Real Estate Appraiser Board, effective 7/1/14
- New Natural Gas Automobile Mechanics and Technicians certification program within the Department

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

New agency-wide strategic initiative focused on ensuring the security and integrity of the license issuance process, requiring identity verification, document authentication and demands for resource-intensive processes.

Factors Impacting

- Changes in state directives and reporting requirements
- Changes in state policy
- Changes in the composition of the DPOR's workforce
- Changes in the frequency of board meetings
- Changes to existing regulatory programs
- Changes to the Administrative Process Act (APA)
- Delays in fee increase/regulation approvals
- Federal mandates (Environmental Protection Agency (EPA), etc.)
- Greater diversity in applicant, regulant and consumer customer bases
- Increases in the number of applications received
- 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
- Increases in the number of licenses issued
- Information technology opportunities and challenges
- New regulatory programs
- Reduction in federal funding used for fair housing investigations and training

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.

Biennial Budget

	2015 General Fund	2015 Nongeneral Fund	2016 General Fund	2016 Nongeneral Fund
Initial Appropriation for the Biennium	0	7,989,798	0	7,989,798
Changes to Initial Appropriation	0	0	0	0

Supporting Documents

Title

File Type