

# Department of Regulatory Agencies

## July 2015 Performance Evaluation

### Strategic Policy Initiatives

The Department of Regulatory Agencies has identified several strategic initiatives for FY 2014-15 and beyond. For this performance evaluation, the Department has updated progress on the selected initiatives used in the November 3, 2014 Annual Performance Report that best capture some of the Department's strategic and operational priorities, and reflect the overall direction as identified by Department leadership. The updates reflect data as of June 30, 2015.

Additional detail for these, and other, strategic policy initiatives is available in the Department's Performance Plan, which may be accessed [here](#).

**Public Trust and Confidence is Increased – DORA provides reasonable and conscientious regulation. The Department is a recognized leader in the creation and sustainment of a fair, competitive and business friendly regulatory environment, including acting in the public interest in and for Colorado.**

Goals include engaging stakeholders to achieve reduced regulatory burdens; transparent regulatory and legislative agendas; fees that are the minimum necessary and understandable; a customer centric, easily navigable web-site that enables on-line transactions and is built with customer input; and savings and efficiencies that are recognized by a positive impact on customers, including regulated professionals and businesses.

**Public Protection is Enforced – DORA brings value to the marketplace, and regulatory program processes are streamline, standardized, consistently improve, and leverage technology.**

Goals aim to shift mind-sets away from rigid "discipline and enforcement" including development of collaborative, cross-division "core" best practices, resources and training for investigation and inspection functions; reduced complaint response and resolution times; attainment of high profile expectations, with confidence; more efficient investigation, inspection and institutional examination processes; broadened use of automation and enterprise solutions for departmental licensing, renewals and registrations functions; and expanded use of internal, expedited settlement processes to reduce time and expenses of enforcement programs.

**Regulatory Activities and Economic Development are Connected – The Department builds professional partnerships, and conducts outreach to create relationships that enable government to positively influence the Colorado economy.**

Goals include demonstrating clear, institutionalized mechanisms for rules reviews and utilization of customer feedback and stakeholder involvement in decision making processes. A common sense regulatory model exists, comprised of analyses, reviews and actions resulting in reliable and reasonable rates, fees, and fines, recognizing reductions and savings when possible; reflecting the department's commitment to providing tangible economic benefits to the marketplace in relation to investments made to support the regulatory programs managed by DORA.

**Government is Accessible and Responsive – DORA enhances professional development for a high quality, customer centric workforce by creating a robust workforce development and engagement foundation to maximize employee success, department efficiencies and access, and ultimately, the customer**

# Department of Regulatory Agencies

## July 2015 Performance Evaluation

experience.

DORA consistently utilizes Lean and customer feedback in attaining its goals, that include defining, establishing and sustaining a "platinum level" customer experience; creating the DORA Supervisor Leadership Academy for all department supervisors; and ensuring employees have the resources to improve their careers, thereby increasing department accessibility and responsiveness, establishing a culture of service, and increasing employee accountability, that ultimately equates to high performance.

**Consumer Rights are Protected – DORA provides comprehensive, unified, mission driven outreach to the citizens of Colorado; working with public and appropriate private organizations in educating citizens to be informed of their rights, and to know where to go with issues, concerns or complaints.**

DORA recognizes and leverages the value of preventative measures by providing training, educational materials and information regarding laws, trending issues and timely matters including consumer choices and rights, and avoiding scams, fraud and wrongdoing. DORA works closely with federal and local agencies and community based, non-profit organizations, utilizing a variety of compliance assistance tools and pro-active education and communications campaigns.

### Operational Measures

**Major Program Area – Economic Regulation: The Department analyzes the rates, terms and conditions of service offerings to grant or change existing authorities or certifications, and to determine compliance with state regulations.**

**Process – The Department receives requests to analyze and/or change rates, staff analyzes the rate filings, and presents analyses for decision.**

Measure	FY12 Actual	FY13 Actual	FY14 Actual	03/31/2015	06/30/2015	1-Year Goal	3-Year Goal
Insurance – Rate cases finalized within 90 days	7,043	7,948	9,420	Q3 FY15: 1,250 rate cases, 79.6% within 90 days	4406 (75%)	10,000	10,000
Public Utilities Commission – Rate cases finalized within 14	539	578	463	463	304	400	350

or 30 days (tariff filings allowed to become effective without a hearing)

(98.5%)

Colorado citizens must have just, reasonable, and fair rates for adequate, reliable, responsive, safe and timely utilities such as electricity, gas, water, common carrier transportation services, and insurance options that are not excessive, inadequate or unfairly discriminatory. These measures support DORA's mission by assuring rates are timely reviewed, and as low as possible and in the public interest, without compromising the economic viability and sustainability of service providers. Consumers save money, and are further assured that providers comply with applicable laws, rules and regulations, and meet standards of safety, competence and quality of service.

## Department of Regulatory Agencies July 2015 Performance Evaluation

**Major Program Area - Institutional Examinations:** The Department protects consumers by conducting examinations of all state-chartered financial institutions and insurance companies under its supervision to preserve public trust in the regulated financial industries.

**Process - The Department establishes institutional examination schedules and reviews records, documentation, systems and processes; conducts interviews; communicates results and completes the examination.**

Measure	FY12 Actual	FY13 Actual	FY14 Actual	03/31/2015	06/30/2015	1-Year Goal	3-Year Goal
Banking - Percentage of examinations completed within 12 or 18 months	100%	100%	100%	100%	100%	100%	100%
Securities - Percentage of examinations completed within 270 days	100%	100%	100%	100%	100%	100%	100%

These are two examples of several measures, illustrative of DORA's commitment to assuring the financial viability of Colorado's state chartered financial institutions. Through these examinations, DORA verifies compliance with state and federal laws, rules and regulations, and sound operating practices across a wide variety of fiduciary services. Statutes dictate the completion time for examinations, depending on the financial institution and industry. Institutional examinations, completed within the statutorily mandated timeframes, contribute to greater trust and protection from making uninformed decisions, wrong-doing, scams and fraud.

**Major Program Area - Licensing/Permitting:** The Department processes applications for licensure for more than 50 professions, including individuals and businesses/companies.

**Process - Divisions receive an application, conduct a quality and substance review, in some cases provide industry notice and responses, and issue the permit/license.**

Measure	FY12 Actual	FY13 Actual	FY14 Actual	03/31/2015	06/30/2015	1-Year Goal	3-Year Goal
Professions and Occupations - Number of licenses issued within 14 days	33,004	27,614	30,691	Q3 FY15: 9,447 licenses, 100% within 14 days	35,571 (100%)	35,249	46,494
Real Estate - Number of licenses issued within 3 days	4,076	5,647	6,600	Q3 FY15: 1,566 licenses, 96% within 3 days	8,217 (93%)	5,820	5,820
Securities - Number of licenses issued within 30 days	38,103	35,950	36,023	Q3 FY15: 12,719 licenses, 99% within 30 days	22,266 (99%)	36,750	36,750

DORA's licensing function touches over 740,000 licensees including individuals, businesses and institutions. These measures are a mere sample, and include newly issued licenses only, not renewals. The selected Divisions are those that either are or will soon be using e-License, an enterprise solution that provides more expedient

## Department of Regulatory Agencies July 2015 Performance Evaluation

and readily accessible, on-line licensing transactions, and greater direct access to our licensed population. In further support of this measure, DORA has established a more stable license fee structure and increased consumer awareness about the importance of checking the status of licensed professionals.

**Major Program Area – Outreach, Education, and Training:** The Department engages in efforts to proactively inform consumers of their rights regarding regulated occupations and professions in order to serve a more informed consumer base, decreasing regulatory violations and ensuring public awareness.  
**Process – The Department identifies the issues/topics to communicate, the audience, and message; responds to specific requests for information or training; delivers the message through a maximized method and then evaluates the process outcome.**

Measure	FY12 Actual	FY13 Actual	FY14 Actual	03/31/2015	06/30/2015	1-Year Goal	3-Year Goal
Executive Director's Office - Number of DORA staff participating in DORA's formal training courses	464	414	468	Q3 FY15: 171	85%	475	475
DORA - Percent outreach scheduled/delivered within 3 days of request	100%	100%	100%	100%	100%	100%	100%

DORA's invests in its workforce, to ensure employees are knowledgeable, engaged, and resourced to elevate each customer experience to a platinum level of service. The comprehensive training program includes a specialized, DORA Supervisory Leadership Academy. Through formal and informal means, the culture of talent extends to consumers through both general and requested/specialized training or outreach activities. This outreach measure is one example, representing partnering across programs, divisions, departments, jurisdictions and states on a variety of issues, including The Marijuana Financial Services Cooperative Act, the Affordable Care Act, and assuring anti-discriminatory business practices. DORA continues to maximize use of the Consumer Outreach Fund to ensure consumers are aware of and reminded of their rights.

**Major Program Area – Regulatory Program Administration:** The Department resolves complaints/charges received and conducts proactive enforcement/compliance oriented investigations and other resolution processes that do not necessitate an investigation.

**Process – Divisions gather information on complaints/allegations, determine jurisdiction, open a case file, conduct the investigation, make a determination and issue a formal decision.**

Measure	FY12 Actual	FY13 Actual	FY14 Actual	03/31/2015	06/30/2015	1-Year Goal	3-Year Goal
Real Estate – Investigations dismissed because of pre-	192	282	476	Q3 FY15: 74,	330	500	500

## Department of Regulatory Agencies July 2015 Performance Evaluation

analysis				20% dismissed as a result of pre-analysis	(43%)		
Professions and Occupations – Percentage of cases resolved internally from total caseload	91.4%	91.5%	93.6%	Q3 FY15: 90.2%	91%	95.0%	95.0%
Civil Rights – Percentage of cases resolved internally from total caseload	84.0%	84.0%	83.0%	Q3 FY15: 81.0%	85%	90.0%	100%
Insurance – Number of complaints or inquiries processed within 90 days	2,730	2,714	2,490	Q3 FY15: 780, 93% processed within 90 days	90%	3,000	3,100

DORA's commitment to continuous improvement and customer service includes multiple Lean initiatives, focused on investigations and complaint processing, and a major cross-division project to develop a collaborative "best practices" investigatory model, with a companion training program. These measures are examples of investigations and formal complaint resolution processes that are resolved not only well within the prescribed statutory timeframes, but quicker, by conducting an early, pre-analysis of the case to expedite processing or resolution; or internally utilizing an Expedited Settlement (or similar) Program.

**Major Program Area – Consumer Representation with Utility Rate Approvals:** Through the Office of Consumer Counsel (OCC), the Department intervenes in rate increase requests submitted by the utilities and participates in administrative hearings which ultimately lead to approval of rates charged to consumers.  
**Process – The Department receives and reviews rate request**