



State of California
Edmund G. Brown Jr., Governor

Agenda Item 5
July 19, 2016

Executive Officer's Report

Purpose of the item

The Executive Officer will provide the Board Members an update on statistics related to Board Administration, Budget, Licensing and Enforcement. Board Members will have the opportunity to ask questions as necessary.

Action(s) requested

No action requested at this time.

Background

A. Administration

- Nikkia Capizzano has accepted the Staff Services Analyst for the Compliance Unit. She has worked at the Board for over 2 years in the Licensing Unit as an Office Technician.
- Currently, the Board is recruiting for the Associate Governmental Program Analyst for the Compliance Unit.

B. Budget

- The Executive Officer will provide an overview of the Boards fund condition for Fiscal years 2014-2017. Attached is the analysis of the Boards fund condition.

C. Licensing

- As of April 30, 2016 (FY 2015/16):
 - Total Licensees Population: 13,247

D. Enforcement

- As of July 1, 2015 through July 11, 2016 (FY 2015/16):
 - Complaints Received: 581

E. Sunset Review Overview and Planning

Recommendation(s)

N/A

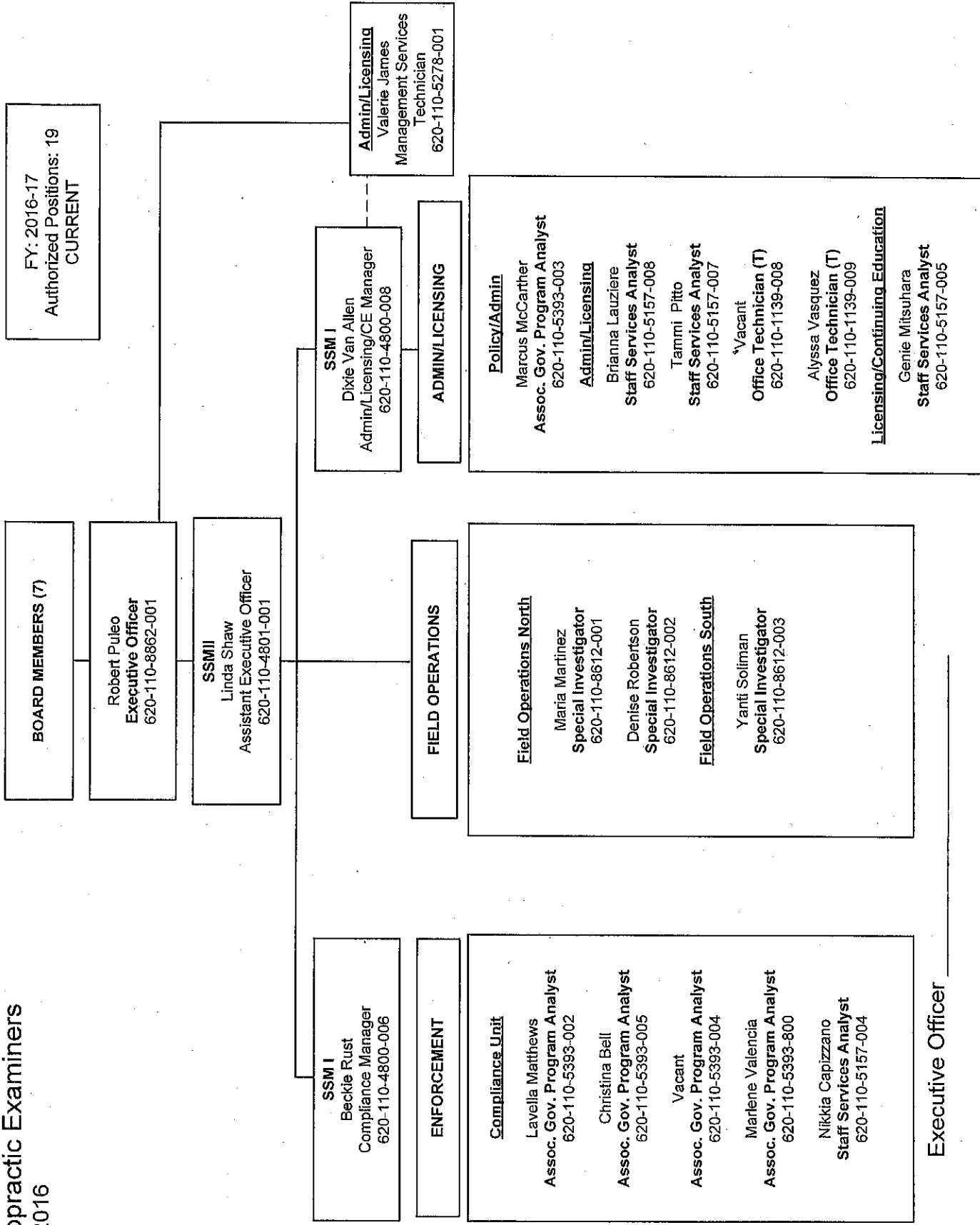
Next Step

N/A

Attachment(s)

- Org Chart
- Updated Fund Condition
- Licensing Statistics
- Enforcement Statistics
- Memorandum(email) from Senate Business and Professions Committee re; Sunset Review
- Sunset Review Report Template and Guide for Completing Tables

Department of Consumer Affairs
 State Board of Chiropractic Examiners
 July 2016



Board of Chiropractic Examiners Staff Functions

Executive Officer (620-110-8862-001) – Oversees management of the Board of Chiropractic Examiners. Directs negotiations for stipulated agreements, monitors deadlines and procedures for compliance with the Administrative Procedures Act. Directs the organization and coordination of committee, executive and task force meetings and compilation of data for Board meetings, ensures compliance with the Open Meetings Act, coordinates closed sessions and hearings, attends all Board meetings. Identifies the need for legislation and recommends modifications to existing statutes or regulations to the Board. Oversees all aspects of the legislative and rulemaking processes. Testifies before legislative committees on behalf of the Board, advocates consumer protection and lobbies on behalf of consumers and the Board, interprets and clarifies the Board's Initiative Act, regulations, and policies. Represents the Board before professional and health associations or other state, federal, local, or community groups/entities.

Assistant Executive Officer (620-110-4801-001) - Oversees all administrative duties of the Administration, Enforcement, Licensing/Continuing Education, and Field Investigation divisions, directly supervises managers and field staff, assists the EO with special projects, attends Board and Committee meetings, acts as the Board's liaison to DCA, attends all informal office conferences and writes resulting decisions. Oversees management of the Board in the EO's absence and backs up managers in their absence, represents the Board before professional and health associations or other state, federal, local or community groups/entities in the absence of the EO. Develops, reviews and implements policies and operating procedures, directs the development and implementation of regulations adopted by the Board. Advises EO of critical issues which may result in litigation or require legislation, regulations or policy adjustment, oversees the planning and ensures timely preparation and mailing of all Board and Committee materials, directs the preparation of recurring special reports, monitors the Board's revenue and expenditures.

Compliance Manager (620-110-4800-006) – Manages and supervises compliance and probation programs/staff, performs case reviews and reviews case closure recommendations, participates in probationer interviews, attends informal citation conferences, reviews administrative citations and fines, monitors monthly caseload statistics, monitors success of Expert Consultant program, reviews AG billing statements for accuracy.

Compliance Analyst (620-110-5393-002) - Reviews and investigates complex complaints, drafts recommendations for complaints including referral of complaints to the AG's office, prepares packets for Petitioner hearings, evaluates administrative cases, and proposed decisions, stipulations and default decisions for adherence to the Admin. Procedures Act and Disciplinary Guidelines, develops settlement and probationary terms for the Executive Officer's approval.

Probation Monitor (620-110-5393-005) – Monitors probationers for compliance with conditions and terms of probation, sends letters to probationers who are out of compliance with their terms of probation, coordinates site inspection or suspension visits with field staff, schedules probation interviews, refers cases to Board experts, consults with the AG's office and makes recommendations to management on cases ready for petition to revoke or accusation referral due to non-compliance issues, tracks cases waiting to be heard at Office of Administrative Hearings, recommends settlement or probationary terms for management approval, prepares stay of decision, reviews and investigates complex complaints, drafts recommendations for complaints including referral of complaints to the AG's office. Serves as coordinator for the Enforcement Committee.

Board of Chiropractic Examiners Staff Functions

Compliance Analyst (620-110-5393-004) - Reviews and investigates complex complaints, drafts recommendations for complaints including referral of complaints to the AG's office, prepares packets for Petitioner hearings, evaluates administrative cases, and proposed decisions, stipulations and default decisions for adherence to the Admin. Procedures Act and Disciplinary Guidelines, develops settlement and probationary terms for the Executive Officer's approval.

Compliance Analyst (620-110-5393-800) - Reviews and investigates complex complaints, drafts recommendations for complaints including referral of complaints to the AG's office, prepares packets for Petitioner hearings, evaluates administrative cases, and proposed decisions, stipulations and default decisions for adherence to the Admin. Procedures Act and Disciplinary Guidelines, develops settlement and probationary terms for the Executive Officer's approval.

Compliance Analyst (620-110-5157-004) – Assists the public with inquiries about the complaint process, performs intake and assignment of consumer complaints, requests court documents for subsequent arrest reports, requests Interim Suspension Orders or Penal Code 23 assistance, reviews and investigates routine consumer complaints, drafts recommendations for complaints including referral of complaints to the AG's office, reviews administrative cases and proposed decisions, stipulations and default decisions for adherence to the Admin. Procedures Act and Disciplinary Guidelines, tracks proposed decisions received and cases awaiting hearing at the Office of Administrative Hearings. Serves as the contact for the National Data Bank reporting.

Licensing, CE, Administration Manager (620-110-4800-008) - Manages and supervises licensing, continuing education, and administrative programs and staff, compiles and analyzes licensing workload statistics, assists applicants and licensees with licensing issues, reviews staff recommendations regarding licensure and continuing education applications and grants or denies approval, monitors development and administration of the California Law and Professional Practices Examination, attends Board and committee meetings, assists AEO and EO with preparation of special reports or projects.

Policy Analyst (620-110-5393-003) – Prepares and compiles all rulemaking documents for the repeal, amendment or adoption of regulations. Identifies, tracks and analyzes legislative bills impacting the Board, acts as Personnel Liaison for Board staff, acts as training coordinator for Board staff, assists management with research and special projects, works with Licensing manager in monitoring and analyzing the Board's budget and preparation of reports for DCA's budget office. Acts as coordinator for the Government Affairs committee. Attends Board and committee meetings.

Administrative Assistant (620-110-5278-001) – Performs administrative tasks for the EO (responds to information requests, emails and telephone inquiries), compiles program statistical reports for EO's report at Board meetings, performs special projects assigned by EO, prioritizes EO's workload and maintains EO's calendar, coordinates EO's travel arrangements and processes travel claims. Prepares Board meeting packets, Board meeting minutes, and operates webcasting equipment at Board and Committee meetings, identifies action items and prepares a prioritized list to the EO and management, recommends agenda items for future board meetings. Coordinates travel arrangements and travel claims for Board members, establishes contracts for meeting accommodations, provides back-up support to Licensing technicians, responds to subpoenas and public records requests, performs fleet management responsibilities, assist with preparation of contracts and interagency agreements for equipment maintenance work.

Board of Chiropractic Examiners Staff Functions

Licensing Analyst (620-110-5157-008) – Processes restoration of cancelled licenses and corporation applications, Makes determinations and recommendations regarding licensure and denial of applicants. Refers cases to the AG's office for a Statement of Issues for applicants whose licensure was denied and decisions were appealed, prepares mail vote ballots to Board members, distributes decision to all parties once adopted by the Board. Serves as Board liaison for Form 700 filings with the Fair and Political Practices Commission, acts as the webmaster for the Board's website, maintains Board's social media sites, and serves as coordinator for the Licensing & Continuing Education Committee meetings.

Licensing Analyst (620-110-5157-007) – Processes reciprocal and initial applications for a Chiropractic License including all supplemental documents relating to background, education and discipline, prepares deficiency and eligibility letters to applicants. Responds to telephone and written inquiries regarding application status, licensing requirements or processes. Makes determinations and recommendations regarding licensure or denial of applicants. Prepares statistical reports to management, refers cases to the AG's office for a Statement of Issues for applicants whose licensure was denied and decisions were appealed, researches and responds to questions by the assigned Deputy Attorney General, prepares and mails vote ballots to Board members, distributes decision to all parties once adopted by the Board. Processes applications for Chiropractic Referral Services, prepares information on newly licensed applicants for ratification at Board meetings.

Licensing Technician (620-110-1139-008) – Processes Satellite Office certificates, renewals, and license verifications. Answers telephones, maintains inventory of equipment and office supplies, compiles board meeting packets, and obtains approval for payment of bills.

Licensing Technician (620-110-1139-009) – Cashiers all monies received by the Board, requests refunds for overpayments, sends underpayment notices to licensees, performs Continuing Education audits, audits renewal statements for practicing with an expired license, processes address changes, front counter support, answers telephones, greets visitors, receives and distributes mail.

CE/Licensing Analyst (620-110-5157-005) – Reviews and processes continuing education provider applications and continuing education course applications and submittal to manager for approval, maintains database of CE providers and courses, prepares information on CE providers for ratification at Board meetings, prepares approval letters for CE providers and CE courses, processes inactive to active license requests, updates CAS with information from death certificates, name and address changes, processes applications for restoration of forfeiture licenses, approves licensees for the preceptor program, prepares monthly statistical reports for the licensing manager.

0152 - Board of Chiropractic Examiners

Analysis of Fund Condition

Updated

7/19/2016

(Dollars in Thousands)

<i>2016-17 Governor's Budget</i>	Actual 2014-15	Budget Act CY 2015-16	Gov's Budget BY 2016-17
BEGINNING BALANCE	\$ 2,923	\$ 3,426	\$ 2,870
Prior Year Adjustment	\$ 8	\$ -	\$ -
Adjusted Beginning Balance	<u>\$ 2,931</u>	<u>\$ 3,426</u>	<u>\$ 2,870</u>
 REVENUES AND TRANSFERS			
Revenues:			
125600 Other regulatory fees	\$ 27	\$ 27	\$ 27
125700 Other regulatory licenses and permits	\$ 168	\$ 179	\$ 175
125800 Renewal fees	\$ 3,282	\$ 3,191	\$ 3,101
125900 Delinquent fees	\$ 49	\$ 49	\$ 49
163000 Income from surplus money investments	\$ 9	\$ 9	\$ 8
172500 Miscellaneous revenues	\$ 8	\$ 8	\$ 8
161900 Other Revenue - Cost Recoveries	\$ -	\$ -	\$ -
164600 Fines and Forfeitures	\$ -	\$ -	\$ -
Totals, Revenues	<u>\$ 3,543</u>	<u>\$ 3,463</u>	<u>\$ 3,368</u>
Transfers from Other Funds			
FO0421 From Vehicle Inspection and Repair Fund per Item 1111-011-0421, Budget Act of 2014	\$ 2,698	\$ -	\$ -
Totals, Revenues and Transfers	<u>\$ 6,241</u>	<u>\$ 3,463</u>	<u>\$ 3,368</u>
Totals, Resources	<u>\$ 9,172</u>	<u>\$ 6,889</u>	<u>\$ 6,238</u>
 EXPENDITURES			
Disbursements:			
1110 Program Expenditures (State Operations)	\$ 3,045	\$ 4,007	\$ -
1111 Program Expenditures (State Operations)	\$ -	\$ -	\$ 4,091
8880 Financial Information System for CA (State Operations)	\$ 3	\$ 12	\$ 5
Government Claims Board and Settlements and Judgements by Department of Justice	\$ 2,698	\$ -	\$ -
Total Disbursements	<u>\$ 5,746</u>	<u>\$ 4,019</u>	<u>\$ 4,096</u>
 FUND BALANCE			
Reserve for economic uncertainties	\$ 3,426	\$ 2,870	\$ 2,142
 Months in Reserve	10.2	8.4	6.2

NOTES:

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN BY+1 AND ON-GOING.
- B. ASSUMES APPROPRIATION GROWTH OF 2% PER YEAR BEGINNING IN BY+1.
- C. ASSUMES INTEREST RATE AT 0.3%.
- D. Does not include \$1,000,000 payment to VIRF for FY 14/15 made in FY 15/16. Does not include planned \$250,000 for FY 15/16 and 16/17.

**BOARD OF CHIROPRACTIC EXAMINERS
LICENSING TRENDS FY 2015/16**

Total Population of Chiropractic Licenses

Month	Total Licenses
July	13,318
August	13,302
September	13,294
October	13,271
November	13,262
December	13,251
January	13,236
February	13,231
March	13,253
April	13,247
May	13,246
June	13,262

New Chiropractic License Issued

Month	Received	Issued
July	23	25
August	24	22
September	12	13
October	19	12
November	20	19
December	38	24
January	49	8
February	31	34
March	15	48
April	22	27
May	44	30
June	33	45

Number of Restored Cancelled Licenses

Month	Received	Issued
July	1	2
August	3	1
September	4	5
October	3	1
November	1	4
December	4	0
January	3	2
February	9	3
March	4	1
April	2	6
May	6	5
June	2	4

New Satellite Office Certificates Issued

Month	Received	Issued
July	103	153
August	123	67
September	108	127
October	91	114
November	111	95
December	98	103
January	110	59
February	150	133
March	113	132
April	197	170
May	149	141
June	168	159

Corporation Registrations Issued

Month	Received	Issued
July	4	4
August	10	8
September	9	7
October	10	10
November	4	5
December	6	5
January	12	11
February	9	6
March	14	13
April	4	10
May	10	6
June	7	7

Licensing Population as of June 30, 2016

License Type	Clear Licenses
Chiropractors	13,262
Satellite Offices	3,955
Corporation Registrations	1,402

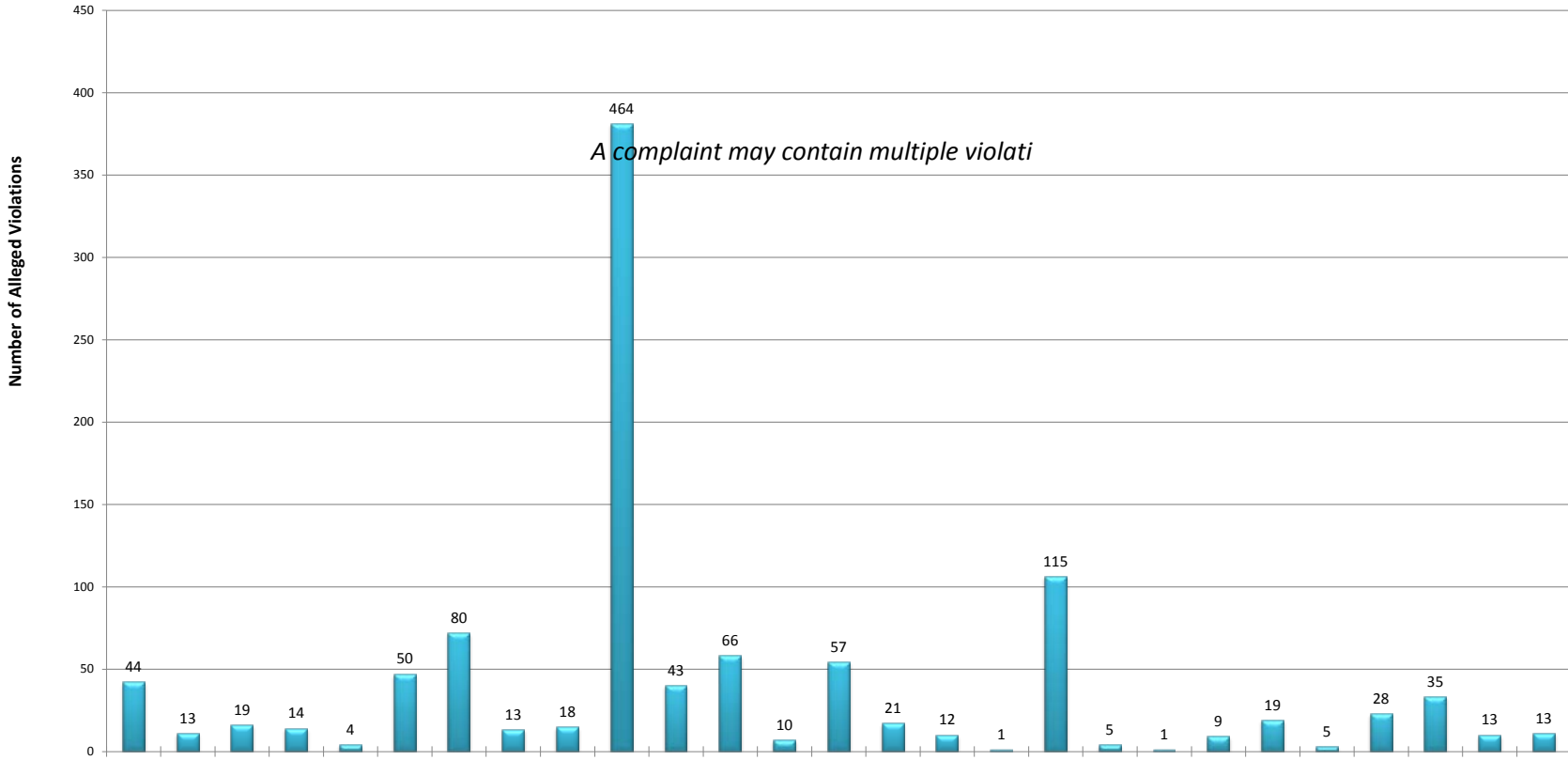
Applications Received and Processed – July 1, 2015 through June 30, 2016

Application Type	Received	Issued	Denied	Pending
Initial	330	307	0	111
Reciprocal	12	7	0	6
Restorations (Cancelled & Forfeiture)	151	128	0	7
Corporation	99	92	3	8

COMPLIANCE UNIT STATS

Fiscal Year	11/12	12/13	13/14	14/15	15/16
<u>COMPLAINTS</u>					
Received	391	386	487	557	581
Pending	125	159	214	270	232
Closed with Insufficient Evidence	89	57	88	57	127
Closed with No Violation	93	84	140	100	97
Closed with Merit	120	95	148	220	235
Letter of Admonishment	1	2	5	3	4
Citations and Fines Issued (Total Fine Amount)	26(\$37,400)	33(\$19,400)	26(\$18,500)	16(\$12,400)	17(\$11,600)
<u>ACCUSATIONS</u>					
Filed	41	34	38	22	31
Pending	99	73	56	64	66
Revoked	14	11	12	9	3
Revocation Stayed: Probation	20	31	15	7	13
Revocation Stayed: Suspension and Probation	12	5	4	2	4
Suspension	0	0	0	0	0
Suspension Stayed: Probation	0	0	0	0	0
Suspension and Probation	0	0	0	0	0
Voluntary Surrender of License	7	11	8	8	9
Dismissed/Withdrawn	21	9	3	3	2
<u>STATEMENT OF ISSUES</u>					
Filed	5	1	5	2	0
Denied	0	0	2	1	0
Probationary License	4	3	1	2	1
Withdrawn	0	1	2	1	0
Granted	0	0	0	1	0
<u>PETITION FOR RECONSIDERATION</u>					
Filed	2	4	3	0	1
Granted	0	0	0	0	0
Denied	0	2	2	0	1
<u>PETITION FOR REINSTATEMENT OF LICENSE</u>					
Filed	7	6	5	8	7
Granted	2	2	1	1	0
Denied	6	5	3	4	7
<u>PETITION FOR EARLY TERMINATION OF PROBATION</u>					
Filed	1	6	11	4	8
Granted	1	1	0	0	1
Denied	1	1	3	5	2
<u>PETITION FOR MODIFICATION OF PROBATION</u>					
Filed	0	0	3	2	3
Granted	0	0	0	1	1
Denied	0	0	1	1	0
<u>PETITION BY BOARD TO REVOKE PROBATION</u>					
File	6	2	11	5	8
Revoked	8	3	5	2	3
<u>PROBATION CASES</u>					
Active	89	139	135	123	104

Fiscal Year 2015/2016
July 1, 2015- June 30, 2016
Total Number of Complaints Opened - 581
Total Number of Alleged Violations - 1,172



Violation Codes/Descriptions

The Chiropractic Initiative Act of California (ACT):

- 10 – Rules of Professional Conduct
- 15 – Noncompliance With and Violations of Act

California Code of Regulations (CCR):

- 302(a) – Scope of Practice
- 302.5 – Use of Laser
- 303 – Filing of Addresses
- 304 – Discipline by Another State
- 308 – Display of License
- 311 – Advertisements
- 312 – Illegal Practice
- 316 – Responsibility for Conduct on Premises
- 317 – Unprofessional Conduct
- 318 – Chiropractic Patient Records/Accountable Billing
- 319 – Free or Discount Services
- 319.1 – Informed Consent
- 361(b) – 24 Hour CE Requirement
- 366 – Continuing Education Audits
- 367.5 – Application, Review of Refusal to Approve (corporations)
- 367.7 – Name of Corporation
- 371(c) – Renewal and Restoration

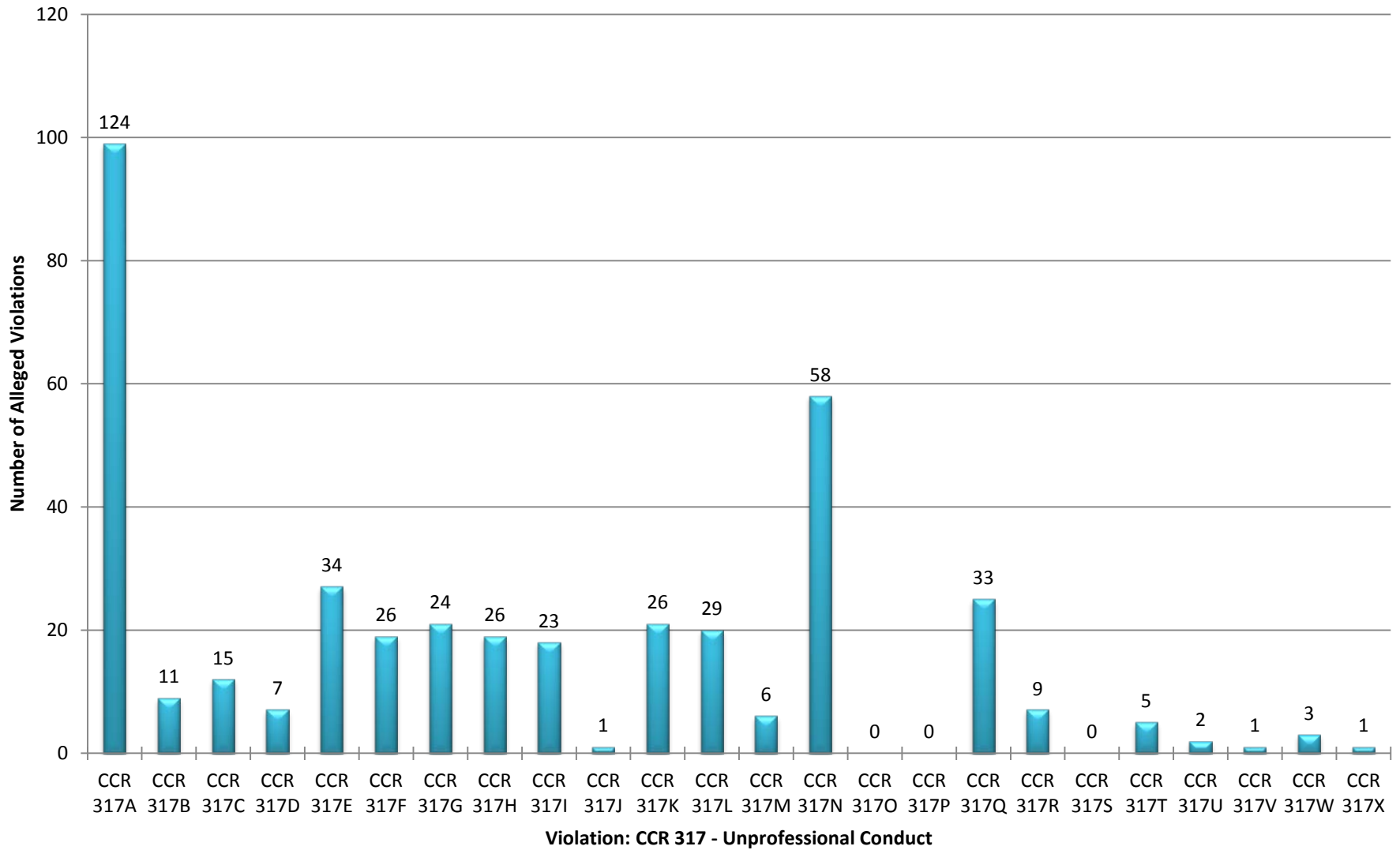
Business and Professions Code (BP):

- 801 (a) – Professional Reporting Requirements (Ins-malpractice settlements)
- 802 (a) – Professional Reporting Requirements (Lic-malpractice settlements)
- 810 – Insurance Fraud
- 1051 – Apply for a Corporation with the Board
- 1054 – Name of Chiropractic Corporation
- 17500 – Unlawful Advertising

Health and Safety Code (HS):

- 123110 – Patient Access to Health Records

Fiscal Year 2015/2016
 July 1, 2015 - June 30, 2016
Number of Complaints Opened Alleging Violation of CCR 317= 464
(A complaint may contain multiple violations)



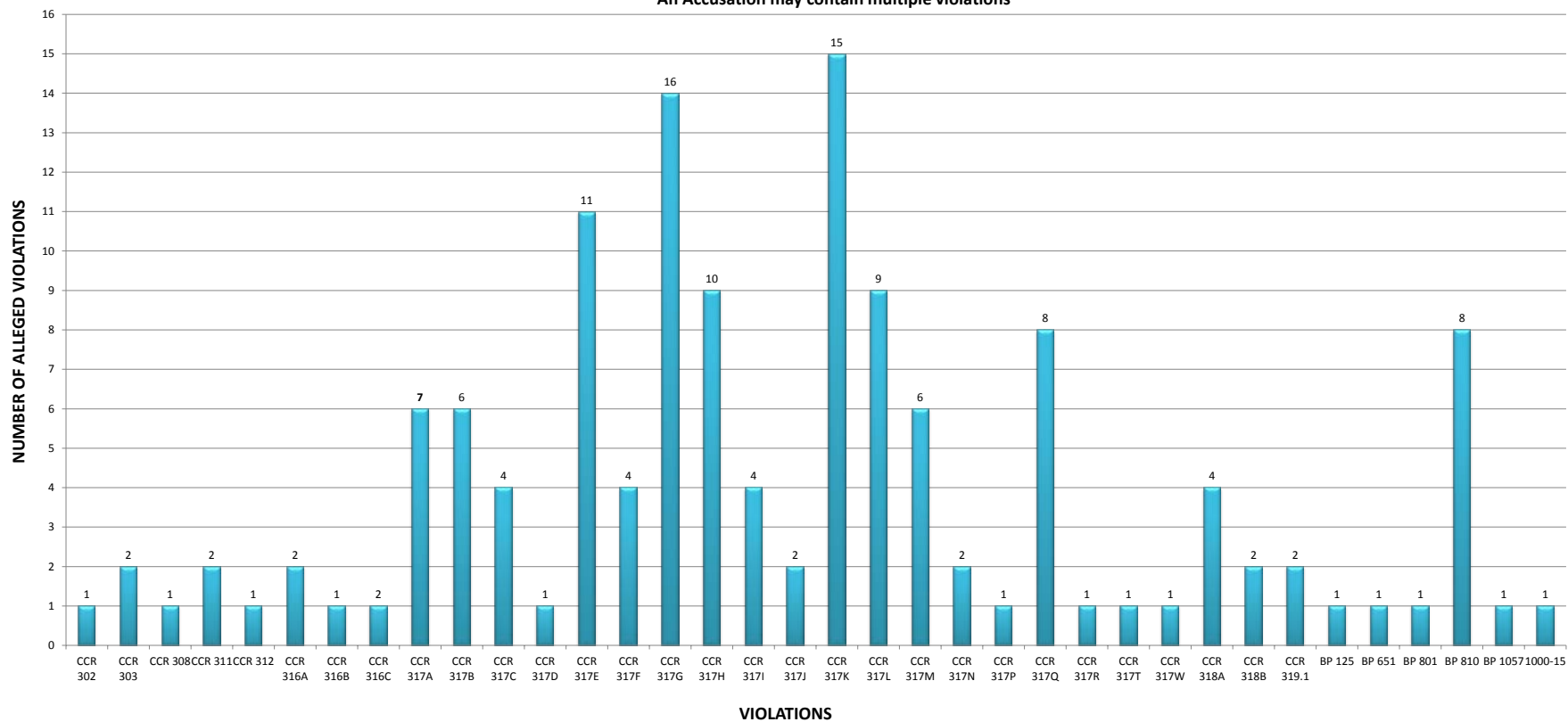
Unprofessional Conduct
Violation Codes/Descriptions

California Code of Regulations (CCR) Section 317 – Unprofessional Conduct:

- (a) Gross Negligence
- (b) Repeated Negligent Acts
- (c) Incompetence
- (d) Excessive Treatment
- (e) Conduct Endangering Public
- (f) Administering to Oneself Drugs/Alcohol
- (g) Conviction of a Crime Related to Chiropractic Duties
- (h) Conviction of a Crime Involving Moral Turpitude/Physical Violence/etc.
- (i) Conviction of a Crime Involving Drugs or Alcohol
- (j) Dispensing Narcotics/Dangerous Drugs/etc.
- (k) Moral Turpitude/Corruption/etc.
- (l) False Representation
- (m) Violation of the ACT/Regulations
- (n) False Statement Given in Connection with an Application for Licensure
- (o) Impersonating an Applicant
- (p) Illegal Advertising related to Violations of Section 17500 BP
- (q) Fraud/Misrepresentation
- (r) Unauthorized Disclosure of Patient Records
- (s) Employment/Use of Cappers or Steerers
- (t) Offer/Receive Compensation for Referral
- (u) Participate in an Illegal Referral Service
- (v) Waiving Deductible or Co-Pay
- (w) Fail to Refer Patient to Physician/Surgeon/etc.
- (x) Offer or Substitution of Spinal Manipulation for Vaccination

Fiscal Year 2015/2016
July 1, 2015- June 30, 2016
Number of Accusations Filed - 31
Total Number of Alleged Violations - 142

An Accusation may contain multiple violations



Subject: FW: Report Request - Sunset Oversight Review 2016-2017
Attachments: BPED Oversight Report Form 2016.doc; Guide for Completing Tables.doc

Memorandum

To: Boards Subject to Sunset Oversight Review by the Legislature in 2016-2017
From: Senate Committee on Business, Professions and Economic Development
Date: July 8, 2016
Subject: Request for Information and Issues to be Addressed for 2016-2017 Sunset Oversight Review

This is to inform you that Sunset Oversight Review will begin in the Fall of 2016. The comprehensive process allows the Legislature to review the laws and regulations pertaining to a board and evaluate its programs and policies; determine whether the board operates and enforces its regulatory responsibilities and is carrying out its statutory duties; and examine fiscal management practices and financial relationships with other agencies. Through Sunset Oversight Review, boards are also evaluated on key performance measures and targets related to the timeliness of action, enforcement and other necessary efforts to serve the needs of California consumers while promoting regulatory efficiency and effectiveness.

Each entity within the DCA (boards, bureaus, programs, commissions, committees) is subject to Sunset Oversight Review at least once every four years, and more often as needed. The following are subject to Sunset Oversight Review for 2016-2017:

Board of Chiropractic Examiners
State Board of Guide Dogs for the Blind
Medical Board of California
California Board of Occupational Therapy
State Board of Optometry
Osteopathic Medical Board of California
Naturopathic Medicine Committee
Physical Therapy Board of California
Respiratory Care Board of California
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
*Board of Registered Nursing (two-year extension pursuant to SB 466 [Hill, Chapter 489, Statutes of 2015]; separate oversight report form provided)
*Board of Vocational Nursing and Psychiatric Technicians (two-year extension pursuant to AB 179 [Bonilla, Chapter 510, Statutes of 2015; separate oversight report form to be provided)

Attached to this email is the "BPED Oversight Report Form" (Report) that should be completed by **December 1, 2016**. This Report provides a snapshot and substantive information about who the board is, who the board licenses, and how the board performs its regulatory functions.

The first sections of the Report provide an overview of the board's current regulatory program, and contain pre-formatted tables and charts to be completed by the board. The latter sections focus on responses by the board to particular issues raised by the individual board or raised during prior Sunset Oversight Review.

Please respond to all questions in the Report, including the tables, charts and appropriate statistical information for the fiscal years indicated. In the event that some information may not pertain to your particular board, please note it on your response, but be sure to include information that is relevant to your activities and programs.

In completing your Report, please note the following:

Section 10 – Board Action and Response to Prior Sunset Issues. This should reflect the board's response to each individual issue and recommendation that was raised during the prior Sunset Oversight Review.

Section 11 – New Issues. This is the board's opportunity to raise new issues and make recommendations. These can reflect statutory or regulatory changes, administrative improvements and efforts or respond to issues impacting the practice or board. The Sunset Oversight Review process allows the board to work collaboratively with the Legislature on all issues impacting the board and profession(s).

Along with the Report Form, you are also being sent a *Guide for Completing Tables in the Oversight Review Questionnaire*. Most of the tables may be completed from data in standard reports that the board already receives. If your board does not use the Department of Consumer Affairs' report and data processes, please report information using the definitions given in the Guide.

Please plan to submit 4 hard copies of the board's final Report. Please also plan to submit an electronic copy (you may submit a PDF version, but we also request a Microsoft Word copy).

Your Report serves as the basis for the Background Paper staff will prepare. Recommendations in the Background Paper may include necessary statutory changes, necessary regulatory changes, administrative and operational changes, budget changes and other reforms.

We will announce the dates for the Sunset Oversight Review hearings in early 2017. Once the hearing dates are set, we request that the board notify its interested parties list of organizations, groups or individuals regarding these public hearings.

If you have any questions about the attached documents or the Sunset Oversight Review process, please contact Sarah Mason of the Senate Committee on Business, Professions and Economic Development at (916) 651-4104.

Sarah Mason

Consultant

Senate Committee on Business, Professions and Economic Development
State Capitol, Room 2053

Sacramento, CA 95814
(916) 651.4104
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Guide for Completing Tables in BP&ED Oversight Review Questionnaire

Table 1a. Attendance

To complete *Table 1a. Attendance*, include the information for each board¹ member who served on the board since the board's last sunset review.

Table 1b. Board/Committee Member Roster

Table 1b. Board/Committee Member Roster, should be completed for each board/committee meeting in the last four complete fiscal years. Each meeting date, location, member name, and meeting type should be noted. Indicate attendance at the meeting with a "yes", absence with a "no", and if they were not a member at the time of the meeting note that with "n/a."

Table 2. Fund Condition

For projected fiscal year revenues and budget authority, please use the numbers included in the most recent Governor's proposed budget. When determining projections for expenditures in future fiscal years, assume reversions based on the percentage reverted in the prior three full fiscal years. When determining months in reserve, one month's expenditure is one-twelfth of the budget authority for the next fiscal year based on the Governor's proposed budget.

Table 3. Expenditure by Program Component

The DCA Budget Office can prepare this table.

Table 4. Fee Schedule and Revenue Table

Include all fees charged by the board. Revenue totals can be obtained from Month 13 Calstars reports. Please report the percentage of revenue based on the most recent full fiscal year results.

Table 6. License² Population

These data elements can be obtained from the Month 13 Calstars report.

Tables 7a. Licensing Data by Type and 7b. Total Licensing Data

¹ "Board" refers to a board, bureau, commission, committee, department, division, program or agency, as applicable.

² "License" includes a license certificate or registration.

Licensing data elements can be obtained from the Licensing for Job Creation (LJC) reports generated by the Department. Boards that self-report the LJC data should use the definitions below when compiling this table.

Table 7a requires initial license and initial exam data input. Each data element has been defined below. It is important to remember that this table only asks for "Initial (first time)" licensure and exam information.

Definitions for Licensing Data (Tables 7a, 7b)	
Application Type	License or Exam application name plus designate if data is for an exam or license (example: ARB (Exam) or ARB (Lic))
Closed	Applicant withdrew application, application was abandoned, or application was denied during the reporting period.
Issued	Represents the number of licenses issued during the reporting period. The term "License" means initial licensure, temporary permits, interim licenses, registrations, and certificates.
Pending Applications (Total as of the close of the fiscal year)	Initial License/Initial Exam applications that have not been approved, issued, or closed. This number should include both applications for which the board is waiting on material from the applicant (incomplete applications) AND applications that the board has not reviewed yet.
Pending Applications outside of the board control: Incomplete)	A subset of "Pending Applications" – This is all applications that do not, upon initial submission, contain all necessary documents for examination eligibility and/or initial license and the board has advised the applicant. This entry is optional, and should be listed if tracked by the board.
Pending Applications within the board control: Complete)	A subset of "Pending Applications" – This is all applications that the board is working on which are not incomplete (missing information from the applicant). This entry is optional, and should be listed if tracked by the board.
Cycle Time/Processing Time (complete app)	Total days to process complete initial license/initial exam applications (applicant submitted all paperwork required). This is the timeframe from when the board received the application for initial exam and/or initial licensure to the time the application was approved for exam eligibility or license issuance.

Definitions for Licensing Data (Tables 7a, 7b)	
Cycle Time/Processing Time (incomplete app)	Total days to process incomplete initial license/initial exam applications (applicant still owes the board documentation/information to complete the application). This means the application was deficient at some point during the approval process. This is the timeframe from when the board received the application for initial exam and/or initial licensure to the time the application was approved for exam eligibility or license issuance.
Cycle Time/Processing Time (Combined: Complete/Incomplete)	This is a weighted average of days to process applications (Combined initial license/initial exam applications). If the board is unable to separate the processing time, then a combined time for all applications should be entered. This is the timeframe from when the board received the application for initial exam and/or initial licensure to the time the application was approved for exam eligibility or license issuance.

Table 8. Examination Data

This data is generated internally by each board.

Tables 9a, 9b, 9c. Enforcement Statistics

The following CAS reports will provide most of the enforcement data needed to complete Tables 9a, 9b, and 9c: EM 10, 091, 096 and 095. However, additional reports may be needed.

Boards that do not use the CAS enforcement modules, please use the “Definitions for Enforcement Data” below

Definitions for Enforcement Data (Tables 9a, 9b, 9c)	
COMPLAINTS	Cases that are generated by consumer complaints, internal complaints and referrals from other agencies.
Received	Total count of complaints received by the board.
Closed	Total count of complaints closed, and NOT referred for investigation, by the board.
Referred to Investigation	Total count of complaints referred to Investigation (either Desk Investigation, Non-Sworn Investigation, or Sworn Investigation).

Average Time to Close	Cycle time; from complaint received to complaint closed OR referred to investigation. Calculated in days.
Pending (close of FY)	Total count of complaints which have been received by the board, but have not yet been closed or referred to investigation.
CONVICTIONS/ARRESTS	Cases generated by criminal history reports.
CONV Received	Total count of convictions received by the board.
CONV Closed	Total count of convictions closed by the board or referred for investigation.
Average Time to Close	Cycle time; from convictions received to complaint closed OR referred to investigation. Calculated in days.
CONV Pending (close of FY)	Total count of convictions which have been received by the board, but have not yet been closed or referred to investigation.
ALL INVESTIGATIONS	When a case is assigned to investigation.
First Assigned	Total number of initial assignments to investigation (Desk, Non-Sworn, or Sworn).
Closed	Total number of Investigations (Desk, Non-Sworn and/or Sworn) which are closed.
Average days to close	Cycle time; from when the case was received as a complaint, to when it is closed at the Desk, Non-Sworn, or Sworn investigation level.
Pending (close of FY)	Total count of Investigations which have been received by the board, but have not yet been closed or referred to further investigation.
Desk Investigations	When a case is assigned to an analyst for desk review.
Closed	Total count of Desk Investigations closed by the board.
Average Time to Close	Cycle time; from the dated when the Desk Investigation was received as a complaint, to the dated when it is closed OR referred to further investigation. Calculated in days.

Pending (close of FY)	Total count of Desk Investigations which have been received by the board, but have not yet been closed or referred to further investigation.
Non-Sworn Investigation	When a case is assigned for field investigation by an investigator who is NOT a sworn peace officer.
Closed	Total count of Non-Sworn Investigations closed by the board.
Average Days to Close	Cycle time; from the date when the Non-Sworn Investigations was received as a complaint, to the date when it is closed OR referred to further investigation. Calculated in days.
Pending (close of FY)	Total count of Non-Sworn Investigations which have been received by the board, but have not yet been closed or referred to further investigation.
Sworn Investigation	When a case is assigned for field investigation by an investigator who IS a sworn peace officer.
Closed	Total count of Sworn Investigations closed by the board.
Average days to close	Cycle time; from the date when the Sworn Investigation was received as a complaint, to the date when it is closed OR referred to further investigation. Calculated in days.
Pending (close of FY)	Total count of Sworn Investigations which have been received by the board, but have not yet been closed or referred to further investigation.
LICENSE DENIALS	
License Applications Denied	Number of License Denials Issued
SOIs	Statement Of Issues
SOIs Filed	Total count of SOIs filed.
SOIs Withdrawn	Total count of SOIs withdrawn.
SOIs Dismissed	Total count of SOIs dismissed.
SOIs Declined	Total count of SOIs declined.

Average Days SOI	Cycle time; from the date the case was received as a complaint to the date when the SOI was issued. Calculated in days.
ACCUSATIONS	
Accusations Filed	Total count of Accusations filed.
Accusations Withdrawn	Total count of Accusations withdrawn.
Accusations Dismissed	Total count of Accusations dismissed.
Accusations Declined	Total count of Accusations declined.
Average Days Accusations	Cycle time; from the date the case was received as a complaint to the date when the Accusation was issued. Calculated in days.
DISCIPLINE	
Disciplinary Actions	
Proposed/Default Decisions	Total count of Proposed/Default Decisions filed.
Stipulations	Total count of Stipulations filed.
Average Days to Complete	Cycle time; from the date the case was received as a complaint to the date when the Disciplinary Order was issued. Calculated in days.
AG Cases Initiated	Total count of cases referred to the Attorney General.
AG Cases Pending (close of FY)	Total count of cases pending at the AG.
ISO	Total count of Interim Suspension Orders (ISOs) issued.
Disciplinary Outcomes	
Revocation	Total count of Disciplinary Orders to revoke a license.
Voluntary Surrender	Total count of Disciplinary Orders to surrender a license.

Suspension	Total count of Disciplinary Orders requiring only the Suspension of a license.
Probation with Suspension	Total count of Disciplinary Orders requiring both Suspension of a License and Probation.
Probation	Total count of Disciplinary Orders requiring only the Probation of a license.
Probationary License Issued	Total count of Probationary Licenses issued.
Compliance Actions	
ISO & TRO Issued	Total count of Interim Suspension Orders & Temporary Restraining Orders issued.
PC 23 Orders Requested	Total count of Cease Practice Orders sought per Penal Code Section 23.
Public Letter of Reprimand	Total count of Public Letters of Reprimand issued.
Cease & Desist/Warning	Total count of Cease & Desist or Warning Letters issued.
Referred for Diversion	Total count of individuals referred to the board's Diversion Program.
Compel Examination	Total count of orders compelling a Physical or Mental Examination.
CITATIONS & FINES	
Citations Issued	Total count of Citations issued.
Average Days to Complete	Cycle time; from the date the case was received as a complaint to the date when the citation was issued. Calculated in days.
Amount of Fines Assessed	Total amount of fines assessed.
Reduced, Withdrawn, Dismissed	Total count of fines reduced and citations withdrawn or dismissed.
Amount Collected	Total amount of revenue generated by collection of fines.
PROBATION	

New Probationers	Total count of individuals beginning probation.
Probations Successfully Completed	Total count of individuals who successfully completed probation.
Probationers (close of FY)	Total count of probationers as of the close of the fiscal year.
Petitions to Revoke Probation	Total count of petitions filed to revoke a probation order.
Probations Revoked	Total count of individuals whose licenses were revoked due to probation violations.
Probations Extended	Total count of individuals whose probations were extended.
Probationers Subject to Drug Testing	Total count of probationers required to be tested for drugs.
Drug Tests Ordered	Total count of drug tests ordered.
Positive Drug Tests	Total count of positive drug tests.
Petition for Reinstatement Granted	Total count of those probationers that have been granted reinstatement in the fiscal year.

Table 11. Cost Recovery

This data is generated internally by each board.

Table 12. Restitution

This data is generated internally by each board.

[BOARD NAME]

BACKGROUND INFORMATION AND OVERVIEW OF THE CURRENT REGULATORY PROGRAM

As of [date]

Section 1

Background and Description of the Board and Regulated Profession

Provide a short explanation of the history and function of the board.¹ Describe the occupations/profession that are licensed and/or regulated by the board (Practice Acts vs. Title Acts).

1. Describe the make-up and functions of each of the board's committees (cf., Section 12, Attachment B).

Table 1a. Attendance			
[Enter board member name]			
Date Appointed:	[Enter date appointed]		
Meeting Type	Meeting Date	Meeting Location	Attended?
Meeting 1	[Enter Date]	[Enter Location]	[Y/N]
Meeting 2	[Enter Date]	[Enter Location]	[Y/N]
Meeting 3	[Enter Date]	[Enter Location]	[Y/N]
Meeting 4	[Enter Date]	[Enter Location]	[Y/N]

Table 1b. Board/Committee Member Roster					
Member Name (Include Vacancies)	Date First Appointed	Date Re-appointed	Date Term Expires	Appointing Authority	Type (public or professional)

2. In the past four years, was the board unable to hold any meetings due to lack of quorum? If so, please describe. Why? When? How did it impact operations?
3. Describe any major changes to the board since the last Sunset Review, including, but not limited to:
 - Internal changes (i.e., reorganization, relocation, change in leadership, strategic planning)

¹The term "board" in this document refers to a board, bureau, commission, committee, department, division, program, or agency, as applicable. Please change the term "board" throughout this document to appropriately refer to the entity being reviewed.

- All legislation sponsored by the board and affecting the board since the last sunset review.
 - All regulation changes approved by the board the last sunset review. Include the status of each regulatory change approved by the board.
4. Describe any major studies conducted by the board (cf. Section 12, Attachment C).
 5. List the status of all national associations to which the board belongs.
 - Does the board's membership include voting privileges?
 - List committees, workshops, working groups, task forces, etc., on which board participates.
 - How many meetings did board representative(s) attend? When and where?
 - If the board is using a national exam, how is the board involved in its development, scoring, analysis, and administration?

**Section 2
Performance Measures and Customer Satisfaction Surveys**

6. Provide each quarterly and annual performance measure report for the board as published on the DCA website
7. Provide results for each question in the board's customer satisfaction survey broken down by fiscal year. Discuss the results of the customer satisfaction surveys.

**Section 3
Fiscal and Staff**

Fiscal Issues

8. Is the board's fund continuously appropriated? If yes, please cite the statute outlining this continuous appropriation.
9. Describe the board's current reserve level, spending, and if a statutory reserve level exists.
10. Describe if/when a deficit is projected to occur and if/when fee increase or reduction is anticipated. Describe the fee changes (increases or decreases) anticipated by the board.

Table 2. Fund Condition						
(Dollars in Thousands)	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	FY 2016/17	FY 2017/18
Beginning Balance						
Revenues and Transfers						
Total Revenue	\$	\$	\$	\$	\$	\$
Budget Authority						
Expenditures						
Loans to General Fund						
Accrued Interest, Loans to General Fund						
Loans Repaid From General Fund						

Fund Balance	\$	\$	\$	\$	\$	\$
Months in Reserve						

- Describe the history of general fund loans. When were the loans made? When have payments been made to the board? Has interest been paid? What is the remaining balance?
- Describe the amounts and percentages of expenditures by program component. Use *Table 3. Expenditures by Program Component* to provide a breakdown of the expenditures by the board in each program area. Expenditures by each component (except for pro rata) should be broken out by personnel expenditures and other expenditures.

Table 3. Expenditures by Program Component								(list dollars in thousands)	
	FY 2012/13		FY 2013/14		FY 2014/15		FY 2015/16		
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	
Enforcement									
Examination									
Licensing									
Administration *									
DCA Pro Rata									
Diversion (if applicable)									
TOTALS	\$	\$	\$	\$	\$	\$	\$	\$	

*Administration includes costs for executive staff, board, administrative support, and fiscal services.

- Describe the amount the board has contributed to the BreEZe program. What are the anticipated BreEZe costs the board has received from DCA?
- Describe license renewal cycles and history of fee changes in the last 10 years. Give the fee authority (Business and Professions Code and California Code of Regulations citation) for each fee charged by the board.

Table 4. Fee Schedule and Revenue								(list revenue dollars in thousands)	
Fee	Current Fee Amount	Statutory Limit	FY 2012/13 Revenue	FY 2013/14 Revenue	FY 2014/15 Revenue	FY 2015/16 Revenue	% of Total Revenue		

- Describe Budget Change Proposals (BCPs) submitted by the board in the past four fiscal years.

Table 5. Budget Change Proposals (BCPs)				
BCP ID #	Fiscal	Description of	Personnel Services	OE&E

	Year	Purpose of BCP	# Staff Requested (include classification)	# Staff Approved (include classification)	\$ Requested	\$ Approved	\$ Requested	\$ Approved

Staffing Issues

16. Describe any board staffing issues/challenges, i.e., vacancy rates, efforts to reclassify positions, staff turnover, recruitment and retention efforts, succession planning.
17. Describe the board's staff development efforts and how much is spent annually on staff development (cf., Section 12, Attachment D).

Section 4 Licensing Program

18. What are the board's performance targets/expectations for its licensing² program? Is the board meeting those expectations? If not, what is the board doing to improve performance?
19. Describe any increase or decrease in the board's average time to process applications, administer exams and/or issue licenses. Have pending applications grown at a rate that exceeds completed applications? If so, what has been done by the board to address them? What are the performance barriers and what improvement plans are in place? What has the board done and what is the board going to do to address any performance issues, i.e., process efficiencies, regulations, BCP, legislation?
20. How many licenses or registrations does the board issue each year? How many renewals does the board issue each year?

Table 6. Licensee Population					
		FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16
[Enter License Type]	Active				
	Out-of-State				
	Out-of-Country				
	Delinquent				
[Enter License Type]	Active				
	Out-of-State				
	Out-of-Country				
	Delinquent				
[Enter License Type]	Active				
	Out-of-State				
	Out-of-Country				
	Delinquent				
[Enter License Type]	Active				
	Out-of-State				

² The term "license" in this document includes a license certificate or registration.

	Out-of-Country			
	Delinquent			

Table 7a. Licensing Data by Type

Application Type	Received	Approved	Closed	Issued	Pending Applications			Cycle Times		
					Total (Close of FY)	Outside Board control*	Within Board control*	Complete Apps	Incomplete Apps	combined, IF unable to separate out
FY 2013/14	(Exam)				-	-	-	-	-	-
	(License)				-	-	-	-	-	-
	(Renewal)			n/a	-	-	-	-	-	-
FY 2014/15	(Exam)									
	(License)									
	(Renewal)			n/a						
FY 2015/16	(Exam)									
	(License)									
	(Renewal)			n/a						

* Optional. List if tracked by the board.

Table 7b. Total Licensing Data

	FY 2013/14	FY 2014/15	FY 2015/16
Initial Licensing Data:			
Initial License/Initial Exam Applications Received			
Initial License/Initial Exam Applications Approved			
Initial License/Initial Exam Applications Closed			
License Issued			
Initial License/Initial Exam Pending Application Data:			
Pending Applications (total at close of FY)			
Pending Applications (outside of board control)*			
Pending Applications (within the board control)*			
Initial License/Initial Exam Cycle Time Data (WEIGHTED AVERAGE):			
Average Days to Application Approval (All - Complete/Incomplete)			
Average Days to Application Approval (incomplete applications)*			
Average Days to Application Approval (complete applications)*			
License Renewal Data:			
License Renewed			

* Optional. List if tracked by the board.

21. How does the board verify information provided by the applicant?
- What process does the board use to check prior criminal history information, prior disciplinary actions, or other unlawful acts of the applicant?
 - Does the board fingerprint all applicants?
 - Have all current licensees been fingerprinted? If not, explain.
 - Is there a national databank relating to disciplinary actions? Does the board check the national databank prior to issuing a license? Renewing a license?
 - Does the board require primary source documentation?
22. Describe the board's legal requirement and process for out-of-state and out-of-country applicants to obtain licensure.
23. Describe the board's process, if any, for considering military education, training, and experience for purposes of licensing or credentialing requirements, including college credit equivalency.
- Does the board identify or track applicants who are veterans? If not, when does the board expect to be compliant with BPC § 114.5?
 - How many applicants offered military education, training or experience towards meeting licensing or credentialing requirements, and how many applicants had such education, training or experience accepted by the board?
 - What regulatory changes has the board made to bring it into conformance with BPC § 35?
 - How many licensees has the board waived fees or requirements for pursuant to BPC § 114.3, and what has the impact been on board revenues?
 - How many applications has the board expedited pursuant to BPC § 115.5?
24. Does the board send No Longer Interested notifications to DOJ on a regular and ongoing basis? Is this done electronically? Is there a backlog? If so, describe the extent and efforts to address the backlog.

Examinations

Table 8. Examination Data			
California Examination (include multiple language) if any:			
	License Type		
	Exam Title		
FY 2012/13	# of 1 st Time Candidates		
	Pass %		
FY 2013/14	# of 1 st Time Candidates		
	Pass %		
FY 2014/15	# of 1 st Time Candidates		
	Pass %		
FY 2015/16	# of 1 st time Candidates		
	Pass %		
	Date of Last OA		
	Name of OA Developer		

Target OA Date				
National Examination (include multiple language) if any:				
License Type				
Exam Title				
FY 2012/13	# of 1 st Time Candidates			
	Pass %			
FY 2013/14	# of 1 st Time Candidates			
	Pass %			
FY 2014/15	# of 1 st Time Candidates			
	Pass %			
FY 2015/16	# of 1 st time Candidates			
	Pass %			
Date of Last OA				
Name of OA Developer				
Target OA Date				

25. Describe the examinations required for licensure. Is a national examination used? Is a California specific examination required? Are examinations offered in a language other than English?
26. What are pass rates for first time vs. retakes in the past 4 fiscal years? (*Refer to Table 8: Examination Data*) Are pass rates collected for examinations offered in a language other than English?
27. Is the board using computer based testing? If so, for which tests? Describe how it works. Where is it available? How often are tests administered?
28. Are there existing statutes that hinder the efficient and effective processing of applications and/or examinations? If so, please describe.

School approvals

29. Describe legal requirements regarding school approval. Who approves your schools? What role does BPPE have in approving schools? How does the board work with BPPE in the school approval process?
30. How many schools are approved by the board? How often are approved schools reviewed? Can the board remove its approval of a school?
31. What are the board's legal requirements regarding approval of international schools?

Continuing Education/Competency Requirements

32. Describe the board's continuing education/competency requirements, if any. Describe any changes made by the board since the last review.
- How does the board verify CE or other competency requirements?
 - Does the board conduct CE audits of licensees? Describe the board's policy on CE audits.
 - What are consequences for failing a CE audit?
 - How many CE audits were conducted in the past four fiscal years? How many fails? What is the percentage of CE failure?

- e. What is the board's course approval policy?
- f. Who approves CE providers? Who approves CE courses? If the board approves them, what is the board application review process?
- g. How many applications for CE providers and CE courses were received? How many were approved?
- h. Does the board audit CE providers? If so, describe the board's policy and process.
- i. Describe the board's effort, if any, to review its CE policy for purpose of moving toward performance based assessments of the licensee's continuing competence.

**Section 5
Enforcement Program**

- 33. What are the board's performance targets/expectations for its enforcement program? Is the board meeting those expectations? If not, what is the board doing to improve performance?
- 34. Explain trends in enforcement data and the board's efforts to address any increase in volume, timeframes, ratio of closure to pending cases, or other challenges. What are the performance barriers? What improvement plans are in place? What has the board done and what is the board going to do to address these issues, i.e., process efficiencies, regulations, BCP, legislation?

Table 9a. Enforcement Statistics			
	FY 2013/14	FY 2014/15	FY 2015/16
COMPLAINT			
Intake			
Received			
Closed			
Referred to INV			
Average Time to Close			
Pending (close of FY)			
Source of Complaint			
Public			
Licensee/Professional Groups			
Governmental Agencies			
Other			
Conviction / Arrest			
CONV Received			
CONV Closed			
Average Time to Close			
CONV Pending (close of FY)			
LICENSE DENIAL			
License Applications Denied			
SOIs Filed			
SOIs Withdrawn			
SOIs Dismissed			
SOIs Declined			
Average Days SOI			
ACCUSATION			
Accusations Filed			

Accusations Withdrawn			
Accusations Dismissed			
Accusations Declined			
Average Days Accusations			
Pending (close of FY)			

Table 9b. Enforcement Statistics (continued)			
	FY 2013/14	FY 2014/15	FY 2015/16
DISCIPLINE			
Disciplinary Actions			
Proposed/Default Decisions			
Stipulations			
Average Days to Complete			
AG Cases Initiated			
AG Cases Pending (close of FY)			
Disciplinary Outcomes			
Revocation			
Voluntary Surrender			
Suspension			
Probation with Suspension			
Probation			
Probationary License Issued			
Other			
PROBATION			
New Probationers			
Probations Successfully Completed			
Probationers (close of FY)			
Petitions to Revoke Probation			
Probations Revoked			
Probations Modified			
Probations Extended			
Probationers Subject to Drug Testing			
Drug Tests Ordered			
Positive Drug Tests			
Petition for Reinstatement Granted			
DIVERSION			
New Participants			
Successful Completions			
Participants (close of FY)			
Terminations			
Terminations for Public Threat			
Drug Tests Ordered			
Positive Drug Tests			

Table 9c. Enforcement Statistics (continued)			
	FY 2013/14	FY 2014/15	FY 2015/16
INVESTIGATION			
All Investigations			
First Assigned			
Closed			
Average days to close			
Pending (close of FY)			
Desk Investigations			
Closed			
Average days to close			
Pending (close of FY)			
Non-Sworn Investigation			
Closed			
Average days to close			
Pending (close of FY)			
Sworn Investigation			
Closed			
Average days to close			
Pending (close of FY)			
COMPLIANCE ACTION			
ISO & TRO Issued			
PC 23 Orders Requested			
Other Suspension Orders			
Public Letter of Reprimand			
Cease & Desist/Warning			
Referred for Diversion			
Compel Examination			
CITATION AND FINE			
Citations Issued			
Average Days to Complete			
Amount of Fines Assessed			
Reduced, Withdrawn, Dismissed			
Amount Collected			
CRIMINAL ACTION			
Referred for Criminal Prosecution			

Table 10. Enforcement Aging						
	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	Cases Closed	Average %
Attorney General Cases (Average %)						
Closed Within:						
1 Year						
2 Years						
3 Years						
4 Years						
Over 4 Years						
Total Cases Closed						
Investigations (Average %)						
Closed Within:						
90 Days						
180 Days						
1 Year						
2 Years						
3 Years						
Over 3 Years						
Total Cases Closed						

35. What do overall statistics show as to increases or decreases in disciplinary action since last review?
36. How are cases prioritized? What is the board's compliant prioritization policy? Is it different from DCA's *Complaint Prioritization Guidelines for Health Care Agencies* (August 31, 2009)? If so, explain why.
37. Are there mandatory reporting requirements? For example, requiring local officials or organizations, or other professionals to report violations, or for civil courts to report to the board actions taken against a licensee. Are there problems with the board receiving the required reports? If so, what could be done to correct the problems?
- What is the dollar threshold for settlement reports received by the board?
 - What is the average dollar amount of settlements reported to the board?
38. Describe settlements the board, and Office of the Attorney General on behalf of the board, enter into with licensees.
- What is the number of cases, pre-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?
 - What is the number of cases, post-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?
 - What is the overall percentage of cases for the past four years that have been settled rather than resulted in a hearing?
39. Does the board operate with a statute of limitations? If so, please describe and provide citation. If so, how many cases have been lost due to statute of limitations? If not, what is the board's policy on statute of limitations?
40. Describe the board's efforts to address unlicensed activity and the underground economy.

Cite and Fine

41. Discuss the extent to which the board has used its cite and fine authority. Discuss any changes from last review and describe the last time regulations were updated and any changes that were made. Has the board increased its maximum fines to the \$5,000 statutory limit?
42. How is cite and fine used? What types of violations are the basis for citation and fine?
43. How many informal office conferences, Disciplinary Review Committees reviews and/or Administrative Procedure Act appeals of a citation or fine in the last 4 fiscal years?
44. What are the 5 most common violations for which citations are issued?
45. What is average fine pre- and post- appeal?
46. Describe the board's use of Franchise Tax Board intercepts to collect outstanding fines.

Cost Recovery and Restitution

47. Describe the board's efforts to obtain cost recovery. Discuss any changes from the last review.
48. How many and how much is ordered by the board for revocations, surrenders and probationers? How much do you believe is uncollectable? Explain.
49. Are there cases for which the board does not seek cost recovery? Why?
50. Describe the board's use of Franchise Tax Board intercepts to collect cost recovery.
51. Describe the board's efforts to obtain restitution for individual consumers, any formal or informal board restitution policy, and the types of restitution that the board attempts to collect, i.e., monetary, services, etc. Describe the situation in which the board may seek restitution from the licensee to a harmed consumer.

Table 11. Cost Recovery (list dollars in thousands)				
	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16
Total Enforcement Expenditures				
Potential Cases for Recovery *				
Cases Recovery Ordered				
Amount of Cost Recovery Ordered				
Amount Collected				
* "Potential Cases for Recovery" are those cases in which disciplinary action has been taken based on violation of the license practice act.				

Table 12. Restitution (list dollars in thousands)				
	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16
Amount Ordered				
Amount Collected				

Section 6

Public Information Policies

52. How does the board use the internet to keep the public informed of board activities? Does the board post board meeting materials online? When are they posted? How long do they remain on

the board's website? When are draft meeting minutes posted online? When does the board post final meeting minutes? How long do meeting minutes remain available online?

53. Does the board webcast its meetings? What is the board's plan to webcast future board and committee meetings? How long do webcast meetings remain available online?
54. Does the board establish an annual meeting calendar, and post it on the board's web site?
55. Is the board's complaint disclosure policy consistent with DCA's *Recommended Minimum Standards for Consumer Complaint Disclosure*? Does the board post accusations and disciplinary actions consistent with DCA's *Web Site Posting of Accusations and Disciplinary Actions* (May 21, 2010)?
56. What information does the board provide to the public regarding its licensees (i.e., education completed, awards, certificates, certification, specialty areas, disciplinary action, etc.)?
57. What methods are used by the board to provide consumer outreach and education?

Section 7 Online Practice Issues

58. Discuss the prevalence of online practice and whether there are issues with unlicensed activity. How does the board regulate online practice? Does the board have any plans to regulate internet business practices or believe there is a need to do so?

Section 8 Workforce Development and Job Creation

59. What actions has the board taken in terms of workforce development?
60. Describe any assessment the board has conducted on the impact of licensing delays.
61. Describe the board's efforts to work with schools to inform potential licensees of the licensing requirements and licensing process.
62. Describe any barriers to licensure and/or employment the board believes exist.
63. Provide any workforce development data collected by the board, such as:
 - a. Workforce shortages
 - b. Successful training programs.

Section 9 Current Issues

64. What is the status of the board's implementation of the Uniform Standards for Substance Abusing Licensees?
65. What is the status of the board's implementation of the Consumer Protection Enforcement Initiative (CPEI) regulations?
66. Describe how the board is participating in development of BreEZe and any other secondary IT issues affecting the board.

- a. Is the board utilizing BreEZe? What Release was the board included in? What is the status of the board's change requests?
- b. If the board is not utilizing BreEZe, what is the board's plan for future IT needs? What discussions has the board had with DCA about IT needs and options? What is the board's understanding of Release 3 boards? Is the board currently using a bridge or workaround system?

Section 10

Board Action and Response to Prior Sunset Issues

Include the following:

1. Background information concerning the issue as it pertains to the board.
2. Short discussion of recommendations made by the Committees during prior sunset review.
3. What action the board took in response to the recommendation or findings made under prior sunset review.
4. Any recommendations the board has for dealing with the issue, if appropriate.

Section 11

New Issues

This is the opportunity for the board to inform the Committees of solutions to issues identified by the board and by the Committees. Provide a short discussion of each of the outstanding issues, and the board's recommendation for action that could be taken by the board, by DCA or by the Legislature to resolve these issues (i.e., policy direction, budget changes, legislative changes) for each of the following:

1. Issues that were raised under prior Sunset Review that have not been addressed.
2. New issues that are identified by the board in this report.
3. New issues not previously discussed in this report.
4. New issues raised by the Committees.

Section 12

Attachments

Please provide the following attachments:

- A. Board's administrative manual.
- B. Current organizational chart showing relationship of committees to the board and membership of each committee (cf., Section 1, Question 1).

- C. Major studies, if any (cf., Section 1, Question 4).
- D. Year-end organization charts for last four fiscal years. Each chart should include number of staff by classifications assigned to each major program area (licensing, enforcement, administration, etc.) (cf., Section 3, Question 15).

Section 13 Board Specific Issues

THIS SECTION ONLY APPLIES TO SPECIFIC BOARDS, AS INDICATED BELOW.

Diversion

Discuss the board's diversion program, the extent to which it is used, the outcomes of those who participate and the overall costs of the program compared with its successes.

Diversion Evaluation Committees (DEC) (for BRN and Osteo only)

1. DCA contracts with a vendor to perform probation monitoring services for licensees with substance abuse problems, why does the board use DEC? What is the value of a DEC?
2. What is the membership/makeup composition?
3. Did the board have any difficulties with scheduling DEC meetings? If so, describe why and how the difficulties were addressed.
4. Does the DEC comply with the Open Meetings Act?
5. How many meetings held in each of the last three fiscal years?
6. Who appoints the members?
7. How many cases (average) at each meeting?
8. How many pending? Are there backlogs?
9. What is the cost per meeting? Annual cost?
10. How is DEC used? What types of cases are seen by the DEC?
11. How many DEC recommendations have been rejected by the board in the past four fiscal years (broken down by year)?