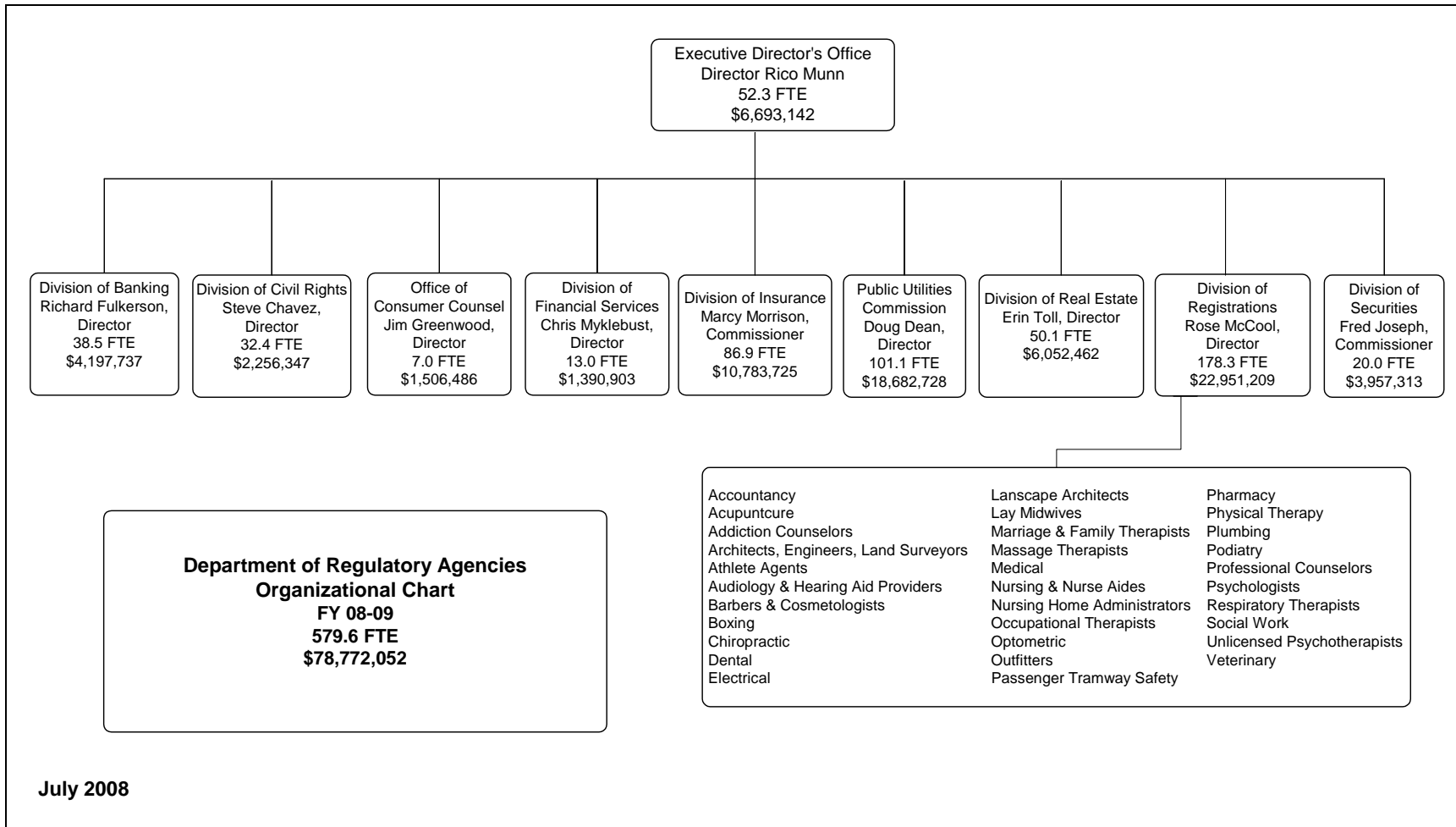




Department of Regulatory Agencies
Department Description

FY 2009-10 Budget Request

November 1, 2008

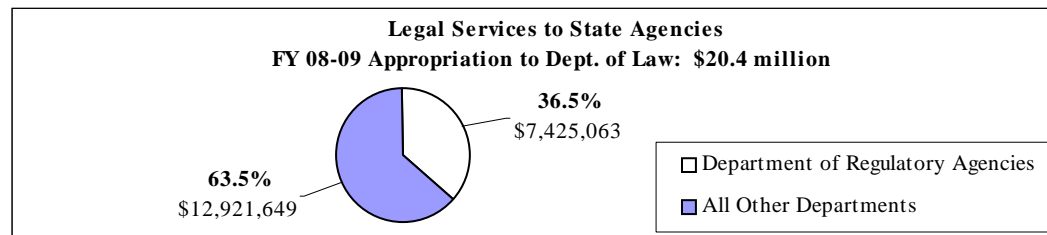


As one of the principal departments of Colorado state government, the mission of the Colorado Department of Regulatory Agencies (DORA) is consumer protection. The Department carries out regulatory programs that license, establish standards, approve rates, investigate complaints, and conduct enforcement across numerous professions, occupations, and institutions. The Department includes 10 separate divisions having 47 boards or commissions and 580 professional regulatory staff including program administrators, professional examiners, inspectors, financial analysts, and administrative staff. DORA’s programs are organized in the general appropriations act (‘Long Bill’) as follows:

- | | |
|--------------------------------|-----------------------------|
| Executive Director’s Office | Division of Insurance |
| Division of Banking | Public Utilities Commission |
| Division of Civil Rights | Division of Real Estate |
| Office of Consumer Counsel | Division of Registrations |
| Division of Financial Services | Division of Securities |

The Department is primarily cash funded by regulated entities through fees and assessments flowing to cash funds, and DORA is relatively unique among state agencies with regard to the volume, complexity, and autonomy with which it sets industry fees based on appropriations made by the General Assembly. Additionally, two key areas involve the state General Fund: the Division of Civil Rights, which is partially funded by the General Fund, and the Division of Insurance, which is supported by a combination of license fees and insurance premium tax revenues that would otherwise be credited to the General Fund.

The number of people living and working in Colorado and the amount of legal services required by the Department’s various agencies are the two largest factors driving DORA’s budget. Population affects the number of professional and occupational licenses issued, as well as the number of complaints filed by consumers against licensed businesses and individuals. Additionally, DORA is unique in its demand for legal services, which under the Oregon Plan are obtained centrally from the Colorado Department of Law under the State Attorney General. DORA accounts for approximately 36.5 percent of all legal hours appropriated to state agencies, a fact that is driven by the nature of regulatory oversight and enforcement.



For background information, a single page describing each DORA Division is included as follows:

Executive Director's Office (\$6.7 million and 52.3 FTE). The Executive Director is responsible for the overall management of the Department and its divisions. Fees and assessments throughout the Department support the Executive Director's Office.

The Executive Director's Office works with the Governor's Office, the General Assembly, other departments in state government, federal agencies and national associations to further their respective goals. It provides leadership, coordination, control and various management services to the divisions to ensure that the Department's mission is fulfilled and that objectives are met within the resources allocated. A major program within the Executive Director's Office is the Office of Policy and Research (OPR). OPR provides sunset and sunrise regulatory evaluations and policy recommendations to the General Assembly. In addition, OPR supplements the research function of the Executive Director's Office by providing assistance with legislative and policy issues. Without these activities, there would be no centralized coordination or accountability to the Governor, General Assembly or the public, and no coordination of initiatives or accountability within the Department. The Executive Director's Office offers a single point of contact for information regarding these areas.

The Office's objectives are met through the following activities:

- Providing leadership, centralized planning and accountability for the offices and divisions.
- Communicating information and providing reports to the Governor, the General Assembly, the public and department personnel regarding DORA divisions, including programs undergoing statutorily required sunset and sunrise review.
- Providing a central resource for introduction and coordinated implementation of legislative and executive branch initiatives.
- Serving on the Governor's cabinet.

DIVISION OF BANKING (\$4.2 million and 38.5 FTE). As a unit of the Colorado Department of Regulatory Agencies, the Division of Banking (Division) is responsible for the regulation of state-chartered commercial banks, trust companies, industrial banks, money order companies, money transmitters, and foreign capital depositories.

The Division holds charter and license application hearings, issues rules and regulations, and investigates consumer complaints involving regulated institutions. Division staff conducts examinations of state-chartered institutions and licensees. The Division works closely with the Federal Reserve Bank (Federal Reserve) and the Federal Deposit Insurance Corporation (FDIC) in the regulation of commercial banks and industrial banks and certain federally insured trust companies. The Division is also responsible for the enforcement of the Public Deposit Protection Act to protect public entity deposits held by state and national banks.

The nine-member Colorado State Banking Board (Banking Board) is the policy and rule-making authority for the Division. The Banking Board consists of five members who are executive officers of commercial banks, an executive officer of an industrial bank, an executive officer of a trust company, and two public members. The Governor appoints Banking Board members to staggered four-year terms. At least two of the commercial bank members must be from institutions with less than \$150 million in total assets. The Banking Board conducts monthly meetings that are open to the public, and the public is encouraged to attend.

The State Bank Commissioner is the administrative head of the Division, responsible for the day-to-day operation of the Division, including personnel matters, records, reports, systems, and procedures. The Commissioner is also responsible for all examination and enforcement functions of the Division, subject to the policy-making and rule-making authority of the Banking Board. The specific duties and powers of the Commissioner are set forth in Section 11-102-102, C.R.S.

As of December 31, 2007, the Division had 38.5 authorized positions, 29 of which were in the Financial Credit Examiner (FCE) category. Of the 29 FCE classifications, one is Director of Examinations, 22 are classified as field examiners, four are Caseload Managers, one manages applications, and one is assigned primarily to consumer complaints. The Division also employs one information technology (IT) auditor to conduct IT examinations of financial institutions and data centers that provide IT services to Division-regulated institutions. Other positions include an Operations Manager and administrative support staff.

The Division is organized into two units, *Examinations* and *Operations*. Within the *Examinations Unit*, supervisory and examination responsibilities for the regulated entities are assigned to four Caseload Managers who report to the Director of Examination. The Caseload Managers supervise examination teams and are the primary Division contact for supervised institutions. The *Operations Unit* is responsible for applications, consumer complaints, automation, policies and procedures, administration of the Public Deposit Protection Act, program development, training, internal audit and review, oversight of the administrative staff, and accreditation by the Conference of State Bank Supervisors.

The supervision and regulation of Colorado state-chartered banks, industrial banks, and certain trust companies are conducted within the framework of the dual banking system in the United States, distinguished by the ability of banks to make a free choice between state and federal chartering and regulation. The states and the federal government act independently to charter, regulate, and supervise financial institutions. The system has produced a decentralized banking industry characterized by a number of checks and balances. The Colorado General Assembly affirmed the importance of the dual banking system in Colorado by establishing as one of the Division's statutory goals to "preserve and promote a dual federal and state banking system." In order to preserve the benefits of the dual banking system while avoiding duplication and minimizing regulatory burden, the Division has developed strong working relationships with the FDIC and the Federal Reserve. The Division cooperates with the federal agencies in the supervision and examinations of state-chartered banks by conducting examinations jointly or on an alternating basis.

Specific legislation that falls under the enforcement oversight of the Division includes the Colorado Banking Code, Public Deposit Protection Act, the Money Transmitters Act, and the Foreign Capital Depository Act 1999. There were 156 state-chartered or licensed institutions operating in Colorado regulated by the Division, including 107 commercial banks, 3 industrial banks, 8 trust companies, and 38 money order companies as of December 31, 2007, compared to 154 as of year end 2006.

Division regulated depository institutions grew over \$5.7 billion during 2007. The growth continues a ten-year trend, during which time aggregate assets of state chartered commercial banks, trust companies, and industrial banks increased from \$12.9 billion to \$36.8 billion, or 184 percent. Total deposits for the group increased to \$30,426,075,000 at year-end. Total fiduciary assets held by Colorado trust companies increased by \$17.5 billion to \$96,817,413,000. During the year, the Banking Board approved five new commercial bank charter applications and one trust company charter. In addition, one large national bank was approved for conversion to a state charter. New charter and conversions largely offset mergers and consolidations activity as the total number of state-chartered depository institutions declined modestly during the year from 120 to 118 as of December 31, 2007.

While asset growth remained strong, the Colorado banking industry did not escape the economic ripple effect of the deteriorating housing market and high foreclosure rates. Bank earnings were adversely affected by narrow net interest margins, increased loan loss reserve allowances, and overall weaknesses in the real estate market. Nevertheless, non-performing loans are at manageable levels, the banking industry is strongly capitalized and is well positioned to withstand an economic downturn.

In addition to regulating insured depository institutions, the Division also oversees foreign capital depositories, a unique charter type authorized to offer certain financial services to non-resident aliens. Only two such institutions were chartered since the Colorado Foreign Capital Depository Act was enacted in 1999. During 2007, one elected to voluntarily dissolve and surrendered its charter. The other institution was determined to be insolvent and the Banking Board entered an order for involuntary dissolution and placed the company in receivership. The receiver is following the statutory and court ordered process for liquidation of the company.

DIVISION OF BANKING HOT ISSUES

The dramatic industry growth described above, weakening credit markets, federal to state charter conversions, examiner turnover, and decreased assistance from federal counterparts have greatly strained the examination resources of the Division. Over the last few years the Division has gained efficiencies through renewed emphasis on risk focused examinations, increased use of automated exam programs, offsite review of imaged loan files, internal restructuring, cross training, and utilization of contract examiners. However, other options must be considered, including an increase in field staff in order for the Division to continue to advance its consumer protection mission and statutory duties.

As previously noted, in late 2007 the Banking Board moved to issue an Order of Involuntary Liquidation against a foreign capital depository, American Intercapital Depository & Trust (AIDT). The Division took possession of AIDT on November 20, 2007 and named Phil Feigin, with the law firm of Rothgerber Johnson & Lyons LLP as deputy receiver. The deputy receiver moved quickly to secure all assets, and notify depositors and other creditors. The former board of managers of AIDT filed an appeal of the Order for Involuntary Liquidation, which was heard at a public hearing on January 17, 2008. The Order was upheld and the Denver District Court entered its order approving a claims and bid process on February 28, 2008. The deputy receiver is now moving forward to prepare a schedule of claims determinations for filing with the District Court. It is anticipated that the receivership process will continue to require the time and attention of Division management through 2008 and into 2009.

CIVIL RIGHTS DIVISION (\$2.6 million and 32.4 FTE). The Colorado Civil Rights Division (CCRD) is charged with investigating claims of alleged discrimination with regard to housing, employment, and public accommodation, and carrying out enforcement activities. The division is supported by a combination of the general fund and federal contract funding administered by the U.S. Dept. of Housing and Urban Development (HUD) and the Equal Employment Opportunity Commission (EEOC), with which CCRD shares formal work-sharing agreements to avoid duplication of effort on those cases where joint jurisdiction (state and federal) exists.

As the administrative arm of the Colorado Civil Rights Commission (CCRC), CCRD carries out the Colorado state laws that prohibit discrimination in housing, employment, and public accommodation. The Division also engages in preventative measures by providing training to groups and disseminating information to individuals regarding current laws. The CCRD works in close cooperation with federal and local agencies and community-based organizations whose missions parallel its own. The CCRD is charged with investigating claims of alleged discrimination, which is defined as differential treatment based upon a person's protected group status. Enforcement activities are conducted by the Division's Compliance Investigators.

Once the Division receives a fully completed intake packet, the Intake Staff drafts a formal charge of discrimination for the Complainant's signature, after which a copy will be served on the Respondent and the investigative process is initiated. As part of the investigation, the Respondent is directed to provide a written response to the allegation(s). The Complainant is afforded a full opportunity to submit a rebuttal. The Division also affords the parties the opportunity to participate in a voluntary mediation conference prior to the initiation of the investigation. If the parties wish to avail themselves of the mediation process, they may contact a Division representative.

Complimenting the agency's enforcement efforts are prevention activities conducted by the Outreach unit. The Outreach unit works to prevent discrimination by: informing the citizens of Colorado about anti-discrimination laws and related issues, and, cooperating with public and private organizations with parallel missions in conducting educational programs designed to eliminate intergroup tensions.

The Division also provides various types of training and presentations, free of charge, throughout the state. Training may be provided upon request, or as a condition included in a settlement agreement. Training typically focuses on fair housing and/or employment laws and practices.

The Division, upon request, may also supply technical assistance to individuals and entities involved in the design and construction of multifamily housing. Architects, civil engineers, contractors, developers, attorneys and city planning and building officials may call or send e-mails requesting information or posing specific technical questions about the handicap design and accessibility standards required under applicable fair housing laws. The Division will also clarify the interaction and overlap between federal, state and local ordinances and laws.

The Division also mandates that parties to a claim, in which a probable cause finding was issued, participate in conciliation efforts. This affords the parties an opportunity to attempt to resolve their issues prior to engaging in litigation. Should conciliation efforts fail, the Colorado Civil Rights Commission may then choose to set the case for public hearing in employment cases. Public hearings in housing cases in which a probable cause finding was issued are mandatory.

CIVIL RIGHTS DIVISION HOT ISSUES

- 1) Senate Bill 08-200 was signed by Governor Ritter on May 29, 2008, which expands prohibitions against discrimination on the basis of sexual orientation and religion in housing and public accommodations claims. The Colorado Civil Rights Commission recently adopted emergency rules in regard to this new legislation and is engaged in drafting permanent rules for this legislative amendment. The Division is working with stakeholders in the community to educate them about the passage of this law, and is providing guidance in its implementation.
- 2) The Colorado Civil Rights Division applied for and was awarded a \$299,600 grant by the U.S. Department of Housing and Urban Development in 2007 to address discriminatory predatory lending practices in the State of Colorado. The grant activities are comprised of research, education/outreach and enforcement efforts. The research component examines the extent to which communities in Colorado are subject to predatory loans and education/outreach efforts are geared to inform communities how to avoid predatory loans, as well as what steps consumers can take if they believe they were targeted for a predatory loan based on their protected class status. The enforcement element of the grant calls for investigation, conciliation and litigation of discriminatory predatory lending claims over which the Division has jurisdiction.

- 3) The Colorado Civil Rights Division recently opened a Southern Colorado regional office in Pueblo, Colorado in August, 2007. This office is presently fully staffed and supports the Division's enforcement and outreach efforts. The Division is expecting to open a Western Slope regional office in Grand Junction, Colorado and have it functional by July, 2008.
- 4) The Division is in dire need of equipment upgrades. The copiers, printers and scanners used by the Division are in constant need of repair. The frequent recurrence of equipment malfunctions adversely impacts the Division's staff's ability to perform its duties. Additionally, the Case Management System (CMS) should be upgraded so that it can better serve the purpose for which it was intended.

OFFICE OF CONSUMER COUNSEL (\$1.5 and 7.0 FTE). The Office of Consumer Counsel (OCC) represents the interests of classes of consumers - residential, small business and agricultural consumers - before the Public Utilities Commission, certain federal agencies (such as the Federal Communications Commission and the Federal Energy Regulatory Commission), and in appellate courts. The OCC is the State of Colorado's consumer advocate in electric, gas and telecommunications utility rate and rule making matters. The OCC represents classes of consumers by participating in complex utility cases. The OCC examines the technical evidence (primarily costing and pricing data) filed by the utility, provides expert testimony on consumers' behalf, cross-examines other witnesses, makes legal arguments, and represents consumers in settlement negotiations. Approximately 40 other states have utility consumer advocate offices similar to the OCC according to the National Association of State Utility Consumer Advocates ("NASUCA"). The OCC is an active member of NASUCA.

The OCC is charged with representing the small consumer before the PUC, but is prohibited by statute from representing individuals in complaints with utilities. Instead, the PUC is staffed to resolve individual complaints. The OCC is interested in individual complaints when they show a pattern of rate or service problems the office believes should be addressed.

The OCC has a staff of seven technical and administrative personnel as well as legal representation through the Department of Law. In addition, a statutorily authorized board appointed by the Governor gives policy guidance to the OCC. The eleven-member board is appointed to represent the public interest and, specifically, the interests of residential, small business, and agricultural utility consumers. Board members come from all geographic areas of the state.

The Office of Consumer Counsel helps consumers by lowering, eliminating or avoiding utility rate increases, by ensuring that utility rates, regulations and policies are more equitable for residential, small business and agricultural consumers, and by ensuring the continuing viability of utility services and consistent quality of service.

OFFICE OF CONSUMER COUNSEL HOT ISSUES

- No more rate cap in the statutes. Starting on July 1, 2008, there will no longer be a statutory cap on what a phone company can charge for stand-alone residential phone service. This cap was a proxy to determine "affordability" for phone service. This cap has been in place since 1995 and has prevented Qwest, for example, from raising its plain old residential telephone service from the existing \$ 14.88 base rate. It is expected that the Commission will open up either an investigatory or rulemaking docket, or both, to implement the new law where it (the Commission) will decide what an affordable residential rate is for each provider.
- Possible Federal Climate Change legislation – latest Federal legislation has died in the Senate on a procedural vote. Expect that other Climate Change Legislation will be introduced after the 2008 Presidential election.
- Natural Gas prices, which appear to have some link to the price of a barrel of oil, are showing few signs of retreating.
<http://www.eia.doe.gov/emeu/steo/pub/contents.html>
- Trends in the Colorado High Cost Fund (more correctly, the Colorado High Cost Support Mechanism)
 - The subsidy fund will continue to grow. Due to changes implemented by the PUC to streamline the application process to obtain state phone subsidies, the Colorado fund will continue to grow. In the first half of 2008, four applications were approved by the PUC.
 - Wireless companies are funding more and more of the fund. In 2007, wireless companies funded almost 60% of the fund. This means that there is a cross-subsidy of wireline by wireless and a continuing cross-subsidy by urban/front-range phone consumers to rural companies.
 - The PUC is planning on dockets in the latter half of 2008/into 2009 to deal with the following specific issues:
 - Whether to revamp the CHCSM. Very broad.
 - To set a benchmark rate of return that companies wishing to dip into the state subsidy pool can use as an input.
 - Whether to set a benchmark rate for residential and business local service before a company will be eligible to dip into the state subsidy pool.
- Whether, and to what extent, the concept of “Universal Broadband” per Governor Ritter’s “Colorado Promise” will be funded through the CHCSM.
- Federal Subsidies for Renewable Energy projects greatly impacts the viability of these projects and they are set to expire on 12/31/08. Latest Federal legislation appears to be dead in the Senate.

DIVISION OF FINANCIAL SERVICES (\$1.4 million and 13.0 FTE). The Division of Financial Services regulates state-chartered credit unions, savings and loans, and life care institutions. In addition, administers the Public Deposit Protection Act, which safeguards uninsured public monies deposited in federal and state chartered savings and loans. Fees and assessments against regulated institutions support the Division.

The Division's thirteen-member staff operates under the policy-making and rule-making authority of the Financial Services Board, which consists of five members appointed by the Governor and confirmed by the State Senate. The Financial Services Board issues rules and regulations governing the industries regulated by the Division, may delegate many of its authorities to the State Commissioner of Financial Services, and hears appeals of actions taken by the Commissioner under delegated authority. The Division is wholly or partially responsible for administering and/or enforcing the following Colorado Revised Statutes (C.R.S.):

- Credit Unions: §11-30-101, CRS
- Savings and Loan Associations: §11-40-101, CRS
- Protection of Deposits of Public Moneys: §11-47-101, CRS
- Life Care Institutions: §12-13-101, CRS
- Uniform Consumer Credit Code: §5-1-101, CRS
- Electronic Funds Transfers: §11-48-101, CRS

State-chartered credit unions operate under the supervision of the Division. The Division is empowered to approve applications to incorporate new state credit unions and to approve mergers between credit unions. State credit unions are examined regularly by the Division's staff to evaluate their financial condition and compliance with applicable laws and regulations. The Division's credit union examination and supervision program has been accredited by the National Association of State Credit Union Supervisors (NASCUS) for a five-year period ending in May 2012, subject to annual review. State-chartered savings and loans also operate under the supervision of the Division. The Division is empowered to approve applications to incorporate new state-chartered savings and loan associations, approve branch office applications for existing associations, approve mergers between associations, and approve changes of ownership. The Division staff examines state savings and loan associations on a regular basis to evaluate their financial condition and compliance with applicable laws and regulations. For the protection of consumer savings, all state savings and loan associations and all credit unions that serve Colorado citizens are required to maintain federal deposit insurance. The Division also administers and enforces the Public Deposit Protection Act for savings and loan associations. State and federal savings and loans designated by the Division as eligible public depositories must pledge collateral to secure any deposits in excess of the federally-insured limit accepted from Colorado governmental units.

The Division also regulates certain financial activities of life care institutions, which provide long-term residence and care for the elderly. The Division may initiate enforcement action against violations of the law by life care providers. Finally, the Division also handles consumer complaints and information requests regarding the industries it regulates.

DIVISION OF FINANCIAL SERVICES HOT ISSUES

- The Division must carefully monitor and examine the financial condition of state-chartered credit unions and savings and loan associations that are feeling the stresses caused by the ongoing credit crisis, an abnormally high number of foreclosures, and a slowing economy and/or a recession. The purpose of such scrutiny is to protect Colorado citizens who maintain shares and deposits in these institutions.
- Contributing assets to resource sharing initiatives that will present a unified DORA to consumers. Expected results from this effort include providing consumers with easy access to the Department's resources for information and education, and an easy process for consumers filing complaints.
- Educate consumers about financial risks in the marketplace; and communicate alternatives to high cost financial products and services for Colorado's low income and under banked consumers.

DIVISION OF INSURANCE (\$10.8 million and 86.9 FTE). The Division of Insurance (the "Division") regulates approximately 1,500 insurance entities and approximately 110,000 insurance producers operating in Colorado. Insurance companies regulated by the Division include traditional insurance entities such as automobile, homeowners, life, health, health maintenance organizations (HMOs) and workers' compensation insurers, as well as non-traditional entities such as pre-need funeral companies, bail bond companies, fraternal benefit societies, captive insurers, risk retention groups, and self-insurance pools. The Division is funded primarily from premium tax assessments and licensing fees paid by regulated entities. The head of the Division is the Commissioner of Insurance, who is appointed by the Governor.

The Division is organized into the following two sections:

- Finance and Administration. This section carries out insurance company and producer licensing and performs all aspects of financial solvency authorization examination and monitoring, market conduct examination, and premium tax collection for approximately 1,500 insurance and insurance related companies licensed in Colorado. This section also regulates non-admitted reinsurers, self-insurance pools and plans, surplus line companies, regional home office qualifications, pre-need contract sellers, limited service licensed provider networks, foreign risk retention and purchase groups, and captive

insurance companies. This section processes and reviews rate and form filings submitted to the Division and initiates desk audits of various insurers and insurance related entities to make sure that benefits, coverage and treatment are provided to Colorado consumers as required by law. Enforcement activities include examining insurers and related entities to determine compliance with insurance law and regulation and investigating unauthorized or illegal insurance or agent activity. Examination reports are public records and are posted on the Division's website after an exam has been completed and adopted by the Commissioner. This section oversees the office management functions including reception and all budgetary functions.

- Consumer Affairs. This section oversees all consumer services, including the ICARE (Insurance Compliance and Regulatory Enforcement) for Life & Health and the Property & Casualty areas, the Senior Health Insurance Program, and Compliance and Investigations responsibilities. The section annually fields consumer inquiries and resolves consumer complaints against insurance companies, regulated persons and entities. It also investigates and takes enforcement actions for violations of insurance law and regulation, handles open records and other information requests, and manages other processes including service of process, open records, rulemaking and consumer education. Staff responds annually to an estimated 26,000 telephone calls, e-mails, letters, and walk-in visits from consumers. Coloradans needing assistance with insurance issues may contact the Division to file a complaint or inquiry and for information on all types of insurance.

The Division of Insurance serves the public interest by: providing a prompt, effective, complaint resolution process for Colorado consumers; providing a prompt and effective service and education to Colorado consumers, the public, and regulated entities; promoting and preserving a sound, competitive insurance marketplace through effective state regulation; promoting access to affordable insurance that allows for adequate consumer choice; and, promoting and developing more streamlined, uniform, and efficient regulatory processes. The Division also engages in extensive consumer outreach and education through informational brochures, its website, and presentations at community events.

DIVISION OF INSURANCE HOT ISSUES

- High profile legislation implementation, particularly HB08-1228 permitting the Commissioner to order restitution, HB08-1389 for prior approval of health care premium rates; HB08-1385 directing the Division to implement a consumer guide on its website on health coverage, and HB08-1395 establishing a consumer guide to hospital charges and insurance reimbursement rates.
- High profile projects including:

- ◊ Expanded enforcement actions to protect consumers from violations of insurance laws and regulations, with particular emphasis on long term care premiums, viatical settlements, annuities disclosures, health coverage, benefits and premiums, and title insurance.
- ◊ More vigorous examination of insurance companies' business practices through market conduct and financial examinations, annual and quarterly statement review, investigations, market analysis, required self-audits, and other enforcement actions. Concomitant focus on tying company compliance and penalties to expanded access to insurance and coverage.
- Changes in federal law including Congressional legislation for an optional federal charter for certain types of insurance, expanded federal role in regulating insurance; establishment of national requirements (recently enacted Genetic Insurance Non-discrimination Act), ERISA pre-emption, etc.
- Attracting and maintaining qualified staff to oversee and regulate increasingly sophisticated and complex insurance and related entities and emerging products, including risk retention entities, risk pools, financial entity sales of insurance products, and insurance as investment vehicles, and in a rapidly changing marketplace characterized with increased and previously unrecognized risks of catastrophic natural disasters, domestic and foreign terrorism, and failure of other economic marketplaces and regulation.

PUBLIC UTILITIES COMMISSION (\$18.7 million and 101.1 FTE). The Public Utilities Commission (PUC) has the authority to regulate the rates and services of a wide range of transportation and fixed utilities throughout Colorado. Assessments and licensing fees paid by regulated entities support the Division.

PUC has full economic and quality of service regulatory authority over intrastate telecommunication services; and investor-owned electric, gas and water utilities, as well as partial regulatory control over municipal utilities and electric associations. The PUC also has jurisdiction over gas pipeline inspection units, investor-owned distribution operators; municipal distribution operators; master meter distribution operators; investor-owned transmission operators; some municipal transmission operators; LP operators; and direct sales purchasers. The PUC also regulates utilities that move, such as railroad and motor carrier utilities that are for hire. Under its jurisdiction are common and contract motor carriers; transportation operating authorities; carriers providing intrastate transportation services; and carriers providing interstate transportation services. Finally, the PUC has jurisdiction over public railroad-highway grade crossings. The PUC has some legislative and judicial authority, and is charged with determining whether utilities have the financial and technical capability to provide services. The PUC also administers the following programs: Colo. Telecommunications High Cost Program, the Low-Income Telephone Assistance Program, the Highway Crossing Protection Program, and the Disabled Telephone Users Program.

The Commission includes three members who are appointed by the Governor and confirmed by the Senate for a term of four years. The Division Director manages the staff and daily operations of the PUC. Staff members have specialized knowledge in engineering, economics, law, finance, support, and management, and are organized into the following working sections and units:

- The Energy Section is responsible for supporting the mission of the Commission to assure the availability of safe, reliable, adequate, and efficient electric, gas and steam services to utility customers at rates that are just, reasonable, and not discriminatory. The Section conducts financial and engineering analyses, audits and investigations for the Commission in issues of operating authority, rates, quality of service, resource planning, compliance and enforcement.
- The Telecommunications Section assists the Commission oversee telecommunications utilities. These functions, performed under direction of the Commission, include: tariff administration; certification of new providers; service quality monitoring; market observation and study; administration of various telephone subsidy programs; and, analysis and development of regulatory schemes which help further development of a more competitive telecommunications market in Colorado.
- The Economics Section has a wide range of duties which support the overall mission of the Commission. The Section serves the agency through its analysis of telecommunications, energy, water, and steam utilities regulated by the Commission with the objective of aiding the Commission strike a balance between utilities' health and stability, consumer protection, and economic development.
- The Transportation Section regulates the affordability and availability of motor carriers transporting passengers for hire. The Section conducts financial reviews, ensures fair and cost-based carrier rates; conducts audits and service complaint investigations; processes carrier applications; and issues permits, based on compliance with insurance and safety standards.
- The Administrative Hearings Section consists of administrative law judges (ALJs) and certified court reporters. ALJs establish procedural schedules, conduct hearings, and issue recommended decisions for all types of proceedings referred to them by the Commissioners. They also offer mediation services in connection with such proceedings. Court reporters make a stenographic record of testimony and legal argument presented at Commission hearings and, for a fee, will produce written transcripts of such testimony/argument if requested to do so.
- The External Affairs Unit resolves complaints between customers and regulated utility companies. It informs the public about PUC decisions and ratepayer issues through publications, as agency spokesperson and through community outreach.
- The Policy Advisory Unit provides advice and technical training to the decision-makers of the Commission - the Commissioners and Administrative Law Judges. The internal support administrative team handles all filings by determining the timing, disposition and weekly agenda to ensure that all statutory deadlines are met.

- The Rail/Transit Safety and Water Section is responsible for safety at all public highway-rail crossings in Colorado, is the State Safety Oversight Agency for rail fixed guideway systems, and is responsible for water utility service affordability and availability. The Section conducts on-site safety inspections, accident investigations, performs a complete audit of all transit agencies rail fixed guideway systems every three years, and conducts financial and engineering analyses and special investigations to ensure that water consumers pay fair prices and receive quality service.
- The Gas Pipeline Safety Section ensures the safety of utility services, conducting gas pipeline safety inspections and accident investigations.
- The Administrative Services Section is responsible for fund administration, budget preparation, purchasing, central records control, business system administration, personnel, and administrative support.
- The Research, and Emerging Issues Section advances policy discussions and Commission decisions concerning current and emerging issues that impact utilities and service providers regulated by the Colorado PUC and their customers. The team accomplishes this mission by initiating, facilitating, coordinating, and performing objective and balanced research and sharing the results of this work with the Commissioners and Staff.

PUBLIC UTILITIES COMMISSION HOT ISSUES

- Due to the increased focus on the energy industry by the Governor's administration and the legislature, the PUC has seen an exponential increase in the number of electric and gas dockets in the past year. We continue to adjudicate traditional rate making and reliability issues, but now also are required to adjudicate issues such as energy efficiency and demand side management, renewable energy resources, and increased transmission facilities to reach renewable energy resources. This shift in focus requires employee training including self-training, conferences, seminars, webinars, etc. when the budget allows.
- The PUC's work in the telecommunications industry has, in large-part, shifted away from retail (end-user customers) services and instead has focused more on wholesale offerings and performance (carrier to carrier), high cost fund contributions and distributions, and financial matters such as transfer of control from one entity to another.
- The PUC continues its efforts to align itself with the governor's directive to go green. This past year we successfully implemented an internet based stamp renewal program and insurance filing program. In the upcoming fiscal year we expect to implement internet based electronic filings programs for over the counter applications and docketed matters before the Commission.

- The Unified Carrier Registration Agreement (UCR) is now fully implemented on a national basis. This system replaces the Single State Registration System (SSRS), which was the main source of revenue for the PUC's Transportation Section. The revenue generated by new UCR program is substantially less than expectations and program requirements. We now believe this trend will continue and the PUC is pursuing revenue alternatives.
- House Bill 08-1227 amended § 40-2-110.5(1) by deleting the \$5.00 vehicle identification fee and adding a provision that the fee shall be set administratively by the PUC subject to the approval of the Executive Director of DORA. Increasing the fee will offset the losses in revenues that have occurred under the UCR.

DIVISION OF REAL ESTATE (\$6.1 million and 50.1 FTE). The Division of Real Estate licenses real estate brokers, real estate appraisers, and mortgage brokers; and registers time-share, loft/condominium conversion, and raw land subdivision developers. The Division of Real Estate also certifies the qualified organizations under Section 170(h) of the Internal Revenue Code of 1986 that hold conservation easements for which a tax credit is claimed. With the exception of Mortgage Brokers who are under the jurisdiction of the Division Director, all programs are under the jurisdiction of the Real Estate Commission, the Conservation Easement Oversight Commission and Board of Real Estate Appraisers. Fees and assessments support the division.

The fundamental purpose of the Division of Real Estate is to establish and maintain a safe, stable environment in which the general public may buy, sell and lease real property in Colorado. The Division accomplishes this through qualifying and licensing real estate brokers, mortgage brokers and appraiser professionals, by careful scrutiny of time share, loft/condominium conversions and undeveloped, raw land subdivision offerings, and through an enforcement program that is responsive to the needs of the citizenry. Licensees must comply with education and/or experience requirements, reciprocity and/or pass a general and/or state portion of the licensing exam prior to licensure. Additional protection is offered through an affordable program of errors and omissions professional liability insurance for all real estate licensees. The Division also ensures public protection by establishing qualifications for conservation easement holders that guarantee professionalism and stability. The Division interacts with numerous state, federal and local governmental and private agencies in accomplishing these tasks. Additionally, the Division serves as a statewide resource for the general public, the legislature and other governmental bodies in all matters pertaining to real property transactions.

With regard to Real Estate Brokers, jurisdiction rests with a five-member Commission who meet monthly to conduct rulemaking hearings, make policy decisions, consider licensing matters, review complaints and take disciplinary action against real estate brokers. The five Commission members consist of three real estate brokers and two members of the public. The Commission members serve a three-year term. Additional regulatory responsibilities include time share projects sold in Colorado, and developers of subdivisions consisting of 20 or more residential sites, tracts or lots that are not required to be approved by another government planning authority.

With regard to Real Estate Appraisers, jurisdiction rests with a seven-member Board who meet monthly to conduct rulemaking hearings, make policy decisions, consider licensing matters, review complaints and take disciplinary action against real estate

appraisers. The seven- member Board consists of three licensed or certified appraisers, one county assessor, one banker with experience in mortgage lending, and two members of the public. The Board members serve a three-year term.

With regard to the Conservation Easement Oversight Commission, jurisdiction rests jointly with a nine member advisory Commission and the Division of Real Estate. The Commission meets quarterly and is comprised of one member representing the Great Outdoors Colorado Trust Fund, one member representing the Department of Agriculture, and one member representing the Department of Natural Resources. The remaining six members are appointed by the Governor, with one member required to have experience with conservation easements. The Division conducts rulemaking hearings, makes policy decisions, considers certification matters, reviews complaints and takes disciplinary actions against the holders of conservation easements.

Unlike the Real Estate Commission and the Board of Real Estate Appraisers, the mortgage broker program is a Director model. The Director model grants authority to the Director of the Division of Real Estate to make final decisions that concern rulemaking hearings, policy decisions, licensing matters, complaints and disciplinary actions taken against mortgage brokers.

DIVISION OF REAL ESTATE HOT ISSUES

- Beginning on July 1, 2008, the Division will begin reviewing and investigating appraisals that were previously used to obtain state tax credits from the Department of Revenue with regard to conservation easement transactions. Through independent investigations, the Division has detected a pattern of over valuation of land, which results in the maximum tax credit allowable to the property owner. The Division will also implement the certification program for conservation easement holders. It is anticipated that the Conservation Easement Oversight Commission and the Division will conduct rulemaking to effectively implement the new law.
- At the beginning of 2008, Colorado was one of several states leading the nation in high foreclosure rates. Although Colorado is no longer listed in the top five, the Division is aggressively investigating licensee involvement in real estate transactions that have resulted in foreclosure and/or mortgage fraud.
- Affiliated business arrangements established and maintained by settlement service providers present financial risk to consumers through inflated service costs with diminished returns. The Division will continue to investigate the impact of these arrangements on consumers who utilize the services of real estate brokers, real estate appraisers and mortgage brokers.

DIVISION OF REGISTRATIONS (\$23.0 million and 178.3 FTE). The Division of Registrations provides consumer protection through its regulation of over 320,000 licensees within more than 47 professions, occupations, and entities in the State of Colorado. The Division’s boards and programs have been created by the Colorado Legislature to ensure a minimal level of competence of licensees and to protect the public. There are 196 board and commission members serving on 26 boards, commissions and statutorily created committees. In addition, there are eight director model programs. Each board and program is empowered to determine the qualifications to obtain a license, regulate the standards of conduct for the profession, review complaints against licensees and take action as necessary.

Accountancy	Landscape Architects	Pharmacy
Acupuncture	Lay Midwives	Physical Therapy
Addictions Counselor	Marriage & Family Therapist	Plumbing
Architects, Engineers, Land Surveyors	Massage Therapists*	Podiatry
Athlete Agents*	Medical	Professional Counselors
Audiology & Hearing Aid Providers	Nursing & Nurse Aides	Psychologist
Barber & Cosmetology	Nursing Home Administrators	Respiratory Therapy
Boxing	Occupational Therapists*	Social Work
Chiropractic	Optometric	Unlicensed Psychotherapists
Dental	Outfitters	Veterinary
Electrical	Passenger Tramway Safety	

*Programs to be implemented during FY09

The Division is the “umbrella agency” that effectively administers these boards by providing administrative and staff support to the boards and managing the day-to-day business of the boards. The Division employs 178.3 permanent staff.

The Division is primarily organized by function. Centralized support is provided by the Director’s Office, Office of Licensing, Office of Support Services, System Support Unit, Office of Examination Services, Office of Investigations and Office of Expedited Settlement. Specialized program activities, board support and enforcement are grouped into three sections - Business and Technical Section, Allied Healthcare and Director Model Programs Section and Healthcare Section.

The Division seeks to provide consumer and public protection through effective licensure and enforcement. The major functional areas of the Division include licensing and examinations, inspections, enforcement and communication. Inherent in accomplishing the Division's program functions is the essential component of efficient administration.

- **Licensing** includes original licensure and licensure by endorsement to ensure that applicants have met the education, experience, and examination requirements to practice professions and occupations. License renewal facilitates accuracy of licensee information and is a mechanism for enforcement of numerous statutory mandates.
- The Division develops, monitors, analyzes, and manages both in-house testing programs and outsourced contracts for national licensing **examination** programs.
- **Inspections** reduce the potential for public harm from unsafe facilities, supplies, equipment, and individuals by ensuring compliance with state or federal laws, regulations, standards, or codes.
- The goal of **enforcement** is to restrict, suspend, or revoke licenses when generally accepted standards of practice, conduct, or safety are not met. Statutes require investigation of complaints and provide for hearing when it is determined that the actions of the licensee are a possible violation of the practice act. Prosecution of violations of law by licensees is an essential element of the public protection functions of licensing while simultaneously providing the licensee due process.
- The Division uses a variety of **communication** methods to educate and advise the public and licensees.

The Division is funded primarily by fees paid by licensees, with the exceptions of the Nurse Aide program, which is subsidized by the federal government's Medicare and Medicaid funds and the Electrical and Plumbing boards who receive permit and inspection revenue. The license renewal program generates much of the revenue necessary to fund the licensing boards and programs.

DIVISION OF REGISTRATIONS HOT ISSUES

- One of the Division's top priorities and challenges is enhancement of services to external customers through the use of technology for communication and business transactions. The Division is working closely with the Governor's Office of Information Technology (OIT) to implement a new licensing system that expands online services for applicants and licensees.
- Two change requests were approved and will be implemented during FY09 – (1) Funding to support the records management of license application records and (2) Funding and FTE to manage and expedite high priority and complex complaints received by the Board of Medical Examiners.
- The Board of Medical Examiners implemented legislative requirements of physicians to disclose specific information that can be accessed by the public. During 2009 all physicians will be required to submit the information during their renewal and it will be accessible to the public via the internet.
- Developing effective methods for ensuring and measuring continued competency for licensed professionals is a growing trend. This is particularly true for health professionals as states struggle with developing cost effective and efficient methods to assure the public of ongoing competency of licensed professionals. Continued competency requirements were added to the regulation of Architects during the 2008 legislative session.

- Consumer use of alternative health care providers continues to increase resulting in a desire for a number of currently unregulated alternative health care providers to seek regulation, i.e. naturopathic doctors, athletic trainers. Due to legislation, the Division will begin regulation of massage therapists and occupational therapists during FY09.
- Increased desire for quick and easy mobility across state lines for licensed professionals is another trend impacting the Division. One result of this has been the implementation of the Nurse Compact during FY08. Another result was the passage of legislation in 2008 concerning the ability of a certified public accountant from another state to practice accountancy in Colorado without having to obtain a Colorado license.

DIVISION OF SECURITIES (\$4.0 million and 20.0 FTE). This Division monitors the conduct of securities broker-dealers and sales representatives in Colorado, investigating both citizen complaints and indications of investment fraud. Fees and assessments against regulated entities support the Division.

The Division protects Colorado investors from those who would: cheat or defraud them through the sale of bogus securities; take advantage of them through abusive broker sales practices; engage in dishonest and unethical business practices relating to investment advice; sell them fraudulent precious metals and other commodities investments; sell them unregistered, non-exempt securities, or, sell securities to them without being licensed as broker-dealers or sales representatives. The Division also acts to protect Colorado investors and taxpayers by regulating the issuance of bonds by Colorado special districts and municipal and county improvement districts. Finally, the Division protects Colorado taxpayers and local governments by regulating Colorado local government investment pool trust funds.

Specific Division activities include:

- review of applications for the registration of public securities offerings and reviewing other offerings to determine applicability of exemptions from the registration requirement;
- licensure of securities broker-dealers, investment advisers, investment adviser representatives, and sales representatives;
- conducting on-site examinations of broker-dealers, investment advisers, and local government investment pool trust funds;
- investigation of potential violations of law, grounds for statutory disqualification or sanctions, establish priorities, prepare and assist in litigation; and,
- communications with licensees, registrants, investors, professional associations, the media, and other interested parties.

Under the Commissioner and through the Securities Act, the thrust of securities regulation in Colorado is to protect investors by bringing enforcement actions against fraudulent and other abusive conduct. In doing so, the Division works with local, state, and

federal law enforcement and regulatory authorities. The Division investigates complaints of Colorado citizens and other indications of investment fraud in the state, and monitors Colorado broker-dealer and sales representative conduct. The Division also administers and enforces the Commodity Code to protect investors and to prevent and prosecute illegal and fraudulent schemes involving precious metals and other off-exchange commodities. The Division reviews applications for the registration of non-exempt public securities offerings, reviews some exemption filings, and licenses companies and individuals engaged in business as securities broker-dealers and sales representatives. In addition to licensing application screening, the Division also performs on-site examinations of broker-dealer and sale representative offices. The Division also licenses and regulated state-based investment advisers (“IA’s”) and investment adviser representatives (“IAR’s”) who work in Colorado. Licensing and regulating state-based IA’s and IAR’s requires an application review process as well as on-site examinations.

DIVISION OF SECURITIES HOT ISSUES

Major Lawsuits:

Joseph v. Life Partners - This enforcement case, filed in Denver District Court, seeks to permanently enjoin Life Partners from offering or selling securities in Colorado and violating the anti-fraud provisions of the Colorado Securities Act. Life Partners raised over \$11.5 million from more than 110 Colorado investors through a fraudulent, unregistered offering of securities in the form of fractionalized interests in viatical and life settlements. A viatical or life settlement is the sale of a life insurance policy by a terminally-ill person or senior citizen (the viator) at a price discounted from the face value of the policy. Investors pay the premiums and receive the face value of the life insurance policy when the insured, or viator, dies. In turn, the viator receives a portion of the proceeds of his life insurance policy as a lump sum. According to the Commissioner’s complaint, Life Partners failed to register the viatical securities in Colorado, and falsely promised investors fixed returns, depending upon the term of investment chosen by the investor. Trial is set for October 14, 2008.

People v. Frederic R. Dryer - This is a criminal action filed in Denver District Court. Dryer was indicted by the Denver County Grand Jury in a 58 count indictment where he was accused of scamming hundreds of individuals out of approximately \$15 million invested in Mile High Capital Group and Replacement Property Solutions. Dryer is charged with violating Colorado’s Organized Crime Control Act, as well as Conspiracy to Commit Securities Fraud, Conspiracy to Commit Theft, 27 counts of securities fraud and 28 counts theft. Trial is set to commence June 23, 2008. A corresponding civil enforcement action, Joseph v. Mile Hi, et al., is currently pending in Denver District Court. No trial date has been set.

Joseph v. Dharma Investment Group, et al. - This enforcement action was filed in Denver District Court and a preliminary injunction was obtained against Dharma Investment Group, LLC, and its two owners, Bela A. Geczy and Michael B. Kass. In the complaint, the Commissioner has alleged that as early as March 2006 and continuing until at least October 2007, Kass and

Geczy illegally raised more than \$17 million from investors. The Court appointed a receiver to take control over the assets of Dharma Investment Group. No trial date has been set.

Cease and Desist Order Proceedings:

The Division received cease and desist authority four years ago. In the past fiscal year, the Division initiated 13 C & D actions, the most ever. Of those 13 actions, five involved the offer of investments in real estate transactions, and four involved the offer of interests in oil and gas ventures. With the on-going problems in the housing market, and the continuing rise of the price of oil, the Division anticipates seeing more real estate, and oil and gas offerings. Most of these actions involve out-of-state companies selling unregistered securities in Colorado in a fraudulent manner. The Division anticipates initiating more actions involving these kind of offerings next fiscal year.

Senior Investment Fraud:

With the growing number of seniors, and the continued increase in senior investment fraud, the Division will continue to focus its attention on the issues involving senior investment fraud. These include rulemaking regarding the use of so-called senior or professional designations, educating seniors about the perils of attending free lunch seminars, and taking enforcement actions against financial advisers who sell seniors unsuitable investment products.

PRIOR YEAR LEGISLATION

SB 08-011 – Trauma Care Funding (Morse, Massey). This bill requires insurance companies to include medical payments coverage of at least \$5,000 on motor vehicle policies beginning January 1, 2009.

SB 08-029 – Architects Continuing Education (Groff, Balmer). This bill requires continuing education for Architects and the establishment of a continuing competency program by the Department.

SB 08-135 – Health Insurance Standardized Benefits Card (S. Mitchell, X). This bill requires state regulated health insurance carriers to issue to their members a standardized, printed card containing benefit information by July 1, 2009 for new and renewal members, and by July 1, 2010 for all plan members.

SB 08-152 – Occupational Therapists (Tochtrop, Gagliardi). SB08-152 establishes registration of occupational therapists (OTs) within the Department of Regulatory Agencies, Division of Registrations. Occupational therapy involves the evaluation and treatment of sensory motor, cognitive, and psychosocial problems that may interfere with a person’s ability to engage in the performance of daily activities and work. The bill extends title protection to the profession. Practitioners must be licensed by the department beginning January 1, 2009.

SB 08-155 – Centralized IT Management (Cadman, A. Kerr). This bill consolidates the responsibility for information technology (IT) oversight of most of the state's executive branch in the Governor's Office of Information Technology (OIT). It does not affect the legislative or judicial branches, or the departments of law, state, or the treasury.

SB 08-188 – Direct Care Nurses Pilot (Boyd, J. Kerr). This bill establishes a 14-member committee to develop and implement a pilot program to model the effective participation of direct care nurses in decision-making processes in hospitals. The Pilot Program Implementation Committee has the following responsibilities: hire a third-party administrator, a research advisor, and a principal investigator to administer, assist in research, and evaluate the program; raise funds to implement the program; consider certain aspects of a pilot program including time frames, funding sources, and the impact on hospitals; identify focus areas for program design, methodology, and evaluation; develop best practices and implementation strategies; select hospitals to participate in the pilot program; and report progress and recommendations to the General Assembly.

SB 08-200 – Prohibitions Against Discrimination (Veiga, Judd). This bill adds the prohibition of discrimination based on sexual orientation to non-discrimination statutes for 23 areas, including housing, employment not covered by HB07-025, education, public accommodations and health care. It also allows for the appointment of people who have been, or might be discriminated against because of sexual orientation, to the Civil Rights Commission. Prohibitions against discrimination on the basis of sex, marital status, disability, age, national origin, ancestry, and religion, are added as necessary for consistency in all non-discrimination statutes including consumer credit transactions, jury service, issuance of a license to practice law, and public accommodations.

SB 08-217 – Centennial Care Choices (Hagedorn, McGihon/Massey). This bill requires the Department of Health Care Policy and Financing, in coordination with the Division of Insurance and a panel of experts, to prepare a request for information from health insurance carriers and other interested parties. Carriers are requested to provide information regarding the design of a new health insurance product, known as a value benefit plan (VBP), to be offered in the individual market. After information is received, the department, in collaboration with the division and the panel of experts, must acquire actuarial projections, research potential cost savings, and analyze the information provided by the carriers.

SB 08-219 – Regulation of Massage Therapists (Romer, McFadyen/Rice). This bill creates the Massage Therapy Practice Act which requires the licensure of massage therapists by the Division of Registrations. creates the Massage Therapy Practice Act which requires the licensure of massage therapists by the Division of Registrations in the Department of Regulatory Agencies. The director must issue a license to a massage therapist who holds an unrestricted license in good standing in a state with equivalent requirements. The bill creates a massage therapist advisory committee to be appointed by the director, and defines the requirements for membership. Committee members are to be compensated for their service and reimbursed for actual and necessary expenses. The director has the authority to deny, refuse to renew or revoke a license, investigate complaints, and take enforcement action on violations including the issuance of cease and desist orders, civil and criminal penalties including a class 2 misdemeanor and a class 6 felony. A license may be denied if an applicant was convicted of, or plead guilty to a charge of a sex offense or a prostitution-related offense.

HB 08-1058 – Regulation of Uniform Athlete Agents (McGihon, Gordon). This legislation establishes the Uniform Athlete Agents Act, drafted by the National Conference of Commissioners of Uniform State Laws. The act requires athlete agents to register with the Division of Registrations if they intend to represent a college athlete in the pursuit of commercial or professional interests. Registration must occur prior to or within seven days of contact with a student athlete. Further, the act identifies the responsibilities and requirements of both the division and athlete agents.

HB 08-1216 – Consumer Outreach and Education Program (Ferrandino, Romer). This bill creates the Consumer Outreach and Education Program in the Department. The purposes of the program are: to inform consumers of their rights regarding regulated professions and occupations; to reduce regulatory violations; and to ensure public awareness of consumer protection information available from the department.

HB 08-1226 – Foreign CPAs (M. May, Veiga). This bill allows a certified public accountant (CPA) or registered public accountant from another state or foreign country to practice in Colorado without registering with the Department of Regulatory Agencies, State Board of Public Accountancy. These rights are extended to foreign partnerships, corporations, and limited liabilities companies. CPAs licensed out-of-state are required to follow board rules and are subject to its disciplinary authority. CPAs must maintain licenses, certificates, and registrations in the CPA's home state in order to practice in Colorado. The board may recover costs incurred as part of its investigative, administrative, and disciplinary proceedings against a CPA licensed elsewhere.

HB 08-1227 – PUC Continuation (Madden, Tapia). This bill continues operation of the Public Utilities Commission under the sunset law several modifications. Specifically, the bill: changes the fees charged by the PUC on certain motor carriers; harmonizes eligibility for certain low income assistance programs; requires the Governor's Energy Office to be notified of proposed gas or electric tariffs; allows the PUC to control litigation by the Attorney General seeking to recover civil penalties in court; allows the PUC to assess civil penalties administratively, instead of through court action; changes the standard of entry into the taxicab market; and

permits basic residential telephone service providers to apply to the PUC for permission to increase the price of service with half of the net increase in revenue to be used to invest in the provision of broadband service.

HB 08-1353 – Conservation Easements (Madden, Isgar). This bill adds various requirements concerning conservation easements transactions, primarily affecting the Division of Real Estate in DORA as well as the Department of Revenue. The bill requires appraisers to submit transactions to the Division of Real Estate and allows investigation/discipline by the Appraisers Board; creates a Conservation Easement Oversight Commission to review transactions and advise the Division; and creates a Certification Program administered by the Division for organizations that hold easements and claim the tax credits.

HB 08-1383 – Nursing License Inactive Status (Roberts, Tochtrop). This bill creates an inactive status for professional and practical nursing licenses to be administered by the Department of Regulatory Agencies, Division of Registrations. Nurses with inactive status licenses maintain their nursing titles but must not practice nursing until reactivating their licenses or are subject to disciplinary action. Upon request, a nurse's license can be reactivated if the nurse meets requirements.

HB 08-1385 – Health Insurance Transparency (Primavera, Schwartz). This bill requires the Insurance Commissioner to implement and maintain a consumer guide to health benefits coverage on the Division of Insurance website. The website must include information on each carrier, a link to the division's complaint form and index of complaints, and other information the commissioner determines to be useful to consumers. In addition, health care insurance producers and agents must disclose expected commission amounts to consumers.

HB 08-1389 – Insurance Rates Increased Oversight (M. Carroll, Sandoval). This bill creates the Fair Accountable Insurance Rates Act for health insurance rates that take effect on or after January 1, 2009. Insurance companies are required to report the number of lives insured in the prior year, and file complete and detailed descriptions of their rating and renewal underwriting practices with the Commissioner of Insurance. Rate filings that include rate increases, must be filed with the commissioner at least 60 days prior to the proposed use of the rates. If the commissioner does not approve or disapprove the rates filed within a 60-day period, the insurance company may use the rates on the condition that the commissioner may disapprove the rates later.

HB 08-1393 – Consumer Health Care Transparency Act (Stephens/Pommer, Morse/S. Mitchell). This bill requires the commissioner of Insurance to work with the Colorado Hospital Association (CHA) to include information about charges for the 25 most common inpatient procedures in the hospital report card. Hospitals must report annually to the CHA, and the CHA must make the information available on its website by August 1, 2009. In addition, health insurance carriers must submit certain information to the Department of Regulatory Agencies, Division of Insurance, including a list of the average reimbursement rates for the 25 most common inpatient procedures and producer compensation schedules. The commissioner may post this information on the division's

website. The bill directs the Health Care Task Force to study the feasibility of ambulatory surgical centers reporting information on their charges for inclusion in the CHA website.

WORKLOAD REPORTS

Workload Reports for the Department are listed as follows:

DIVISION OF BANKING	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Regulated Institutions (as of 6/30)				
Commercial and Industrial Banks	113	110	113	117
Trust Companies	7	8	6	6
Money Order/Transmitter Licensees	35	41	43	46
Foreign Capital Depositories	2	0	0	0
Functional Activities				
Target	450	340	259	239
Actual	411	294		
Total Assets and other funds under supervision (000s omitted)				
Target	\$129,641,400	\$123,866,925	\$151,074,000 9% increase	\$167,692,140 11% increase
Actual	117,968,500	\$138,600,000		
Required Examinations -mandated				
Target	165	208	148	157
Actual	161	196		
Percentage of Required Examinations Completed scheduled				
Target	157	212	159	157
Actual	161	196		
Percentage of Required Examinations Completed				
Target	95.1%	101.9%	107.4%	100.0%
Actual	100.0%	100.0%		
Additional Discretionary Examinations Performed				
Target	3	3	3	3
Actual	1	1		
Days to Complete Report and Submit to Institution (Safety and Soundness Examinations)				
Target	36	35	35	35
Actual	33	35.6		
Days to Complete Report and Submit to Institution (Specialty Examinations)				
Target	16	14	14	14

DIVISION OF BANKING	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Actual	14	15.6		
Processing Correspondence				
Estimate	10	10	10	10
Actual	6	3		
Complaint Processing				
Estimate	3 – 30	3 – 30	3 – 20	3 – 20
Actual	1 – 16	1 – 19		

DIVISION OF FINANCIAL SERVICES	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Credit Unions				
Institutions				
Target	65	60	54	54
Actual	62	57		
Examinations Conducted				
Target *	45	45	36	36
Actual **	44	40		
*Based on statutory exam requirement of once every 18 months				
** Based on statutory exam requirement of once every 18 months plus additional examinations for credit unions needing extra supervision according to the Division's risk-based approach				
On-site Contacts Conducted				
Target	24	22	12	12
Actual	18	12		
Assets - Not Including Corporate (in millions)				
Target	\$ 7,713	\$ 7,900	\$ 8,100	\$ 8,100
Actual	\$ 7,742	\$ 7,874		
Corporate Assets (in millions)				
Target	\$ 3,000	0	\$ 3,000	\$ 3,000
Actual	\$ 3,070	\$ 2,932		
Savings and Loan Associations (including PDPA)				
Institution Main Offices				
Target	4	4	4	4
Actual	4	4		
Branch Offices				
Target	13	12	12	12
Actual	12	12		

DIVISION OF FINANCIAL SERVICES	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Assets (in millions)				
Target	\$ 500	\$ 450	\$ 450	\$ 450
Actual	\$ 451	\$ 450		
Eligible Public Depositories				
Target	13	14	13	13
Actual	13	13		
Events of Default-collateral Liquidations				
Target	0	0	0	0
Actual	0	0		
Uninsured Public Deposits (in millions)				
Target	\$ 100	\$ 120	\$ 125	\$ 125
Actual	\$ 114	\$ 127		

Office of Consumer Counsel	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Workload –The OCC does not estimate target numbers, as it cannot anticipate the filings or cases that may be brought before the PUC in any given year				
Utility Filings Reviewed				
Target				
Actual	847	708		
Case Interventions/Ongoing Active Cases				
Target				
Actual	71	66		
Filings Resolved Without Intervention				
Target				
Actual	22	54		
Cases Forgone Due to Lack of Resources				
Target				
Actual	1	0		
Savings to Consumer –The OCC does not estimate target numbers, as it cannot anticipated annual savings as a result of unknown interventions that may be required as a result of various utility actions				
Solely Responsible (in millions)				
Target				
Actual	\$0.11	\$0.04		
Primarily Responsible (in millions)				
Target				
Actual	\$0.00	\$0.00		
Jointly Responsible (in millions)				

Office of Consumer Counsel	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Target				
Actual	\$73.04	\$38.90		

DIVISION OF INSURANCE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Producer Licensing				
Producer License Reviews				
Target	1,000	3,500	4,500	4,500
Actual	4,312	4,723		
Examinations Given				
Target – All License Types	20,000	20,000	18,000	18,000
Actual – All License Types	19,994	18,616		
New Licenses Issued				
Target				
Resident Licenses	8,000	8,000	7,000	7,000
Non Resident Licenses	14,000	18,000	18,000	18,000
Surplus Lines	25	100	400	400
Bail Bondsmen	87	200	150	150
Reinstatement of Licenses	0	3,000	3,500	3,500
Public Adjusters	5	20	20	20
Total	22,117	29,320	29,070	29,070
Actual				
Resident Licenses	8,060	7,336		
Non Resident Licenses	17,063	17,709		
Surplus Lines	465	416		
Bail Bondsmen	112	118		
Reinstatement of Licenses (Estimate - database does not provide this info)	3,604	3,894		
Public Adjusters	18	38		
Total	29,322	29,511		
Renewal Licenses Issued				
Target	45,000	40,000	40,000	40,000
Actual	37,060	39,186		
Miscellaneous Other Activities				
Target				
Producer Registrations	6,000	11,000	11,000	11,000
Duplicate Licenses	500	1,000	800	800

DIVISION OF INSURANCE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Letters of Certification +	16,000	4,000	1,000	1,000
Letters of Clearance	500	500	400	400
Name and Address changes	8,700	16,000	10,000	10,000
Total	32,500	32,500	23,200	23,200
Actual (Actual numbers are on calendar year basis)				
Producer Registrations	12,408	11,220		
Duplicate License	1,212	793		
Letters of Certification +	3,888	2,476		
Letters of Clearance	431	406		
Name and Address Change	17,108	10,782		
Total	35,047	25,677		
Total Active Licensees				
Target	100,000	110,000	116,000	116,000
Actual	109,705	115,229		
+ Fewer states require Letters of Certification.				
Financial, Corporate Affairs, and Premium Taxes				
Annual Financial Statements Received *				
Target	1,455	1,480	1,480	1,480
Actual	1,465	1,472		
Domestic Annual Financial Statements Analyzed				
Target	52	49	47	46
Actual	49	48		
Troubled Company Monitoring, Foreign				
Target	70	30	50	50
Actual	22	58		
Premium Tax Annual Returns Received				
Target	1,450	1,500	1,500	1,500
Actual	1,481	1,486		
Annual Premium Tax Returns Audited				
Target	750	800	750	750
Actual	782	702		
Surplus Lines Tax Returns				
Target	750	850	900	900
Actual	819	992		
Quarterly Premium Tax Returns Received				
Target	2,400	2,400	2,400	2,400

DIVISION OF INSURANCE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Actual	2379	2,475		
Initial and Renewal Authorizations +				
Target	450	450	450	450
Actual	434	468		
Other Authority Actions++				
Target	300	400	400	400
Actual	383	363		
* Hard copies of the Financial Statements are no longer filed directly with the DOI but electronically with the NAIC.				
+ Includes new license application for foreign and domestic companies and includes new applications and renewal filings for self-insured healthcare providers, captives, self-insured pools, prepaid dental, nonadmitted reinsurers, preneed funeral contract sellers, regional home office companies, motor vehicles self-insurance certificate holders, surplus lines companies, and LSLPN's.				
++ Includes insurance company address changes, name changes, line of authority changes, organization structure changes, change of control, reorganizations, MGA designations, transfers and assumptions, and withdrawals. Also includes new purchasing group filings.				
Financial Examinations				
Financial Examinations Conducted				
Target	15	10	10	7
Actual	15	13		
NOTES:				
1. The financial examination resources of the Division of Insurance are used primarily to perform financial condition examinations on Colorado domestic insurers. Foreign insurers, licensed to conduct business in Colorado, are examined by their respective domiciliary states through the zone examination system of the National Association of Insurance Commissioners. Reports on such examinations, as well as reports completed by the Division of Insurance, are shared between the states.				
2. The variance in numbers of examinations conducted each year is attributed to the difference in size and complexity of those companies scheduled for examination in a specific year. For reference, as of December 31, 2005 the size variance for Colorado domiciled insurers, in terms of assets, ranged from approximately \$230,000 to \$33.6 billion.				
3. "Actual" examinations included in the workload measures are those in which fieldwork has been completed and the report of examination has been adopted or is in the process of completion, i.e., the numbers reported in the table do not include those examinations in progress at year-end. Eight financial examinations were in progress at the end of FY 2004-05 and five financial examinations were in progress at the end of FY 2005-06.				

DIVISION OF INSURANCE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
<p>4. For FY 2004-05 one of the projected examinations not completed by June 30, 2005 was in progress and scheduled for completion in the third quarter of 2005. The other examination was incorporated into the FY 2005-06 schedule. The variance in the "targeted" vs. "actual" examinations for FY 2004-05 was partially attributed to staff turnover and staff vacancies during the fiscal year, i.e., one Senior Examiner (FE III) resigned in July 2005 to accept a promotion at another state agency and another Senior (FE III) retired in November 2005. Both positions were filled through internal promotions within the section and the vacancies resulting from these promotions were in the process of being filled at the FE I level.</p>				
<p>5. For FY 2005-06 one additional targeted examination was completed in addition to the other scheduled examinations.</p>				
<p>6. For FY 2007-08 two exams were performed early to ease FY 2008-2009. One exam which was scheduled for FY 2006-2007 was performed in FY 2007-2008</p>				
Consumer Affairs				
Complaint Files Opened				
Target	4,000	4,000	4,000	4,000
Actual	3,170	3,946		
Auto Protests Received				
Target	1,200	1,200	1,200	1,100
Actual	1,125	1,083		
Closed Cases +				
Target	5,200	5,200	5,200	4,800
Actual	4,356	4,165		
Consumer Complaints/Average Days Open				
Target	100	90	90	80
Actual	80.8	82		
Protests/Average Days Open ++				
Target	22	22	22	35
Actual	29	63		
Incoming Telephone Calls +++				
Target	40,000	28,500	28,500	25,000
Actual	25,478	23,828		
Walk-Ins				
Target	200	200	200	150
Actual	207	113		
Target	100	100	100	200
Actual	64	180		
Target	600	800	1,000	1,200
Actual	1,123	1,015		
Target	90%	90%	90%	90%

DIVISION OF INSURANCE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Actual	87.65%	1		
Dollars Saved Consumers +++++				
Target	\$7,000,000	\$8,000,000	\$8,000,000	\$8,000,000
Actual	\$15,155,808	\$8,821,765		
E-mail Contacts (started tracking 04-05)				
Target	1,000	1,000	1,200	1,500
Actual	1,070	1,377		
Provider Complaints (started tracking 04-05) ++++++				
Target	400	400	400	500
Actual	359	477		
+ Includes auto protests closed. Includes all complaints and protests closed within the fiscal year.				
++ Average days protests were open increased due to substantial number of protests against 2 companies which required resolution of a public policy issue involving exclusion of a driver on other household policies not coterminous with policy under protest.				
+++ This the number of calls coming into the Consumer Affairs Section through the automated call distribution (ACD) system through the Consumer Complaint number. It does not include calls directly to analysts' lines. In June, 2006, the Division changed telephone systems permitting tracking of calls coming into the ACD system.				
++++ Procedure change in FY06-07 to ensure that customer survey cards go out on all complaint files.				
+++++ Amount for 2006-07 fiscal year is high due to several and substantial recoveries for "unsuitable" annuities.				
++++++ This is actual count of incoming provider complaints referred to companies for resolution. Inquiries where the Division does not have jurisdiction, i.e. ERISA self-insured plans, where additional information is required, and where Division was cc'd by provider on correspondence is not included. For FY 07-08, this was 998 and was approximately the same as the previous year.				
Rates & Forms Section				
Policy Forms Reviewed				
Target	500	500	500	500
Actual	505	411		
Policy Certifications Processed				
Target (law change will result in fewer filings returned in future years)	5,000	4,000	4,000	4,000
Actual	3,664	3,825		
Rate & Rule Filings Reviewed				

DIVISION OF INSURANCE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Target	2,000	1,600	1,700	1,700
Actual	1,505	1,639		
Rate & Rule Filings Processed				
Target	3,000	4,000	4,500	4,500
Actual	5,331	4,074		
Rate, Rule, and Form Telephone Calls				
Target	4,000	4,000	4,100	4,100
Actual	3,823	4,003		
Desk Audits of Companies				
Target	5	5	5	50
Actual	5	6		
Rates/Forms Customer Survey Cards Returned +				
Target (the Division hopes that surveys will be returned in increasing numbers)	500	50	0	0
Actual	16	0		
Rates/Forms Survey Results: Excellent or Satisfactory				
Target	90%	90%	0	0
Actual	100%	0		
Rates/Forms Dollars Saved Consumers ++				
Target	\$3,000,000	\$3,000,000	\$5,000,000	\$5,000,000
Actual	\$5,414,296	\$85,623,349		
+ With increased electronic rate filings, survey cards are being eliminated.				
++ In FY 04-05 and 05-06 the Commissioner did not go with the recommended Workers Compensation rate adjustments that were recommended by the National Council on Compensation Insurance (NCCI) . He went with increased deductions resulting in consumer savings of approximately \$17.4M and \$48M in lower premiums. There was no filing by the NCCI for FY06-07 so no change. The Comm. went with increased WC reductions in 07-08 resulting in a savings of about \$80M for WC alone.				
Compliance and Investigations				
Stipulations				
Target	8	25	40	40
Actual	56	52		
Final Agency Orders				
Target	10	35	50	50
Actual	68	84		
Cease and Desist Orders				
Target	10	10	10	10
Actual	7	5		
Other Orders (including Orders Setting Aside C&Ds)				

DIVISION OF INSURANCE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Target	10	10	10	10
Actual	13	10		
Service of Process				
Target	650	600	600	600
Actual	563	593		
Legislation (tracking)				
Target	70	70	80	80
Actual	60	75		
Regulations				
Target	40	40	35	35
Actual				
Regulations	37	17		
Emergency Regulations	0	6		
Bad Check Recovery				
Target	40	30	5	5
Actual	25	5		
Refereed to Collections				
Target	20	10	10	10
Actual	4	30		
Records Request *				
Target	175	150	150	150
Actual	131	98		
Investigation Complaint Files Opened +				
Target	240	450	450	450
Actual	664	422		
Target	177	300	350	350
Actual	442	325		
Target		60	100	100
Actual	53	119		
Investigation Closed Complaint Files				
Target	553	500	525	525
Actual	731	516		
Investigation Closed Complaint Files/Average Days Open				
Target	175	180	180	180
Actual	339.53	291		
Investigation Closed Inquiry Files/Average Days Open				
Target	50	50	50	50
Actual	33.74	16.62		

DIVISION OF INSURANCE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Investigation Incoming Telephone Calls				
Target	850	900	950	950
Actual	967	980		
Investigation Walk-Ins				
Target	30	30	25	25
Actual	23	22		
* This number only reflects the ORRs that were worked on by the C&I unit. The C&I was not responsible for ORRs from December of 2006 through January of 2008. This responsibility has been returned to our unit. 08-09 and 09-10 estimates include all ORRs anticipated for the entire Division.				
Market Regulation *				
Market Conduct				
Market Conduct Examinations +				
Target	30	25	23	23
Actual (Orders issued).	13	10		
Market Analysis				
Level 1 Market Analysis reviews ++				
Target – as assigned by the NAIC	25	25	25	25
Actual	30	20		
Identify actions within the regulatory Continuum of Market Regulatory Responses, not including market conduct examinations, and ensure they are coordinated and performed +++				
Target	10	19	88	88
Actual	10	98		
Market Analysis Planning Meetings (at least quarterly) ++++				
Target	4	7	4	4
Actual	7	5		
Target	550	550	486	486
Actual	610	487		
* Market Conduct Examinations were included under "Market Regulation & Rates/Forms Sections" last year. Market Regulation is its own section and includes all Market Analysis measures, so it was appropriate to title the subsection "Market Regulation", combining the Market Conduct Examinations measure and the measures previously included under "Market Analysis". We are also adding 2 exams per year to estimates for future years, to account for the additional 1 FTE title examiner.				
+ The implementation of the Market Surveillance Act in 2007 places a higher priority on market analysis and the use of alternative actions within the Continuum of Regulatory Response, where possible. The examination process has been undergoing significant revision, and it is anticipated that the				

DIVISION OF INSURANCE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
<p>number of completed examinations will increase somewhat over the next two fiscal years.</p> <p>++ Although only 20 Level 1s were completed in the fiscal year, 25 were completed on 2006 data, as required by NAIC standards. 6 reviews were completed early, in FY 06-07, and 1 of the reviews shown for FY 07-08 is for 2007 data.</p> <p>+++ With the formal adoption of the Market Surveillance Act in 2007, it is most appropriate to ensure that the best action within the continuum of regulatory response is undertaken - not just minimum numbers in specific subcategories. Therefore, complaint trending meetings (target 10 for FY 07-08) and Continuum actions (target 19 for FY 07-08) were merged. Further, the addition of 1 additional FTE examiner to concentrate on title issues resulted in a significant "startup" series of Continuum actions, which accounts for the high counts in these areas. Since title insurance data required to be reported is not sufficient for analysis, this significantly increases the number of actual and expected Continuum actions for the section.</p> <p>++++ NAIC standards mandate intradepartmental communication on at least a quarterly basis.</p> <p>+++++ This is wholly dependent on how many companies meet the reporting threshold; for 2007 data, only 486 companies were actually required to file, and we received 487 filings.</p>				

Public Utilities Commission	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Fixed Utilities				
Target	800	650	400	400
Actual	698	415		
Rate Cases Suspended & Heard				
Target	15	10	22	22
Actual	9	5		
Applications Processed				
Target	200	150	130	130
Actual	149	133		
Interconnection Related Filings				
Target	40	30	80	80
Actual	27	66		
Gas Safety Inspections – Performed				
Target	150	220	220	220
Actual	213	253		

Public Utilities Commission	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Gas Safety Inspections – Violations Cited				
Target	6	6	5	5
Actual	2	7		
Gas Safety Inspections – Construction Inspection				
Target	90	90	80	80
Actual	55	85		
Gas Safety Inspections – Incident Investigation				
Target	5	10	10	10
Actual	12	12		
Special Reports, Adoption Notices & Promotional Offers				
Target	20	20	125	125
Actual	21	118		
Pass-on Filings (LSN Tariff changes)				
Target	35	50	40	40
Actual	51	36		
Rulemaking Cases				
Target	10	10	11	6
Actual	7	4		
Consumer Complaints Closed				
Target	5,000	5000	3000	3000
Actual	3036	2624		
Money Saved by Consumers *				
Target	*	*	*	*
Actual	\$697,805	\$414,105		
Annual Financial Report Filings				
Target	400	400	456	456
Actual	349	402		
Toll Reseller Registrations				
Target	25	75	80	80
Actual	80	125		
*The PUC has no “target” savings and prefers not to “estimate” savings as such dollar savings are totally a result of what complaints have occurred and are resolved. Note: Included are \$14,946 in refunds to customers from tariff refund plans.				
Transportation				
Time Schedules and Rate Change Requests Received and Analyzed – Intrastate Regulated Carriers				

Public Utilities Commission	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Target	80	80	80	80
Actual	78	89		
Vehicle Inspections Completed – Intrastate Carriers				
Target	2,500	1,200	1,200	1,200
Actual	1,002	976		
Authority Applications Processed – Intrastate Regulated Carriers				
Target	175	150	140	140
Actual	132	133		
Permits, Registrations and Stamps Processed/Issued				
Target	20,000	30,000	25,000	25,000
Actual	31,982	26,049		
Insurance Filings Processed				
Target	30,000	25,000	20,000	20,000
Actual	24,202	21,260		
Information Requests				
Target	40,000	30,000	35,000	30,000
Actual	24,670	32,977		
Showcause(Insurance/stamps) - revocations completed				
Target	2,000	1,700	2,100	2,100
Actual	1,728	1,708		
Number of Intrastate Carriers – Regulated and Exempt				
Target	8,000	9,000	8,000	8,000
Actual	8,736	8,144		
Compliance Audits Completed – Intrastate Carriers				
Target	350	350	350	350
Actual	319	335		
Showcause (Annual Report) Investigations				
Target	6	6	6	6
Actual	0	0		
Complaints Closed**				
Target		200	300	300
Actual	187	326		
Investigations Closed				
Target	500	300	300	300
Actual	302	266		
Money Saved by Consumers *				
Target	*	*	*	*
Actual	\$5,146	\$4,841		
Civil Penalty Assessment Notices Issued				
Target	60	60	60	60
Actual	77	58		

Public Utilities Commission	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Highway-Rail Crossing Safety Inspections - Performed				
Target	50	50	50	50
Actual	51+ 268	74+ 157***		
Rail Fixed Guideway Safety Inspections - Performed				
Target	100	100	90	100
Actual	94	58		
*The PUC has no "target" savings and prefers not to "estimate" savings as such dollar savings are totally a result of what complaints have occurred and are resolved.				
** Consumer Affairs began taking Transportation complaints on January 1, 2007. Transportation complaints taken from July 1, 2006 - December 31, 2006 have been reported as "Investigations Closed"				
*** 157 includes crossings that were checked to see if proper signs were installed pursuant to Commission Order, and photographs taken at crossings that were not the subject of a diagnostic review. These are special cases that will not happen every year.				

DIVISION OF REAL ESTATE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Education and Licensing Sections				
New Broker Licenses Issued				
Target	5,000	5,500	3,500	4,000
Actual	4533	3,146		
Broker Target	10,000	13,000	5,500	7,000
Broker Actual	7035	5,135		
Appraiser Target	1,300	1,200	500	500
Appraiser Actual	1028	1,187		
New Corporations/Partnerships				
Target	650	750	750	750
Actual	847	697		
License Transfers				
Target	14,000	14,000	14,000	14,000
Actual	12017	13,845		
Broker and Salesperson License Renewals				
Target	14,000	18,000	18,000	18,000
Actual	14321	18,292		
New Subdivisions				
Target	12	20	30	30
Actual	25	27		
Subdivision Renewals				

DIVISION OF REAL ESTATE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Target	140	150	175	200
Actual	153	160		
New Appraisers—Certified General				
Target	50	50	75	75
Actual	80	95		
New Appraisers—Certified Residential				
Target	100	130	150	150
Actual	183	169		
New Appraisers—Licensed				
Target	100	140	100	100
Actual	127	82		
New Appraisers—Registered				
Target	300	320	200	2,500
Actual	249	189		
Appraisal Renewals				
Target	1,400	1,600	1,500	1,600
Actual	1744	1,540		
Continuing Education Course Approvals				
Broker Target	47	48	650	650
Broker Actual	0	175		
Appraiser Target	92	125	200	200
Appraiser Actual	122	177		
Target	49,000	52,000	50,000	50,000
Actual	49953	47,572		
Target	48,000	51,000	48,000	49,000
Actual	49011	46,897		
Target	1,200	725	0	0
Actual	942	675		
Subdivision Licenses (as of June 30)				
Target	160	170	200	200
Actual	178	167		
Appraisers—Total				
Target	5,700	5,250	4,500	5,000
Actual	4884	4,447		
Target	1,200	1,200	1,200	1,250
Actual	1,126	1,154		
Target	1,200	1,400	1,450	1,500
Actual	1,344	1,437		
Appraisers—Licensed (included in total)				
Target	1,000	1,000	800	900
Actual	961	790		
Appraisers—Registered (included in total)				

DIVISION OF REAL ESTATE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Target	2,000	1,500	1,100	1,300
Actual	1453	1,066		
Enforcement Section (Real Estate <u>Brokers</u>)				
Complaints in Progress				
Target	225	350	250	300
Actual	287	219		
Complaints Received (respondents)				
Target	800	1,000	900	1,100
Actual	892	843		
Completed Investigations (respondents)				
Target	675	900	900	900
Actual	894	730		
Cases Referred to Hearing				
Target	45	50	50	50
Actual	44	86		
Completed Hearing Cases				
Target	50	55	55	55
Actual	30	13		
Completed by Attorney General				
Target	25	40	40	40
Actual	30	18		
Target	30	150	200	300
Actual	125	132		
Revocations/Suspensions				
Target	25	50	50	50
Actual	40	57		
Other Disciplinary Actions				
Target	30	100	100	100
Actual	85	91		
Target	125	125	100	100
Actual	26	56		
Target	10	50	50	50
Actual	36	65		
Target	10	20	20	20
Actual	16	16		
Complaints in Progress				
Target	130	230	250	300
Actual	255	305		
Complaints Received (respondents)				
Target	180	225	300	350

DIVISION OF REAL ESTATE		Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Actual		206	341		
Completed Investigations (respondents)					
Target		200	225	300	350
Actual		316	294		
Cases Referred to Hearing					
Target		60	120	50	50
Actual		217	51		
Completed Hearing Cases					
Target		60	150	50	50
Actual		78	6		
Completed by Attorney General					
Target		20	30	30	30
Actual		26	14		
Target		40	100	100	125
Actual		62	79		
Revocations/Suspensions					
Target		10	20	20	30
Actual		12	35		
Other Disciplinary Actions					
Target		75	75	75	75
Actual		40	44		
Target		30	20	50	50
Actual		14	32		
Target		10	30	30	30
Actual		74	19		
Target		15	20	20	15
Actual		11	0		
Auditing Section					
Broker Trust Accounts					
Target		9,000	11,000	11,000	11,000
Actual		10850	0		
Brokers Audited—Total					
Target		432	200	200	200
Actual		81	0		
Target		390	200	200	200
Actual		76	0		
Target		40	40	40	40
Actual		5	0		
Brokers Required to Correct Deficiencies					
Target		230	100	100	100

DIVISION OF REAL ESTATE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Actual	73	0		
Brokers to Hearing				
Target	18	10	10	10
Actual	3	0		
Referred to Attorney General				
Target	3	5	5	5
Actual	0	0		
Completed by Expedited Settlement Procedures				
Target	5	25	25	25
Actual	0	0		
Target	7	10	10	10
Actual	3	0		
Target	3	10	10	10
Actual	0	0		
Estimated average daily escrows (\$000)				
Target	\$450,000	\$450,000	\$450,000	\$450,000
Actual	\$399,431	\$0		
Amounts Audited (\$000)				
Target	\$35,000	\$4,000,000	\$4,000,000	\$4,000,000
Actual	\$3,815,518	\$0		
Shortages Found (\$000)				
Target	\$1,500	\$60,000	\$60,000	\$60,000
Actual	\$52,751	\$0		
Shortages Replaced (\$000)*				
Target	\$1,350	\$60,000	\$60,000	\$60,000
Actual	\$52,751	\$0		

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Examinations (1)				
Accountancy				
Estimate	6,700	8,300	9,350	9,350
Actual	8,253	9,229		
Acupuncturists				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Addiction Counselors				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Architects/Engineers/Land Surveyors				
Estimate	3,100	3,100	3,100	3,100
Actual	3,229	2,856		
Architects (combined Board as of FY07)				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Athlete Agents				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Barber/Cosmetology				
Estimate	7,000	6,000	6,000	6,000
Actual	5,607	5,954		
Boxing				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Chiropractic				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Dental				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Electrical				
Estimate	2,000	1,900	2,000	2,000
Actual	1,851	2,129		
Engineers/Land Surveyors (combined Board as of FY07)				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Hearing Aid Providers/Audiologists				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Landscape Architects				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Lay Midwives				

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Estimate	3	2	6	6
Actual	8	9		
Massage Therapists				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Mental Health – Licensed Professional Counselors				
Estimate	220	220	210	214
Actual	235	231		
Mental Health – Marriage and Family Therapists				
Estimate	40	30	38	40
Actual	21	36		
Mental Health – Psychology				
Estimate	90	100	78	78
Actual	88	73		
Mental Health – Social Work				
Estimate	278	300	325	350
Actual	270	306		
Mental Health – Grievance/Unlicensed Psychotherapists				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Medical				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Nursing				
Estimate	3,000	3,500	3,436	3,436
Actual	3,389	3,475		
Nurse Aides				
Estimate	11,504	12,079	12,770	12,770
Actual	11,716	12,424		
Nursing Home Administrators				
Estimate	45	35	35	35
Actual	89	29		
Occupational Therapists				
Estimate	N/A	N/A	N/A	N/A

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Actual	N/A	N/A		
Optometric				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Outfitters				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Passenger Tramway				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Pharmacy				
Estimate	500	500	599	625
Actual	499	552		
Physical Therapy				
Estimate	200	210	175	175
Actual	206	114		
Plumbers				
Estimate	900	800	800	800
Actual	688	747		
Podiatry				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Respiratory Therapy				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Veterinarians				
Estimate	210	150	180	180
Actual	132	203		
TOTAL DIVISION OF REGISTRATIONS				
Total Estimate	35,790	37,226	39,102	39,159
Total Actual	36,281	38,367		
(1) Examinations are defined as number of examinations administered, whether directly by the board or by private contractor selected by the board (Examination scores submitted as part of the application requirements are not included.)				

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Pertinent Workload Statistics				
New Licenses				
Accountancy				
Estimate	950	946	1,050	1,100
Actual	927	1,009		
Acupuncturists				
Estimate	90	101	103	105
Actual	99	101		
Addiction Counselors				
Estimate	360	361	395	393
Actual	359	396		
Architects/Engineers/Land Surveyors				
Estimate	2,736	2,080	2,048	2,077
Actual	1,992	2,020		
Architects (combined Board as of FY07)				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Athletic Agents				
Estimate	N/A	N/A	130	20
Actual	N/A	N/A		
Barber/Cosmetology				
Estimate	3,750	3,247	3,259	3,259
Actual	3,281	3,260		
Boxing				
Estimate	350	700	800	800
Actual	638	794		
Chiropractic				
Estimate	150	152	176	183
Actual	151	170		
Dental				
Estimate	350	400	554	612
Actual	524	502		
Electrical				

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Estimate	3,500	3,166	3,353	3,456
Actual	3,292	3,253		
Engineers/Land Surveyors (combined Board as of FY07)				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Hearing Aid Providers/Audiologists				
Estimate	75	80	87	93
Actual	85	82		
Landscape Architects				
Estimate	N/A	750	100	100
Actual	N/A	469		
Lay Midwives				
Estimate	5	6	9	11
Actual	8	8		
Massage Therapists				
Estimate	N/A	N/A	6,500	300
Actual	N/A	N/A		
Mental Health – Licensed Professional Counselors				
Estimate	350	300	350	372
Actual	405	330		
Mental Health – Marriage and Family Therapists				
Estimate	60	39	55	61
Actual	47	49		
Mental Health – Psychology				
Estimate	120	97	125	154
Actual	123	101		
Mental Health – Social Work				
Estimate	300	285	432	478
Actual	353	390		
Mental Health – Grievance/Unlicensed Psychotherapists				
Estimate	575	519	765	884
Actual	480	662		
Medical				
Estimate	1,550	1,562	1,584	1,593

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Actual	1,556	1,575		
Nursing				
Estimate	5,500	6,897	6,046	6,311
Actual	6,320	5,792		
Nurse Aides				
Estimate	4,750	4,235	5,065	5,328
Actual	4,173	4,815		
Nursing Home Administrators				
Estimate	40	44	37	38
Actual	44	35		
Occupational Therapists				
Estimate	N/A	N/A	2,040	215
Actual	N/A	N/A		
Optometric				
Estimate	50	68	86	97
Actual	62	76		
Outfitters				
Estimate	60	61	59	60
Actual	69	57		
Passenger Tramway				
Estimate	2	13	13	13
Actual	9	20		
Pharmacy				
Estimate	2,000	760	987	1,079
Actual	1,083	902		
Physical Therapy				
Estimate	350	394	446	495
Actual	356	401		
Plumbers				
Estimate	1,525	3,126	1,500	1,600
Actual	1,159	3,012		
Podiatry				
Estimate	8	8	9	10
Actual	9	9		

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Respiratory Therapy				
Estimate	215	199	275	300
Actual	201	261		
Veterinarians				
Estimate	180	250	240	250
Actual	230	339		
TOTAL DIVISION OF REGISTRATIONS				
Total Estimate	29,951	30,846	38,678	31,847
Total Actual	28,035	30,890		
 (1) New licenses include those that are issued, whether directly by the board or by private contractor selected by the board. Electrical and Plumbing apprentice registrations and Engineer/Land Surveyor interns are included.				
Pertinent Workload Statistics				
License Renewals (1)				
Accountancy				
Estimate	400	14,785	375	14,906
Actual	219	14,983		
Acupuncturists				
Estimate	0	865	0	925
Actual	0	812		
Addiction Counselors				
Estimate	2,428	350	0	2,697
Actual	1,752	389		
Architects/Engineers/Land Surveyors				
Estimate	15,030	16,259	9,124	14,810
Actual	11,460	16,764		
Architects (combined Board as of FY07)				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Athlete Agents				
Estimate	N/A	N/A	0	135
Actual	N/A	N/A		
Barber/Cosmetology				
Estimate	13,500	28,238	12,073	28,769

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Actual	11,469	28,806		
Boxing				
Estimate	51	40	45	45
Actual	9	50		
Chiropractic				
Estimate	200	2,361	0	2,231
Actual	503	1,609		
Dental				
Estimate	0	7,788	0	8,110
Actual	0	8,016		
Electrical				
Estimate	23,000	0	18,134	0
Actual	17,710	0		
Engineers/Land Surveyors (combined Board as of FY07)				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Hearing Aid Providers/Audiologists				
Estimate	0	308	0	415
Actual	0	399		
Landscape Architects				
Estimate	N/A	0	570	598
Actual	N/A	0		
Lay Midwives				
Estimate	45	50	53	57
Actual	46	48		
Massage Therapists				
Estimate	N/A	N/A	0	6,120
Actual	N/A	N/A		
Mental Health – Licensed Professional Counselors				
Estimate	3,315	350	0	4,407
Actual	2,822	433		
Mental Health – Marriage and Family Therapists				
Estimate	497	60	0	621
Actual	416	80		

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Mental Health – Psychology				
Estimate	2,073	160	0	2,293
Actual	1,806	217		
Mental Health – Social Work				
Estimate	3,444	250	0	4,221
Actual	2,916	406		
Mental Health – Grievance/Unlicensed Psychotherapists				
Estimate	1,497	200	0	2,753
Actual	897	238		
Medical				
Estimate	15,872	2,132	18,403	1,632
Actual	16,323	352		
Nursing				
Estimate	26,000	27,000	27,550	31,000
Actual	25,426	31,738		
Nurse Aides				
Estimate	0	24,000	0	21,675
Actual	0	22,176		
Nursing Home Administrators				
Estimate	400	400	310	382
Actual	304	350		
Occupational Therapists				
Estimate	N/A	N/A	0	2,029
Actual	N/A	N/A		
Optometric				
Estimate	1,103	0	1,096	0
Actual	1,057	0		
Outfitters				
Estimate	725	703	707	711
Actual	693	692		
Passenger Tramway				
Estimate	350	350	360	370
Actual	351	345		
Pharmacy				

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Estimate	2,213	6,764	2,244	6,879
Actual	1,445	6,562		
Physical Therapy				
Estimate	5,100	0	5,300	5
Actual	4,793	0		
Plumbers				
Estimate	0	6,052	0	0
Actual	0	6,171		
Podiatry				
Estimate	180	190	190	190
Actual	180	186		
Respiratory Therapy				
Estimate	2,020	0	1,944	0
Actual	1,907	0		
Veterinarians				
Estimate	3,945	0	3,547	0
Actual	3,515	0		
TOTAL DIVISION OF REGISTRATIONS				
Total Estimate	123,388	139,655	102,025	158,986
Total Actual	108,019	141,822		
 (1) Most licenses are renewed every other year for a period of two years. Renewals are those licenses where the renewal has been approved and the license printed. As of FY05 reinstatements are reported in Chart 3B.				
Pertinent Workload Statistics				
License Reinstatements (1)				
Accountancy				
Estimate	150	150	350	125
Actual	380	127		
Acupuncturists				
Estimate	15	15	19	20
Actual	21	22		
Addiction Counselors				
Estimate	70	70	15	67

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Actual	12	69		
Architects/Engineers/Land Surveyors				
Estimate	367	450	450	550
Actual	434	562		
Architects (combined Board as of FY07)				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Athlete Agents				
Estimate	N/A	N/A	0	5
Actual	N/A	N/A		
Barber/Cosmetology				
Estimate	1,500	1,500	1,500	1,500
Actual	1,518	1520		
Boxing				
Estimate	5	5	1	1
Actual	0	1		
Chiropractic				
Estimate	25	40	20	65
Actual	16	75		
Dental				
Estimate	50	50	76	86
Actual	56	66		
Electrical				
Estimate	235	200	180	255
Actual	175	289		
Engineers/Land Surveyors (combined Board as of FY07)				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Hearing Aid Providers/Audiologists				
Estimate	10	10	9	10
Actual	13	10		
Landscape Architects				
Estimate	N/A	0	5	5
Actual	N/A	0		

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Lay Midwives				
Estimate	3	3	1	3
Actual	1	3		
Massage Therapists				
Estimate	N/A	N/A	0	2
Actual	N/A	N/A		
Mental Health – Licensed Professional Counselors				
Estimate	50	60	30	100
Actual	29	118		
Mental Health – Marriage and Family Therapists				
Estimate	10	15	5	11
Actual	6	12		
Mental Health – Psychology				
Estimate	15	40	14	35
Actual	12	50		
Mental Health – Social Work				
Estimate	50	80	30	99
Actual	28	115		
Mental Health – Grievance/Unlicensed Psychotherapists				
Estimate	50	80	50	98
Actual	52	116		
Medical				
Estimate	287	130	80	140
Actual	79	157		
Nursing				
Estimate	1,000	1,000	800	825
Actual	849	835		
Nurse Aides				
Estimate	800	700	650	750
Actual	693	621		
Nursing Home Administrators				
Estimate	20	15	12	15
Actual	11	15		
Occupational Therapists				

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Estimate	N/A	N/A	0	5
Actual	N/A	N/A		
Optometric				
Estimate	10	12	10	8
Actual	8	6		
Outfitters				
Estimate	20	20	30	20
Actual	32	25		
Passenger Tramway				
Estimate	N/A	0	0	0
Actual	0	0		
Pharmacy				
Estimate	20	50	28	50
Actual	29	54		
Physical Therapy				
Estimate	75	40	80	60
Actual	88	55		
Plumbers				
Estimate	50	150	70	164
Actual	61	144		
Podiatry				
Estimate	2	2	2	2
Actual	1	1		
Respiratory Therapy				
Estimate	50	20	30	25
Actual	34	32		
Veterinarians				
Estimate	80	40	110	40
Actual	116	37		
TOTAL DIVISION OF REGISTRATIONS				
Total Estimate	5,019	4,947	4,657	5,141
Total Actual	4,754	5,137		
(1) SB04-024 defined standard reinstatement timeframes and guidelines for all boards and programs such that the workload and process is entirely different than renewals.				

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Pertinent Workload Statistics				
Active Licensees (1)				
Accountancy				
Estimate	17,000	17,181	17,475	17,475
Actual (Active, Inactive, Retired)	16,892	18,062		
Acupuncturists				
Estimate	950	1,056	1,003	1,077
Actual (Active, Inactive)	956	935		
Addiction Counselors				
Estimate	3,100	3,069	2,904	2,997
Actual	2,913	2,815		
Architects/Engineers/Land Surveyors				
Estimate	30,490	30,245	29,498	29,419
Actual	29,658	29,578		
Architects (combined Board as of FY07)				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Athlete Agents				
Estimate	N/A	N/A	130	150
Actual	N/A	N/A		
Barber/Cosmetology				
Estimate	50,000	51,504	49,028	50,288
Actual	50,494	47,815		
Boxing				
Estimate	400	900	1,100	1,100
Actual	863	1,014		
Chiropractic				
Estimate	2,600	2,716	2,501	2,518
Actual (Active, Inactive)	2,640	2,488		
Dental				
Estimate	8,100	8,919	8,535	8,699
Actual (Active, Inactive, Retired)	8,617	8,374		
Electrical				

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Estimate	20,946	18,451	20,380	20,679
Actual	18,587	20,102		
Engineers/Land Surveyors (combined Board as of FY07)				
Estimate	N/A	N/A	N/A	N/A
Actual (Active, Retired)	N/A	N/A		
Hearing Aid Providers/Audiologists				
Estimate	475	566	532	551
Actual	533	513		
Landscape Architects				
Estimate	N/A	750	569	585
Actual	N/A	469		
Lay Midwives				
Estimate	52	56	60	61
Actual	55	58		
Massage Therapists				
Estimate	N/A	N/A	2,040	2,265
Actual	N/A	N/A		
Mental Health – Licensed Professional Counselors				
Estimate	4,053	4,199	4,280	4,547
Actual	4,003	4,029		
Mental Health – Marriage and Family Therapists				
Estimate	685	635	619	639
Actual	607	600		
Mental Health – Psychology				
Estimate	2,306	2,423	2,372	2,420
Actual	2,352	2,326		
Mental Health – Social Work				
Estimate	4,185	4,258	4,238	4,409
Actual	4,099	4,074		
Mental Health – Grievance/Unlicensed Psychotherapists				
Estimate	2,485	2,294	2,192	2,333
Actual	2,100	2,059		
Medical				
Estimate	21,500	22,627	21,848	22,347

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Actual (Active, Inactive)	21,812	21,360		
Nursing				
Estimate	69,875	69,902	68,314	69,399
Actual (Active, Retired)	68,155	67,245		
Nurse Aides				
Estimate	28,500	33,248	27,276	28,659
Actual	29,911	26,033		
Nursing Home Administrators				
Estimate	475	450	416	470
Actual	435	437		
Occupational Therapists				
Estimate	N/A	N/A	6,500	6,800
Actual	N/A	N/A		
Optometric				
Estimate	1,150	1,100	1,177	1,187
Actual (Active, Inactive)	1,087	1,167		
Outfitters				
Estimate	775	777	721	711
Actual	777	732		
Passenger Tramway				
Estimate	373	358	370	374
Actual	357	367		
Pharmacy				
Estimate	9,900	9,242	9,178	9,425
Actual (Active, Inactive)	8,925	8,937		
Physical Therapy				
Estimate	5,350	5,325	5,883	6,085
Actual	5,237	5,689		
Plumbers				
Estimate	8,123	8,995	8,840	9,328
Actual	6,957	8,382		
Podiatry				
Estimate	205	201	200	201
Actual (Active, Inactive)	199	201		

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Respiratory Therapy				
Estimate	2,250	2,273	2,633	2,795
Actual	2,191	2,481		
Veterinarians				
Estimate	4,201	3,883	4,314	4,388
Actual (Active, Inactive)	3,869	4,242		
TOTAL DIVISION OF REGISTRATIONS				
Total Estimate	300,504	307,603	307,126	314,381
Total Actual	295,281	292,584		
 (1) "Active" Licenses = number of active licenses on June 30th. This includes the renewable license statuses of Active, Inactive and Retired. Electrical and Plumbing apprentices and Engineer/Land Surveyor interns are not included since they do not renew.				
Pertinent Workload Statistics				
Complaints Received and Handled (1)				
Accountancy				
Estimate	110	110	130	130
Actual	121	63		
Acupuncturists				
Estimate	20	15	13	13
Actual	6	11		
Addiction Counselors				
Estimate	137	75	78	78
Actual	48	84		
Architects/Engineers/Land Surveyors				
Estimate	125	125	125	125
Actual	122	105		
Architects (combined Board as of FY07)				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Athlete Agents				
Estimate	N/A	N/A	6	6
Actual	N/A	N/A		
Barber/Cosmetology				
Estimate	650	500	500	500

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Actual	500	487		
Boxing				
Estimate	20	20	25	25
Actual	19	14		
Chiropractic				
Estimate	80	75	85	85
Actual	53	117		
Dental				
Estimate	275	325	295	295
Actual	301	301		
Electrical				
Estimate	170	150	150	150
Actual	147	124		
Engineers/Land Surveyors (combined Board as of FY07)				
Estimate	N/A	N/A	N/A	N/A
Actual	N/A	N/A		
Hearing Aid Providers/Audiologists				
Estimate	25	25	24	24
Actual	21	22		
Landscape Architects				
Estimate	N/A	10	10	15
Actual	N/A	1		
Lay Midwives				
Estimate	10	10	10	10
Actual	2	7		
Massage Therapists				
Estimate	N/A	N/A	195	195
Actual	N/A	N/A		
Mental Health – Licensed Professional Counselors				
Estimate	100	90	84	84
Actual	63	101		
Mental Health – Marriage and Family Therapists				
Estimate	22	20	17	17
Actual	12	19		

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Mental Health – Psychology				
Estimate	85	75	66	66
Actual	62	74		
Mental Health – Social Work				
Estimate	96	100	88	88
Actual	86	95		
Mental Health – Grievance/Unlicensed Psychotherapists				
Estimate	112	80	85	85
Actual	74	87		
Medical				
Estimate	1,125	1,050	1,116	1,116
Actual	1,039	1,133		
Nursing				
Estimate	800	650	650	650
Actual	559	585		
Nurse Aides				
Estimate	200	200	300	300
Actual	158	249		
Nursing Home Administrators				
Estimate	40	32	32	32
Actual	25	23		
Occupational Therapists				
Estimate	N/A	N/A	40	40
Actual	N/A	N/A		
Optometric				
Estimate	20	18	21	21
Actual	14	30		
Outfitters				
Estimate	45	50	50	50
Actual	55	30		
Passenger Tramway				
Estimate	5	6	6	6
Actual	12	5		
Pharmacy				

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Estimate	160	170	180	180
Actual	161	283		
Physical Therapy				
Estimate	25	30	26	26
Actual	26	32		
Plumbers				
Estimate	135	100	100	100
Actual	96	85		
Podiatry				
Estimate	15	20	20	20
Actual	20	16		
Respiratory Therapy				
Estimate	10	15	15	15
Actual	12	25		
Veterinarians				
Estimate	130	115	93	93
Actual	98	61		
TOTAL DIVISION OF REGISTRATIONS				
Total Estimate	4,747	4,261	4,635	4,640
Total Actual	3,912	4,269		
 (1) Complaints include (a) those that are received externally from the public, consumers, licensees, etc. (b) those that are generated internally by board members or staff, and (c) non-jurisdictional complaints.				
Pertinent Workload Statistics				
Inspection Data by Board Staff				
Barber/Cosmetology				
Estimate	500	375	500	500
Actual	366	301		
Electrical				
Estimate	51,000	51,000	52,500	54,000
Actual	50,633	51,230		
Nursing				
Estimate	8	8	8	8

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Actual	6	12		
Nurse Aides				
Estimate	64	70	65	70
Actual	52	65		
Passenger Tramway				
Estimate	752	758	758	760
Actual	748	752		
Pharmacy				
Estimate	1,300	1,200	1,400	1,400
Actual	1,198	1,428		
Plumbers				
Estimate	13,000	12,000	13,000	13,500
Actual	11,274	11,550		
TOTAL DIVISION OF REGISTRATIONS				
Total Estimate	66,624	65,411	68,231	70,238
Total Actual	64,277	65,338		

FY 08 Board or Program Actions Chart 7						
Board or Program	Suspensions (2)	Stipulations (3)	Letters of Admonition	Other Actions (4)	Dismissals	
Accountancy	0	13	1	0	31	
Acupuncturists	1	1	0	0	5	
Addiction Counselors	1	14	6	1	49	
Architects/Engineers/Land Surveyors	1	29	35	11	55	
Barber/Cosmetology	1	330	1	0	107	
Boxing	0	12	0	0	1	
Chiropractic	0	10	3	0	102	
Dental	5	35	8	13	194	
Electrical	1	42	13	38	45	
Hearing Aid Providers/Audiologists	3	1	2	0	12	
Lay Midwives	0	0	1	1	1	
Mental Health						
- Licensed Professional Counselors	1	9	3	3	88	

- Marriage and Family Therapists	0	0	0	0	16
- Psychology	0	2	3	0	58
- Social Work	0	2	4	1	67
- Unlicensed Psychotherapists	0	5	7	0	55
Medical	27	46	34	8	750
Nursing	66	91	92	11	273
Nurse Aides	8	0	34	2	112
Nursing Home Administrators	0	7	2	0	14
Optometric	0	1	0	1	31
Outfitters	0	9	3	0	19
Passenger Tramway	0	3	1	0	0
Pharmacy	20	42	20	5	149
Physical Therapy	1	3	2	0	15
Plumbers	0	20	24	32	36
Podiatry	1	4	1	0	9
Respiratory Therapy	2	0	4	0	4
Veterinarians	1	4	6	3	53
TOTAL DIVISION OF REGISTRATIONS					
FY07-08 Actual	140	735	310	130	2,351
FY 06-07 Actual	72	801	352	144	2,582
FY 05-06 Actual	92	631	266	299	2,957
FY 04-05 Actual	70	754	215	127	2,795
FY 03-04 Actual	81	439	209	140	2,251
<p>(1) Revocations include voluntary surrender of license. (2) Suspensions are those actively served. Includes summary suspensions, agreements to cease practice in lieu of suspension, and interim cessations of practice. (3) "Stipulations" replaces the previous category of "Probations." Stipulations may or may not include probation. Includes Barber/Cosmetology citations. (4) Other Actions include but are not limited to Revocations held in abeyance or stayed, Suspensions held in abeyance or suspended, cease and desist orders and Electrical & Plumbing citations.</p>					

FY 08 Complaints Investigated					
Chart 8					
As of June 30, 2008					
Board or Program	Received	Investigated	Under investigation	Over 8 months old	Pending Hearing
Accountancy	13	6	7	0	14
Acupuncturists	3	1	2	0	0
Architects/Engineers/Land Surveyors	5	17	0	0	16
Athlete Agents	0	0	0	0	0
Barber/Cosmetology	3	5	0	0	6
Boxing	0	0	0	0	0
Chiropractic	20	20	2	0	10
Dental	79	73	31	0	70
Electrical	11	11	0	0	17
Hearing Aid Providers/Audiologists	7	5	2	0	1
Lay Midwives	1	0	1	0	0
Massage Therapists	0	0	0	0	0
Mental Health					
Addiction Counselors	16	16	7	0	14
Licensed Professional Counselors	7	8	1	0	8
Marriage and Family Therapists	0	2	0	0	2
Psychology	16	14	4	1	13
Social Work	8	8	2	0	5
Grievance	16	10	7	0	8
Medical	47	50	19	0	78
Nursing	125	101	76	3	75
Nurse Aides	81	76	34	1	23
Nursing Home Administrators	7	5	3	0	1
Occupational Therapists	0	0	0	0	0
Optometric	3	4	0	0	2
Outfitters	6	6	1	0	8
Passenger Tramway	0	0	0	0	0
Pharmacy	1	1	0	0	14
Physical Therapy	10	8	5	0	5

Plumbers	2	4	0	0	13
Podiatry	2	0	2	0	0
Respiratory Therapists	5	5	0	0	4
Veterinarians	6	8	1	0	6
TOTAL DIVISION OF REGISTRATIONS					
FY 07-08 Actual	500	464	207	5	413
FY 06-07 Actual	494	638	171	8	374
FY 05-06 Actual	571	471	315	37	384
FY 04-05 Actual	506	587	215	27	396
FY 03-04 Actual	531	561	290	58	350

DIVISION OF SECURITIES	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Enforcement Section				
Enforcement Statistics and Projections				
Total Caseload				
Target	440	384	408	408
Actual	382	357		
Target	325	310	320	320
Actual	298	273		
Licensed Respondents (included in total above)				
Target	125	110	120	120
Actual	100	84		
File Carryover				
Target	310	240	235	235
Actual	220	211		
Target	205	194	204	204
Actual	174	160		
Licensed Respondents (included in total above)				
Target	95	66	96	96
Actual	46	51		
New Cases				
Target	100	124	132	132
Actual	132	137		
Target	76	96	108	108
Actual	95	99		
Licensed Respondents (included in total above)				

DIVISION OF SECURITIES	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Target	30	48	60	60
Actual	37	38		
Files Closed				
Target	125	132	144	144
Actual	178	146		
Target	95	108	120	120
Actual	124	113		
Licensed Respondents (included in total above)				
Target	40	60	72	72
Actual	54	33		
Total Legal Actions*				
(Total of Administrative, Civil and Criminal listed below)				
Target	115	144	168	168
Actual	180	179		
Administrative Legal Actions				
Total Administrative Legal Actions				
Target	40	84	96	96
Actual	92	81		
Referrals				
Target	8	18	24	24
Actual	21	24		
Consent Orders				
Target	7	18	24	24
Actual	20	28		
Stop Orders				
Target	1	1	1	1
Actual	0	0		
Broker-Dealer/Cease & Desist Actions Filed				
Target	4	18	24	24
Actual	13	12		
Hearings Held				
Target	2	3	4	4
Actual	3	5		
Orders/Hearings				
Target	2	3	4	4
Actual	1	8		
Judicial Review and Appeal				
Target	1	1	1	1
Actual	0	1		
Summary Suspensions				
Target	10	3	5	5

DIVISION OF SECURITIES	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Actual	0	5		
Summary Revocations				
Target	12	12	5	5
Actual	12	5		
Other				
Target	5	12	12	12
Actual	12	3		
Civil Legal Actions				
Total Civil Legal Actions				
Target	45	54	60	60
Actual	58	66		
Referrals to Attorney General's Office				
Target	11	12	15	15
Actual	15	21		
Subpoena Enforcement Actions				
Target	5	5	6	6
Actual	3	6		
Complaints Filed				
Target	6	9	7	7
Actual	5	5		
Subpoena Enforcement Orders				
Target	4	4	4	4
Actual	3	4		
TRO's Obtained				
Target	2	2	2	2
Actual	2	0		
Preliminary Injunctions				
Target	2	2	3	3
Actual	1	3		
Permanent Injunctions				
Target	7	12	16	16
Actual	14	16		
Bankruptcy Actions				
Target	1	1	1	1
Actual	1	1		
Appeals				
Target	2	2	2	2
Actual	2	1		
Other				
Target	4	12	15	15
Actual	15	9		

DIVISION OF SECURITIES	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Criminal Legal Actions				
Total Criminal Legal Actions				
Target	32	40	35	35
Actual	39	32		
Referrals to Prosecutor				
Target	6	9	7	7
Actual	7	5		
Grand Jury Proceeding				
Target	3	6	5	5
Actual	9	1		
Indictments				
Target	3	6	6	6
Actual	9	4		
Complaints/Information				
Target	5	5	3	3
Actual	2	1		
Convictions				
Target	8	8	10	10
Actual	2	10		
Appeals				
Target	1	1	1	1
Actual	0	1		
Assistance				
Target	5	5	3	3
Actual	5	1		
Other				
Target	3	6	8	8
Actual	5	9		
Examination Section				
As of June 30, 2008, there were:				
·	2,403 broker-dealers licensed in Colorado.			
·	154,580 sales representatives licensed in Colorado.			
·	705 licensed investment advisers in Colorado.			
Securities Registration				
Registration by Coordination				
Target	97	95	90	90
Actual	84	83		
Registration by Qualification				

DIVISION OF SECURITIES	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Target	5	5	5	5
Actual	9	5		
Limited Offering Registration [pursuant to §11-51-304(6)]				
Target	3	3	3	3
Actual	5	0		
Local Government Trust Registrations				
Target	0	0	0	0
Actual	0	0		
Local Government Trust Ann. Renewal				
Target	3	3	3	3
Actual	3	3		
Colorado Municipal Bond Registrations				
Target	0	0	0	0
Actual	0	0		
Colorado Municipal Bond Exemptions				
Target	160	140	135	135
Actual	149	135		
Claim of Exemption				
Target	1,875	1,875	2,000	2,000
Actual	1,949	2,051		
Investment Companies				
Target	2,150	2,200	2,200	2,200
Actual	2,275	2,295		
Broker-Dealer and Investment Adviser Licensing				
(SEC = Securities and Exchange Commission)				
SEC Broker-Dealer Applications				
Target	185	185	160	160
Actual	186	160		
Investment Adviser Applications				
Target	300	280	300	300
Actual	262	301		
SEC Broker-Dealer Renewals				
Target	2,275	2,300	2,300	2,300
Actual	2,349	2,352		
Investment Adviser Renewals				
Target	1,575	1,750	1,950	1,950
Actual	1884	1,987		
Non-SEC Broker-Dealer Applications				
Target	1	1	1	1
Actual	1	1		

DIVISION OF SECURITIES	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Non-SEC Broker-Dealer Renewals				
Target	15	10	10	10
Actual	6	6		
(NASD = National Association of Securities Dealers, Inc.)				
NASD Sales Representative Applications				
Target	34,000	41,000	42,500	42,500
Actual	40,887	42,100		
NASD Sales Representative Renewals				
Target	121,000	125,000	143,800	143,800
Actual	134,053	143,772		
NASD Disciplinary Withdrawals				
Target	400	400	275	275
Actual	453	256		
Non-NASD Sales Representative Applications				
Target	10	10	5	5
Actual	7	2		
Non-NASD Sales Representative Renewals				
Target	11	11	11	11
Actual	12	11		
Investment Adviser Representative Applications				
Target	2,300	2,700	2,700	2,700
Actual	2,701	2,541		
Investment Adviser Representative Renewals				
Target	5,750	7,500	8,500	8,500
Actual	7,468	8,458		
Investment Adviser Representative Withdrawals				
Target	N/A	N/A	NA	NA
Actual		N/A		
Field Examinations				
Units				
Target	47	47	48	48
Actual	40	46		