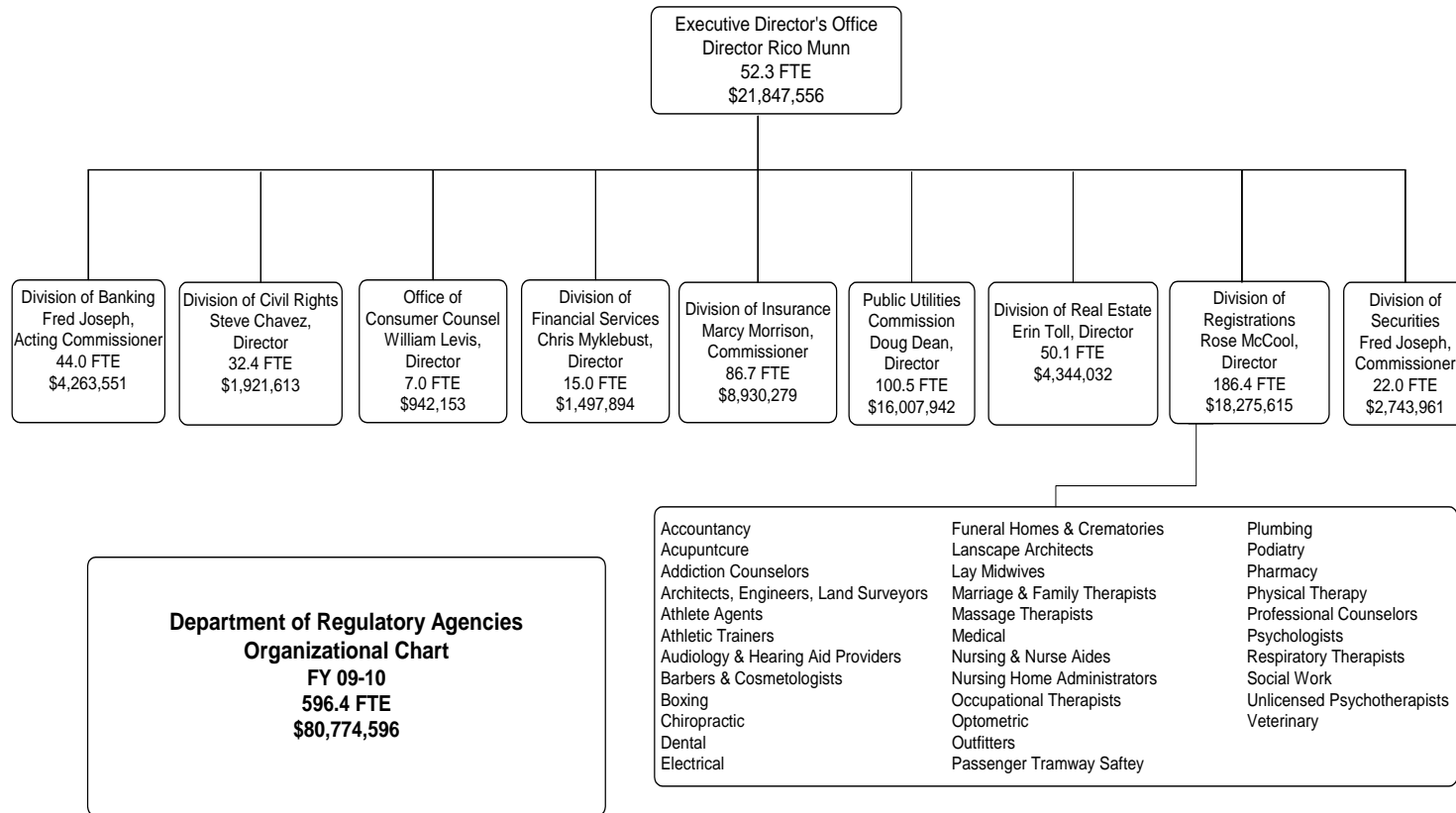




Department of Regulatory Agencies
Department Description

FY 2010-11 Budget Request

November 1, 2009



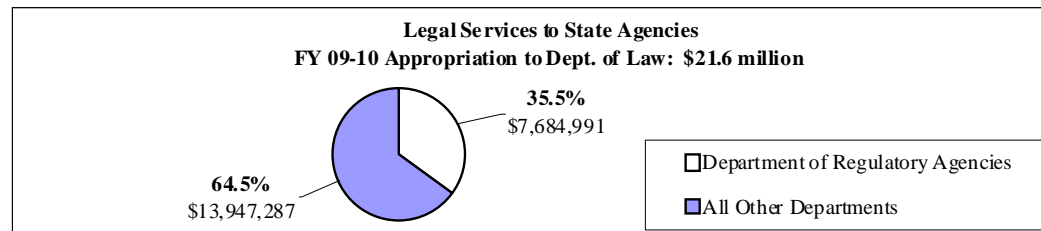
October 2009

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 over 40 boards, commissions, and advisory committees across 47 programs. This includes 227 board members and 596 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 35.5 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 (\$21.8 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 (\$4.3 million and 44.0 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, and money transmitters.

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, 2008, the Division had 38.5 authorized positions, 30 of which were in the Financial Credit Examiner (FCE) category. Of the 30 FCE classifications, one is Director of Examinations, 22 are classified as field examiners, four are Caseload Managers, one manages applications, one primarily manages the examination scheduling function, 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. As of July 1, 2009, six FCE positions were created as a result of the Division's Decision Item Request approved during the FY 09 legislative session. In addition, as of August 2009, the Division's FTE was reduced by .5 FTE as a result of the passage of House Bill 1053.

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, and the Money Transmitters Act. There were 156 state-chartered or licensed institutions operating in Colorado regulated by the Division, including 107 commercial banks, 2 industrial banks, 7 trust companies, and 40 money order companies as of December 31, 2008, compared to 156 as of year end 2007.

The Colorado economy slowed in 2008 along with the national economy. Nearly all economic sectors experienced some signs of weakness. Layoffs in the financial and business services sectors, coupled with declining residential and commercial real estate sales, and increasing apartment vacancy rates have posed an increased risk for bank loan portfolios. This is reflected in the aggregate net income of \$970,000 posted for state chartered commercial and industrial banks compared to \$235,768,000 in 2007. However, it should be noted that a goodwill impairment charge recorded by one of the larger banks in the fourth quarter adversely skewed the aggregate numbers. Trust activities at state chartered trust companies were also affected by the volatility in the financial markets this past year, but the industry remained profitable recording net income of \$59,854,000. Despite the decline in earnings this past year, asset growth continued as state chartered banks and trust companies aggregate assets increased by 7.3 percent over the prior year to \$39.5 billion. Overall, the industry remains strongly capitalized and is positioned to withstand the downturn in the economy.

DIVISION OF BANKING HOT ISSUES

- Significant increased risk and financial deterioration within the Colorado banking industry
- Increase in problem/adversely rated banks which require examinations be completed every 12 months instead of 18 months increasing the mandated workload within the Division
- Filling the vacant State Bank Commissioner position, vacant since November 2008
- Making effective use of additional resources approved via the Division's Decision Item during the 2009 legislative session
- Regulatory reform at the Federal level and its effects on State Banking departments

CIVIL RIGHTS DIVISION (\$1.9 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

- Ongoing budget reductions, hiring freeze, and furloughs with no replacement of staff have resulted in a reduced ability to get the work done. CCRD is one of few divisions in DORA that receives general fund funding from the state legislature. As a result, CCRD bears the brunt of funding reductions when general fund budget reductions are required at DORA. CCRD also receives contract funding from the federal government to conduct investigations for EEOC and HUD. These funds are an integral part of CCRD's budget. Payment under both contracts is dependent on the number and quality of investigations completed. Any further budget reductions beyond those presently requested would significantly increase the likelihood that CCRD would be unable to earn enough federal funding under these contracts. If that occurs, CCRD would likely be in a budget crisis during FY 2010-2011 that would carry the possibility of drastic reductions in services.
- Colorado minority residents continue to report to the Civil Rights Director that they are subject to racial profiling and excessive force by federal and state local law enforcement officials. CCRD does not have enforcement jurisdiction over these issues but CCRD has a statutory mandate to mediate issues between groups. These issues are important to many Colorado residents, and they can be resolved only through allocating resources to address them.

OFFICE OF CONSUMER COUNSEL (\$0.9 million 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

- Stimulus Funds (American Recovery and Reinvestment Act) Questions are how best to spend funds for energy conservation and broadband expansion in un-served and underserved areas of the state.
- Proposed increases in regulated energy rates. Due to changes in technology, environmental requirements and prices, regulated electricity and gas utilities are requesting increases rates to residential and commercial customers.
- Basic local service phone rates and definition of basic local service. As the result of legislation, landline phone companies have the ability to ask for increases in basic local phone rates. In addition, the definition of basic local service is being reviewed due to changes in technology and wireless and internet competition.
- Trends in the Colorado High Cost Telephone Fund (the Colorado High Cost Support Mechanism)
 - The subsidy fund continues to grow as wireless companies apply for money under the fund.
 - Rules may be rewritten to define more clearly what types of services are eligible for high cost funding.

DIVISION OF FINANCIAL SERVICES (\$1.5 million and 15.0 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 fifteen-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 (\$8.9 million and 86.7 FTE). The Division of Insurance (the "Division") regulates approximately 1,500 insurance entities and approximately 115,000 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 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 28,000 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: HB 08-1389 prior approval of health rates and the data survey and report will continue to require significant staff resources, SB 08-135 standardized identification system will move to the regulation process to create a new system. Upcoming 2010 bills may include legislative directives to address changes due to federal health care reform, improve transparency and disclosures in insurance policies and other forms issued to consumers, and address issues raised by the Division's Sunset Report, the Health Care Task Force and the Pinnacol Interim Committee. The Division is also revising one omnibus regulation on title insurance into four discrete regulations.
- High profile projects including:

- ◊ Expanded enforcement actions to protect consumers from violations of insurance laws and regulations, with particular emphasis on annuities disclosures, health coverage benefits and premiums, pre-need contracts, title insurance issues, and property coverage in light of multiple catastrophic storms.
- ◊ More vigorous examination of insurance companies' business practices through market conduct and financial examinations, annual and quarterly statement review, investigations, market analysis, 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, and the upcoming federal health care reform.
- 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; other issues 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. Addressing an overall feeling of anxiety from employees who know they will not receive pay raises or promotions despite management's requests for them to do more work with fewer resources. The Management hopes the state's general economy will improve in order to provide our employees greater opportunity to achieve personal and professional goals.

PUBLIC UTILITIES COMMISSION (\$16.0 million and 100.5 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, motor carriers that transport passengers for hire, household goods movers, towing carriers, and carriers operating in interstate commerce. 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 Fund 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, rulemaking, 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 transportation 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, rates and authorization for nonconsensual tows of motor vehicles, and contractual agreements between household goods movers and shippers. 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 continued focus on the energy industry by the Governor's administration and the legislature, much of the Energy Section's efforts are required to establish rules and adjudicate issues that include energy efficiency and demand-side management plans, renewable energy plans, environmental, renewable and energy trading activities, new technology applications, and transmission planning. These tasks are in addition to an increased number of traditional rate filings and resource plans that must be decided in the same timeframe. This shift in focus requires employee training including personal research, self-training, conferences, seminars, webinars, etc. as the budget allows.
- The Telecommunications Section is responsible supporting the mission of the Commission to assure a wide availability of high quality, safe and efficient telecommunications services at rates that are just and reasonable through the promotion of a competitive telecommunications marketplace and the implementation of flexible regulatory treatments. The Section conducts financial analyses, engineering analyses, audits, investigations and regulatory policy analysis to inform the Commission on matters of operating authority, rates, quality of service,

wholesale interconnection, compliance and enforcement. The Section also administers various telephone service subsidy programs and 911 related activities.

- 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 the UCR program is substantially less than expectations and program requirements. We now believe this trend will continue and the PUC is pursuing revenue alternatives including the setting of fees administratively rather than by statute.
- Senate Bill 09-294 amended § 40-10-105(2) by changing the entry standards for taxi service in the counties of Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, El Paso, and Jefferson. This resulted in a relatively large number of new applications for taxi service requiring a significant amount of PUC staff resources to conduct hearings and to analyze the applications and evidence presented. Several of the applications are still in the hearing process.

DIVISION OF REAL ESTATE (\$4.3 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

- The FHFA has issued a new requirement that all mortgage companies must obtain a unique identifier through the national loan originator database referred to as the NMLS&R (National Mortgage Loan Licensing System and Registry). Colorado only regulates individual loan originators and not mortgage companies. The only way mortgage companies can access the Registry is through the state.

- Effective May 1, 2009, Fannie Mae and Freddie Mac, overseen by the FHFA, implemented a revised Home Valuation Code of Conduct (HVCC). Although the HVCC was designed to promote appraisal independence, complications have arisen from the implementation of the HVCC, predominately stemming from the increased use of (largely unregulated) Appraisal Management Companies (AMC's). The Division of Real Estate has received complaints of the negative effects of the HVCC and its broad impact on the real estate industry including appraisers, consumers, lenders, mortgage loan originators, and real estate brokers.
- Effective October 1, 2009, FHA and HUD implemented revised eligibility requirements for appraisers to qualify for placement and retention on the FHA Appraiser Roster. This is a significant change since now appraisers must meet stringent education and testing requirements in order to perform FHA loans. According the Fannie and Freddie's website, more than 70% of all residential loans are FHA loans. The numerous requests for upgrades, the manual process to review the upgrades, and the difficulty in achieving the upgrades is creating a strain on the industry, the Division and the availability of qualified appraisers.
- The Division continues to investigate abuse of the conservation easement tax credit and assist the Department of Revenue by reviewing questionable transactions. Through the Conservation Easement Oversight Program, the Division reviews all conservation easement appraisals and has established a certification requirement for any land trust that facilitates a conservation easement with a tax credit component. These measures by the Division have minimized the potential for fraudulent easements and installed stability and confidence back into the conservation easement tax credit program. Indeed, the Division has seen an approximate 50% reduction in the number of claimed tax credits for 2008 compared to 2007 when fraud was rampant.

DIVISION OF REGISTRATIONS (\$18.3 million and 186.4 FTE). The Division of Registrations provides consumer protection through its regulation of 315,000 licensees within 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 203 board and commission members serving on 26 boards, commissions and statutorily created committees. In addition, there are 10 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	Funeral Homes and Crematories	Plumbing
Acupuncture	Landscape Architects	Podiatry
Addiction Counselors	Lay Midwives	Pharmacy
Architects, Engineers, Land Surveyors	Marriage & Family Therapists	Physical Therapy
Athlete Agents	Massage Therapists	Professional Counselors
Athletic Trainers	Medical	Psychologists
Audiology & Hearing Aid Providers	Nursing & Nurse Aides	Respiratory Therapists
Barbers & Cosmetologists	Nursing Home Administrators	Social Work
Boxing	Occupational Therapists	Unlicensed Psychotherapists
Chiropractic	Optometric	Veterinary
Dental	Outfitters	
Electrical	Passenger Tramway Safety	

The Division is the “umbrella agency” that 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 186 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, Healthcare Section and Health Services Section.

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.
- 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 were required to submit the information during their renewal and it is now accessible to the public via the internet. The Division is seeing an increased desire by consumers for more data and information about licensees, especially within the healthcare professions.
- 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 and to Electricians, Addiction Counselors, Licensed Professional Counselors, Marriage & Family Therapists and Social Workers during the 2009 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. Due to legislation, the Division now regulates massage therapists and occupational therapists and will begin regulation of athletic trainers in January 2010.
- 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 FY 2008-09. 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.
- A large number of boards and programs in the Division will be undergoing Sunset Review in the next few years.

DIVISION OF SECURITIES (\$2.7 million and 22.0 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. HEI Resources, fka Heartland Energy, et. al - This enforcement case, filed in Denver District Court, seeks to permanently enjoin four businesses, their lawyer, and eight individuals from offering or selling securities in Colorado and violating the anti-fraud provisions of the Colorado Securities Act. Heartland raised millions of dollars from hundreds of investors by allegedly perpetrating a long running scheme to defraud investors by engaging in the fraudulent offer and sale of unregistered securities, in the form of interests in oil and gas drilling operations, through the use of unlicensed sales representatives, to investors nationwide. The Commissioner alleged in his complaint that the Defendants operated "boiler rooms" in Englewood and Greenwood Village, Colorado. Boiler rooms typically feature numerous salesmen, each making hundreds of cold-calls per day to unsuspecting individuals, using scripted sales pitches and high pressure tactics to push investment opportunities. The Commissioner alleges that sales agents for these Defendants have engaged in this practice of cold-calling unsophisticated investors nationwide to push investment opportunities in oil and gas well drilling, making numerous misleading and unsubstantiated statements to investors regarding the prospects for successful investment returns and the previous track records for previous oil and gas drilling, all the while minimizing or dismissing the risk associated with drilling each well. Trial has not been set.

People v. Michael Marshall and Gregory Russell - This is a criminal action filed in Denver District Court. Marshall and Russell were indicted by the Denver County Grand Jury in a 70 count indictment where they were accused of scamming 60 investors out of approximately \$10 million. The money was purportedly invested in their companies, Uriels and Emerald Sierra. Both are charged with violating Colorado's Organized Crime Control Act, as well as Conspiracy to Commit Securities Fraud, Conspiracy to Commit Theft, 63 counts of securities fraud and 4 counts theft. Trial has not been set.

Joseph v. Philip Lochmiller and Valley Mortgage Company, et. al - This enforcement action was filed in Denver District Court and a preliminary injunction and the appointment of a receiver were obtained against Lochmiller and his company, Valley Mortgage, both of Grand Junction, Colorado. In the complaint, the Commissioner has alleged that beginning in as early as 2005, Lochmiller illegally raised more than \$30 million from over 300 investors by fraudulent means. The Court appointed a receiver to take control over the assets of Valley Mortgage. No trial date has been set.

Cease and Desist Order Proceedings:

The Division received cease and desist authority five years ago. In the past fiscal year, the Division initiated 18 C & D actions, the most ever. Of those 18 actions, most involved the offer of investments in real estate transactions and 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

S.B. 09-026 – Athletic Trainer Practice Act (Williams, Riesberg): This bill requires athletic trainers to be registered and establishes a registration program in the Division of Registrations.

S.B. 09-138 – Continuation of Certified Nurse Aides (Boyd, Gagliardi): This bill continues the regulation of certified nurse aides (CNAs) through September 1, 2020, and makes adjustments to the regulation program and advisory committees.

S.B. 09-167 – Continuation of Chiropractic Examiners (Boyd, Kefalas): This bill continues the regulation of chiropractors by the Division of Insurance until July 1, 2020, and implements recommendations made in the 2008 sunset review.

S.B. 09-239 – Continuation of State Board of Nursing (Tochtrop, Riesberg): This bill continues the state board of nursing through July 1, 2020, and makes changes to implement the recommendations made in the 2008 sunset review. The bill also establishes the requirements an advance practice nurse must satisfy in order to receive provisional prescriptive authority.

S.B. 09-272 – High Cost Mechanism Transfer (Keller, Pommer): This bill transfers \$15 million from the Colorado High Cost Support Mechanism to the High Cost Administrative Fund contingent on the passage of S.B. 09-279.

S.B. 09-279 – Cash Fund Transfers (Keller, Pommer): This bill transfers \$15 million from the High Cost Administrative Fund to the General Fund.

H.B. 09-1053 – Regulation of Financial Institutions (Balmer, Romer): This bill repeals the "Colorado Foreign Capital Depository Act" which regulated how a financial institution can conduct business in Colorado as a foreign capital depository, and modifies banking board membership by replacing the executive officer of an industrial bank with the executive officer of a licensed money transmitter on the banking board.

H.B. 09-1085 – Mortgage Loan Originator Licensing Act (Rice, Heath): This bill modifies and renames the Mortgage Broker Licensing Act, as well as defines the term "mortgage loan originator" and states that on and after July 31, 2010, mortgage loan originators must be registered with the Nationwide Mortgage Licensing System and Registry.

H.B. 09-1086 – Continuing Competency of Mental Health Professionals (McGihon, Boyd): This bill sets forth requirements for the renewal of licenses or certifications for social workers, marriage and family therapists, professional counselors, and addiction counselors.

H.B. 09-1136 – Competency to Perform Electrical Work (Kerr J., Spence): This bill establishes renewal requirements for professional electrician licenses and adopts requirements that the state electrical board establish standards and rules to ensure the continued competency of electricians.

H.B. 09-1188 – Michael Skolnik Medical Transparency Act (Ryden, Carroll M.): This bill modifies the Michael Skolnik Medical Transparency Act by requiring physicians to disclose ownership interest and employment contracts that are health care related, involuntary limitations or reduction in medical staff membership or privileges at a health facility that occurred after January 1, 1988, and criminal convictions or plea bargains that occurred after a practitioner received a license to practice medicine in any state or country.

H.B. 09-1202 – Regulation of Disposition of Dead Human Bodies (Todd, Foster): This bill requires funeral establishments and crematories to be registered and establishes the associated registration program in the Division of Registrations.

H.B. 09-1244 – Exempt Property Carriers from PUC Regulation (Casso, Kopp): This bill exempts property carriers by motor vehicle from regulation by the Public Utilities Commission, and grants authority for the enforcement of financial responsibility and insurance requirements of such carriers to the Department of Public Safety.

WORKLOAD REPORTS

Workload Reports for the Department are listed as follows:

DIVISION OF BANKING	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Regulated Institutions (as of 6/30)				
Commercial and Industrial Banks	110	107	109	111
Trust Companies	8	7	7	7
Money Order/Transmitter Licensees	41	40	45	48
Foreign Capital Depositories	0	0	0	0
Functional Activities				
Target	340	262	238	250
Actual	294	272		
Total Assets and other funds under supervision (000s omitted)				
Target	\$123,866,925	\$151,074,000	\$107,835,000	\$113,226,750
Actual	\$138,600,000	\$102,700,000	5% increase	5% increase
<p>1 Functional Activities Regulated include: Safety and soundness and Public Deposit Protection Act (PDPA) examinations of state-chartered commercial, industrial banks, and trust companies (103); PDPA examinations of federally-chartered commercial banks (24); examinations of PDPA escrow providers (6); Electronic Data Processing examinations of service providers and in-house IT systems(6); Uniform Consumer Credit Code examinations (50); Bank Secrecy examinations of state-chartered commercial and industrial banks (50); trust examinations of trust companies and state-chartered bank trust departments (8); money order company examinations (25); and, foreign capital depository examinations (0).</p>				
<p>2 Includes total assets as of March 2007 in commercial banks (\$30.9 billion), industrial banks (\$368.5million), trust companies (\$2.5 billion), plus trust assets (\$60.2 billion), the average monthly amount of public deposits (\$4.9 billion), and exchange sold or issued subject to the Money Transmitters Act (\$19.1billion as of 12/31/06).</p>				
<p>3 Includes total assets as of March 2008 in commercial banks (\$36.1 billion), industrial banks (\$1.1 billion), trust companies (\$2.0 billion), plus trust assets (\$75.6 billion), the average monthly amount of public deposits (\$4.7 billion), and exchange sold or issued subject to the Money Transmitters Act (\$19.1 billion as of 12/31/07).</p>				
<p>4 Includes total assets as of March 2009 in commercial banks (\$36.7 billion), industrial banks (\$932 million), trust companies (\$ 515 million), plus trust assets (\$43.7 billion), the average monthly amount of public deposits (\$5.3 billion), and exchange sold or issued subject to the Money Transmitters Act (\$15.6 billion as of 12/31/08).</p>				

DIVISION OF BANKING	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
<p>In 1989, the General Assembly amended Section 11-102-301, C.R.S. (formerly §11-2-108, C.R.S.), to provide for risk-based examination scheduling. Previously, the law required yearly examinations. The General Assembly acknowledged in the new law that requiring routine yearly examinations added more to burdensome regulation on the industry than it did to the safety and soundness of the industry. Based on the standards developed by the Division and formally adopted by the State Banking Board in Policy No. 80-1, Risk-Based Examination Scheduling (referred to as "the Mandate"), the Division is required to establish a yearly examination schedule based on an assessment of risk in each regulated institution. In addition, the policy requires coordination of examination scheduling with the FDIC and the Federal Reserve Board, and requires that examination reports be processed within a 45-day timetable. The Division's Program Performance Measures are used to evaluate the Division's effectiveness in scheduling examinations in compliance with the Mandate (Required Examinations and Additional Discretionary Examinations Performed); in conducting examinations in compliance with the Mandate (Required Examinations Performed and Percentage of Required Examinations Completed); in coordinating examinations with the federal banking regulators (Required Examinations Performed, Percentage of Required Examinations Completed, and Additional Discretionary Examinations Performed); and in completing the examination function in an efficient manner (Days between Examination Completion and Report Submission to Institution).</p>				
Required Examinations -mandated				
Target	208	148	157	157
Actual	196	164		
Percentage of Required Examinations Completed scheduled				
Target	212	159	157	157
Actual	196	172		
Percentage of Required Examinations Completed				
Target	101.9%	107.4%	100.0%	100.0%
Actual	100.0%	104.9%		
Additional Discretionary Examinations Performed				
Target	3	3	3	3
Actual	1			
Days to Complete Report and Submit to Institution (Safety and Soundness Examinations)				
Target	35	35	35	35
Actual	35.6	40		
Days to Complete Report and Submit to Institution (Specialty Examinations)				
Target	14	14	14	
Actual	15.6	12		
Processing Correspondence				
Estimate	10	10	10	10
Actual	3	2		
Complaint Processing				
Estimate	3 – 30	3 – 20	3 – 20	3 – 20
Actual	1 – 19	4 – 54		

DIVISION OF BANKING	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
<p>1) The Division's examination function is risk-based. At the commencement of each fiscal year an examination schedule is estimated in accordance with risk-based criteria. This estimate changes during the year based on changes in the risk-based criteria, such as improvement in the financial conditions/ratings of a financial services institution, as well as other factors such as industry consolidation, charter conversions, and new charters/licensees. At the conclusion of the fiscal year, the Division is able to determine the actual number of examinations required as a result of these changes.</p>				
<p>2) The Division conducted two non-mandated PDPA examinations.</p>				
<p>3) The Division measures its performance in two ways: (1) From the day a written complaint about a financial services institution chartered or licensed by the Division is received by the Division to the date it sends out its letter regarding the complaint to the subject financial services institution, and (2) To measure the number of days from the beginning of the process until the complaint is closed.</p>				

CIVIL RIGHTS DIVISION	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Enforcement				
Inventory of open cases at year end (cases assigned to investigators plus cases in conciliation status).				
Target	700	601	696	654
Actual	601	738		
Percentage of cases settled before completion of investigative process.				
Target	15%	15%	15%	15%
Actual	12%	17%		
Average number of cases submitted for disposition per FTE, based on standards per investigator or FTE classification				
Target	84	84	84	84
Actual	82	82		
Target	854*	815*	808*	808*
Actual	779	887		
Target	824	875	850	850
Actual	781	750		
Number of appeals of no-probable cause case determinations				
Target	115	93*	92*	92*
Actual	95	83		
Education/Training				
Training/education sessions and presentations conducted by staff				
Target	75	90	90	90
Actual	67	82		
Target	2,000	2,000	2500	2500
Actual	1440**	3450**		

CIVIL RIGHTS DIVISION	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
**The Division sponsors civil rights conferences, forums, and fairs to provide information				

Division of Financial Services	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Credit Unions				
Institutions				
Target	60	54	50	49
Actual	57	52		
Examinations Conducted				
Target *	45	36	36	36
Actual **	40	33		
*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	22	12	15	15
Actual	12	29		
Target	\$ 7,900	\$ 8,100	\$ 9,000	\$ 9,100
Actual	\$ 7,874	\$ 8,842		
* Corporate Assets (in millions)				
Target	0	\$ 3,000	\$ -	\$ -
Actual	\$ 2,932	\$ 3,000		
Savings and Loan Associations (including PDPA)				
Institution Main Offices				
Target	4	4	4	4
Actual	4	4		
Branch Offices				
Target	12	12	12	12
Actual	12	12		
Assets (in millions)				
Target	\$ 450	\$ 450	\$ 450	500
Actual	\$ 450	\$ 454		
Eligible Public Depositories				
Target	14	13	12	12
Actual	13	12		
Target	0	0	0	0
Actual	0	0		
Target	\$ 120	\$ 125	\$ 135	135
Actual	\$ 127	\$ 138		

Division of Financial Services	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
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Office of Consumer Counsel	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
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	708	758		
Case Interventions/Ongoing Active Cases				
Target				
Actual	66	65		
Filings Resolved Without Intervention				
Target				
Actual	54	32		
Cases Forgone Due to Lack of Resources				
Target				
Actual	0	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	\$0.04	28.92		
Primarily Responsible (in millions)				
Target				
Actual	\$0.00	7.14		
Jointly Responsible (in millions)				
Target				
Actual	\$38.90	22.44		
Outreach Program				
Target – 3 New, 3 Updates	6	6	6	6
Actual – 3 New, 4 Updates	6	8		

Office of Consumer Counsel	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Develop a speakers bureau				
Target	8	8	8	8
Actual	11	12		

DIVISION OF INSURANCE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Producer Licensing				
Producer License Reviews				
Target	3,500	4,500	4,500	4,500
Actual	4,723	4,526		
Examinations Given				
Target – All License Types	20,000	18,000	18,000	18,000
Actual – All License Types	18,616	17,800		
New Licenses Issued				
Target				
Resident Licenses	8,000	7,000	7,200	7,200
Non Resident Licenses	18,000	18,000	18,000	18,000
Surplus Lines	100	400	400	400
Bail Bondsmen	200	150	100	100
Reinstatement of Licenses	3,000	3,500	3,750	3,750
Public Adjusters	20	20	50	50
Total	29,320	29,070	29,500	29,500
Actual				
Resident Licenses	7,336	6,969		
Non Resident Licenses	17,709	15,953		
Surplus Lines	416	336		
Bail Bondsmen	118	100		
Reinstatement of Licenses (Estimate - database does not provide this info)	3,894	3,888		
Public Adjusters	38	59		
Total	29,511	27,305		
Renewal Licenses Issued				
Target	40,000	40,000	41,000	41,000
Actual	39,186	43,164		
Miscellaneous Other Activities				
Target				
Producer Registrations	11,000	11,000	15,000	15,000
Duplicate Licenses	1,000	800	50	50
Letters of Certification	4,000	1,000	3,000	3,000
Letters of Clearance	500	400	350	350

DIVISION OF INSURANCE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Name and Address changes	16,000	10,000	10,000	10,000
Total	32,500	23,200	28,400	28,400
Producer Registrations	11,220	15,186		
Duplicate License	793	22		
Letters of Certification	2,476	3,147		
Letters of Clearance	406	324		
Name and Address Change	10,782	8,505		
Total	25,677	27,184		
Total Active Licensees				
Target	110,000	116,000	117,000	117,000
Actual	115,229	118,783		
Annual Financial Statements Received				
Target	1,480	1,480	1,480	1,480
Actual	1,472	1,477		
Target	49	47	46	46
Actual	48	48		
Troubled Company Monitoring, Foreign				
Target	30	50	65	60
Actual	58	107		
Premium Tax Annual Returns Received				
Target	1,500	1,500	1,500	1,500
Actual	1,486	1,475		
Annual Premium Tax Returns Audited				
Target	800	750	1,500	1,500
Actual	702	1,475		
Surplus Lines Tax Returns				
Target	850	900	1,300	1,300
Actual	992	1,338		
Quarterly Premium Tax Returns Received				
Target	2,400	2,400	2,400	2,400
Actual	2,475	2,427		
Initial and Renewal Authorizations +				
Target	450	450	450	450
Actual	468	435		
Other Authority Actions++				
Target	400	400	300	300
Actual	363	248		
Financial Examinations				

DIVISION OF INSURANCE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Financial Examinations Conducted				
Target	10	10	8	6
Actual	13	12		
Consumer Affairs				
Complaint Files Opened				
Target	4,000	4,000	4,000	4,000
Actual	3,946	2,880		
Auto Protests Received				
Target	1,200	1,200	1,100	1,100
Actual	1,083	1,544		
Closed Cases				
Target	5,200	5,200	4,800	4,800
Actual	4,165	4,170		
Consumer Complaints/Average Days Open				
Target	90	90	80	80
Actual	82	60		
Protests/Average Days Open				
Target	22	22	35	35
Actual	63	55		
Incoming Telephone Calls				
Target	28,500	28,500	25,000	25,000
Actual	23,828	24,093		
Walk-Ins				
Target	200	200	150	150
Actual	113	141		
Spanish Speaking Consumers (Walk-in and Phone Inquiries)				
Target	100	100	200	200
Actual	180	173		
Consumer Complaints Customer Survey Cards Returned				
Target	800	1,000	1,200	1,200
Actual	1,015	1,024		
Consumer Complaints Survey Results: Excellent or Satisfactory				
Target	90%	90%	90%	90%
Actual	89.90%	85.8%		
Dollars Saved Consumers				
Target	\$8,000,000	\$8,000,000	\$8,000,000	\$8,000,000
Actual	\$8,821,765	\$12,941,776		
E-mail Contacts (started tracking 04-05)				

DIVISION OF INSURANCE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Target	1,000	1,200	1,200	1,300
Actual	1,377	1,260		
Target	400	400	400	400
Actual	477	244		
Rates & Forms Section (WC from Actuaries)				
Policy Forms Reviewed				
Target	500	500	500	500
Actual	411	524		
Policy Certifications Processed				
Target (law change will result in fewer filings returned in future years)	4,000	4,000	3,700	3,700
Actual	3,825	3,750		
Rate & Rule Filings Reviewed				
Target	1,600	1,700	2,000	2,000
Actual	1,639	1,759		
Rate & Rule Filings Processed				
Target	4,000	4,500	4,500	4,500
Actual	4,074	5,278		
Rate, Rule, and Form Telephone Calls				
Target	4,000	4,100	4,000	4,000
Actual	4,003	4,056		
Desk Audits of Companies				
Target	5	5	5	5
Actual	6	5		
Target (the Division hopes that surveys will be returned in increasing numbers)	50	0	0	0
Actual	0	0		
Target	90%	0	0	0
Actual	0	0		
Rates/Forms Dollars Saved Consumers				
Target	\$3,000,000	\$5,000,000	\$5,000,000	\$5,000,000
Actual	\$85,623,349	\$171,724,379		
Compliance and Investigations				
Stipulations				
Target	25	40	65	65
Actual	52	90		
Final Agency Orders				
Target	35	50	90	90

DIVISION OF INSURANCE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Actual	84	127		
Cease and Desist Orders				
Target	10	10	10	10
Actual	5	2		
Target	10	10	10	10
Actual	10	12		
Service of Process				
Target	600	600	600	600
Actual	593	620		
Legislation (tracking)				
Target	70	80	40	40
Actual	75	37		
Regulations				
Target	40	35	35	35
Actual				
Regulations	17	37		
Emergency Regulations	6	8		
Bad Check Recovery				
Target	30	5	5	5
Actual	5	0		
Refereed to Collections				
Target	10	10	30	30
Actual	30	35		
Records Request (Other than C&I)				
Target	150	150	100	100
Actual	98	68		
Records Request (C&I Only)				
Target		150	150	150
Actual		130		
Investigation Complaint Files Opened				
Target	450	450	450	450
Actual	422	447		
Target	300	350	425	425
Actual	325	495		
Target	60	100	100	100
Actual	119	98		
Investigation Closed Complaint Files				
Target	500	525	525	525
Actual	516	412		
Target	180	180	180	180
Actual	291	253.04		
Target	50	50	30	30

DIVISION OF INSURANCE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Actual	16.62	13.6		
Investigation Incoming Telephone Calls				
Target	900	950	950	950
Actual	980	904		
Investigation Walk-Ins				
Target	30	25	25	25
Actual	22	21		
Market Regulation				
Market Conduct				
Market Conduct Examinations				
Target	25	23	15	15
Actual (Orders issued).	10	8		
Market Analysis				
Level 1 Market Analysis reviews				
Target – as assigned by the NAIC	25	25	25	25
Actual	20	48		
Identify actions within the regulatory Continuum of Market Regulatory Responses, not including market conduct examinations, and ensure they are coordinated and performed				
Target	19	88	65	65
Actual	98	54		
Target	7	4	4	4
Actual	5	6		
Target	550	486	480	480
Actual	487	500		

Public Utilities Commission	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Fixed Utilities				
Target	650	400	400	400
Actual	415	412		
Rate Cases Suspended & Heard				
Target	10	22	22	22
Actual	5	6		

Public Utilities Commission	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Applications Processed				
Target	150	130	130	130
Actual	133	245		
Interconnection Related Filings				
Target	30	80	80	80
Actual	66	77		
Gas Safety Inspections – Performed				
Target	220	220	220	220
Actual	253	377		
Gas Safety Inspections – Violations Cited				
Target	6	5	5	5
Actual	7	1		
Gas Safety Inspections – Construction Inspection				
Target	90	80	80	80
Actual	85	165		
Gas Safety Inspections – Incident Investigation				
Target	10	10	10	10
Actual	12	23		
Target	20	125	125	125
Actual	118	1018		
Pass-on Filings (LSN Tariff changes)				
Target	50	40	40	40
Actual	36	40		
Rulemaking Cases				
Target	10	11	6	6
Actual	4	8		
Consumer Complaints Closed				
Target	5000	3000	3000	3000
Actual	2624	2882		
Money Saved by Consumers *				
Target	*	*	*	*
Actual	\$414,105	\$498,371		
Annual Financial Report Filings				
Target	400	456	456	456
Actual	402	386		
Toll Reseller Registrations				
Target	75	80	80	80
Actual	125	46		

Public Utilities Commission	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
*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				
Target	80	80	80	80
Actual	89	82		
Vehicle Inspections Completed – Intrastate Carriers				
Target	1,200	1,200	1,000	1,000
Actual	976	432		
Target	150	140	140	140
Actual	133	145		
Permits, Registrations and Stamps Processed/Issued				
Target	30,000	25,000	20,000	20,000
Actual	26,049	21,415		
Insurance Filings Processed				
Target	25,000	20,000	20,000	20,000
Actual	21,260	33,395		
Information Requests				
Target	30,000	35,000	25,000	25,000
Actual	32,977	24,104		
Target	1,700	2,100	1,300	1,300
Actual	1,708	1,226		
Target	9,000	8,000	8,000	4,500
Actual	8,144	8,452		
Compliance Audits Completed – Intrastate Carriers				
Target	350	350	325	325
Actual	335	167		
Show cause (Annual Report) Investigations				
Target	6	6	2	2
Actual	0	0		
Complaints Closed**				
Target	200	300	300	300
Actual	326	413		
Investigations Closed				
Target	300	300	325	325
Actual	266	326		
Money Saved by Consumers *				

Public Utilities Commission	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Target	*	*	*	*
Actual	\$4,841	\$24,529		
Civil Penalty Assessment Notices Issued				
Target	60	60	50	50
Actual	58	20		
Highway-Rail Crossing Safety Inspections - Performed				
Target	50	50	50	50
Actual	74 + 157***	191		
Rail Fixed Guideway Safety Inspections - Performed				
Target	100	90	100	100
Actual	58	11		

*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 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Education and Licensing Sections				
New Broker Licenses Issued				
Target	5,500	3,500	2,250	2,250
Actual	3,146	1,930		
Total Broker and Appraiser Licensing Examinations Administered				
Broker Target	13,000	5,500	5,500	5,500
Broker Actual	5,135	5,449		
Appraiser Target	1,200	500	200	200
Appraiser Actual	1,187	163		
New Corporations/Partnerships				
Target	750	750	600	600
Actual	697	555		
License Transfers				
Target	14,000	14,000	11,000	11,000
Actual	13,845	10,960		
Broker and Salesperson License Renewals				
Target	18,000	18,000	12,000	12,000
Actual	18,292	11,820		

DIVISION OF REAL ESTATE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
New Subdivisions				
Target	20	30	10	10
Actual	27	8		
Subdivision Renewals				
Target	150	175	150	150
Actual	160	155		
New Appraisers—Certified General				
Target	50	75	75	75
Actual	95	75		
New Appraisers—Certified Residential				
Target	130	150	75	75
Actual	169	56		
New Appraisers—Licensed				
Target	140	100	20	20
Actual	82	18		
New Appraisers—Registered				
Target	320	200	60	60
Actual	189	58		
Appraisal Renewals				
Target	1,600	1,500	1,200	1,200
Actual	1,540	1,116		
Continuing Education Course Approvals				
Broker Target	48	650	500	500
Broker Actual	175	312		
Appraiser Target	125	200	300	300
Appraiser Actual	177	293		
New Mortgage Loan Originator Licenses Issued				
Target	4,000	500	1,000	1,000
Actual	3,958	671		
Mortgage Loan Originator License Renewals				
Target	0	0	0	0
Actual	0	0		
Total Real Estate Licenses (as of June 30) Active + Inactive				
Target	52,000	50,000	45,000	45,000
Actual	57,060	53,251		
Brokers Licenses (as of June 30) (included in total)				
Target	51,000	48,000	45,000	45,000
Actual	46,897	44,522		
Salespersons Licenses* (as of June 30) (included in total)				
Target	725	0	0	0
Actual	675	0		
Mortgage Loan Originator Licenses (as of June 30) (included in total)				

DIVISION OF REAL ESTATE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Target	9,000	9,000	5,400	5,800
Actual	9,488	8,729		
Subdivision Licenses (as of June 30)				
Target	170	200	170	170
Actual	167	161		
Appraisers—Total				
Target	5,250	4,500	4,025	4,025
Actual	4,447	4,006		
Appraisers—Certified General (included in total)				
Target	1,200	1,200	1,175	1,175
Actual	1,154	1,151		
Appraisers—Certified Residential (included in total)				
Target	1,400	1,450	1,500	1,500
Actual	1,437	1,447		
Appraisers—Licensed (included in total)				
Target	1,000	800	600	600
Actual	790	634		
Appraisers—Registered (included in total)				
Target	1,500	1,100	750	750
Actual	1,066	774		
<i>*Effective January 1, 1997, new salesperson licenses are no longer issued</i>				
Enforcement Section (Real Estate <u>Brokers</u>)				
Complaints in Progress				
Target	350	250	275	275
Actual	219	291		
Complaints Received (respondents)				
Target	1,000	900	860	860
Actual	843	840		
Completed Investigations (respondents)				
Target	900	900	775	775
Actual	730	680		
Cases Referred to Hearing				
Target	50	50	100	100
Actual	86	143		
Completed Hearing Cases				
Target	55	55	200	200
Actual	13	177		
Completed by Attorney General				
Target	40	40	50	50
Actual	18	62		

DIVISION OF REAL ESTATE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Completed by Expedited Settlement Procedure (ESP)				
Target	150	200	150	150
Actual	132	115		
Revocations/Suspensions				
Target	50	50	75	75
Actual	57	65		
Other Disciplinary Actions				
Target	100	100	100	100
Actual	91	49		
Completed Cases Through Diversion/Alternative Discipline Procedure				
Target	125	100	25	25
Actual	56	27		
Cases Pending Hearing (with offers of Expedited Settlement (ESP))				
Target	50	50	50	50
Actual	65	41		
Cases Pending Hearing (AG filing of charges and prosecution)				
Target	20	20	50	50
Actual	16	54		
Enforcement Section (Real Estate <u>Appraisers</u>)				
Complaints in Progress				
Target	230	250	200	200
Actual	305	136		
Complaints Received (respondents)				
Target	225	300	250	250
Actual	341	231		
Completed Investigations (respondents)				
Target	225	300	175	175
Actual	294	169		
Cases Referred to Hearing				
Target	120	50	50	50
Actual	51	32		
Completed Hearing Cases				
Target	150	50	50	50
Actual	6	41		
Completed by Attorney General				
Target	30	30	15	15
Actual	14	12		
Completed by Expedited Settlement Procedure (ESP)				
Target	100	100	35	35
Actual	79	29		

DIVISION OF REAL ESTATE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Revocations/Suspensions				
Target	20	20	35	35
Actual	35	42		
Other Disciplinary Actions				
Target	75	75	50	50
Actual	44	64		
Completed Cases Through Diversion/Alternative Discipline Procedure				
Target	20	50	25	25
Actual	32	23		
Cases Pending Hearing (with offers of Expedited Settlement (ESP))				
Target	30	30	25	25
Actual	19	10		
Cases Pending Hearing (AG filing of charges and prosecution)				
Target	20	20	15	15
Actual	0	24		
Enforcement Section (Mortgage Loan Originators)				
Complaints in Progress				
Target	0	0	600	600
Actual	537	860		
Complaints Received (respondents)				
Target	250	250	600	600
Actual	537	860		
Completed Investigations (respondents)				
Target	0	0	600	600
Actual	410	750		
Cases Referred to Hearing				
Target	100	100	100	100
Actual	49	269		
Completed Hearing Cases				
Target	100	100	75	75
Actual	0	253		
Completed by Attorney General				
Target	10	10	10	10
Actual	0	3		
Completed by Expedited Settlement Procedure (ESP)				
Target	50	50	65	65
Actual	20	250		
Revocations/Suspensions				
Target	20	20	30	30
Actual	0	29		

DIVISION OF REAL ESTATE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Other Disciplinary Actions				
Target	50	50	50	50
Actual	20	221		
Completed Cases Through Diversion/Alternative Discipline Procedure				
Target	0	0	0	0
Actual	0	0		
Cases Pending Hearing (with offers of Expedited Settlement (ESP))				
Target	20	20	20	20
Actual	0	25		
Cases Pending Hearing (AG filing of charges and prosecution)				
Target	10	10	10	10
Actual	29	35		
Auditing Section				
Broker Trust Accounts				
Target	11,000	11,000	10,000	10,000
Actual	0	0		
Brokers Audited—Total				
Target	200	200	50	50
Actual	0	0		
Brokers Audited—On-Site (included in total above)				
Target	200	200	50	50
Actual	0	0		
Brokers Audited—Expedited (included in total above)				
Target	40	40	0	0
Actual	0	0		
Brokers Required to Correct Deficiencies				
Target	100	100	40	40
Actual	0	0		
Brokers to Hearing				
Target	10	10	40	40
Actual	0	0		
Referred to Attorney General				
Target	5	5	5	5
Actual	0	0		
Completed by Expedited Settlement Procedures				
Target	25	25	35	35
Actual	0	0		
Completed by Alternate Discipline Procedures				
Target	10	10	0	0
Actual	0	0		

DIVISION OF REAL ESTATE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Completed by Letter of Admonishment (LOA) / Other Means				
Target	10	10	0	0
Actual	0	0		
Estimated average daily escrows (\$000)				
Target	\$450,000	\$450,000	\$250,000	\$250,000
Actual	\$0	\$0		
Amounts Audited (\$000)				
Target	\$4,000,000	\$4,000,000	\$1,000,000	\$1,000,000
Actual	\$0	\$0		
Shortages Found (\$000)				
Target	\$60,000	\$60,000	\$20,000	\$20,000
Actual	\$0	\$0		
Shortages Replaced (\$000)				
Target	\$60,000	\$60,000	\$20,000	\$20,000
Actual	\$0	\$0		

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Pertinent Workload Statistics-- Examinations (1)					
Accountancy					
Estimate	6,700	8,300	9,350	9,330	9,350
Actual	8,253	9,229	9,316		
Acupuncturists					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Addiction Counselors					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Architects/Engineers/Land Surveyors					
Estimate	3,100	3,100	3,100	3,100	3,200
Actual	3,229	2,856	3,119		
Athlete Agents					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Athlete Trainers					
Estimate	N/A	N/A	N/A	N/A	N/A

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Actual	N/A	N/A	N/A		
Barber/Cosmetology					
Estimate	7,000	6,000	6,000	5,000	5,600
Actual	5,607	5,954	4,697		
Boxing					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Chiropractic					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Dental					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Electrical					
Estimate	2,000	1,900	2,000	1,900	2,000
Actual	1,851	2,129	1,791		
Funeral Homes / Crematories					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Hearing Aid Providers/Audiologists					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Landscape Architects					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Lay Midwives					
Estimate	3	2	6	6	6
Actual	8	9	6		
Massage Therapists					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Mental Health – Licensed Professional Counselors					
Estimate	220	220	210	210	214
Actual	235	231	210		

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Mental Health – Marriage and Family Therapists					
Estimate	40	30	38	38	40
Actual	21	36	28		
Mental Health – Psychology					
Estimate	90	100	78	78	78
Actual	88	73	94		
Mental Health – Social Work					
Estimate	278	300	325	325	350
Actual	270	306	311		
Mental Health – Grievance/Unlicensed Psychotherapists					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Medical					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Nursing					
Estimate	3,000	3,500	3,436	3,450	3,450
Actual	3,389	3,475	3,458		
Nurse Aides					
Estimate	11,504	12,079	12,770	11,000	11,000
Actual	11,716	12,424	10,926		
Nursing Home Administrators					
Estimate	45	35	35	84	84
Actual	89	82	89		
Occupational Therapists					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Optometric					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Outfitters					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Passenger Tramway					

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Pharmacy					
Estimate	500	500	599	635	675
Actual	499	552	594		
Physical Therapy					
Estimate	200	210	175	175	175
Actual	206	114	145		
Plumbers					
Estimate	900	800	800	900	900
Actual	688	747	885		
Podiatry					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Respiratory Therapy					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Veterinarians					
Estimate	210	150	180	230	230
Actual	132	203	237		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	35,790	37,226	39,102	36,461	37,352
Total Actual	36,281	38,420	35,906		
<p>(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.)</p>					
<p>New Licenses Chart 2</p>					
<p>Pertinent Workload Statistics New Licenses</p>					

DIVISION OF REGISTRATIONS	Actual FY 06-07 Actual FY 06-07	Actual FY 07-08 Actual FY 07-08	Actual FY 08-09 Actual FY 08-09	Estimate FY 09-10 Estimate FY 09-10	Request FY 10-11 Request FY 10-11
Accountancy					
Estimate	950	946	1,050	958	960
Actual	927	1,009	943		
Acupuncturists					
Estimate	90	101	103	105	107
Actual	99	101	102		
Addiction Counselors					
Estimate	360	361	395	363	365
Actual	359	396	367		
Architects/Engineers/Land Surveyors					
Estimate	2,736	2,080	2,048	2,289	2,300
Actual	1,992	2,020	2,855		
Athletic Agents					
Estimate	N/A	N/A	130	1	2
Actual	N/A	N/A	2		
Athlete Trainers					
Estimate	N/A	N/A	N/A	700	50
Actual	N/A	N/A	N/A		
Barber/Cosmetology					
Estimate	3,750	3,247	3,259	3,000	3,000
Actual	3,281	3,260	2,943		
Boxing					
Estimate	350	700	800	850	850
Actual	638	794	1,091		
Chiropractic					
Estimate	150	152	176	150	155
Actual	151	170	145		
Dental					
Estimate	350	400	554	500	525
Actual	524	502	492		
Electrical					
Estimate	3,500	3,166	3,353	2,800	2,850

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Actual	3,292	3,253	2,625		
Funeral Homes / Crematories					
Estimate	N/A	N/A	N/A	349	35
Actual	N/A	N/A	N/A		
Hearing Aid Providers/Audiologists					
Estimate	75	80	87	78	80
Actual	85	82	75		
Landscape Architects					
Estimate	N/A	750	100	75	75
Actual	N/A	469	249		
Lay Midwives					
Estimate	5	6	9	8	8
Actual	8	8	7		
Massage Therapists					
Estimate	N/A	N/A	6,500	400	400
Actual	N/A	N/A	7,536		
Mental Health – Licensed Professional Counselors					
Estimate	350	300	350	350	355
Actual	405	330	381		
Mental Health – Marriage and Family Therapists					
Estimate	60	39	55	18	49
Actual	47	49	45		
Mental Health – Psychology					
Estimate	120	97	125	115	120
Actual	123	101	121		
Mental Health – Social Work					
Estimate	300	285	432	300	325
Actual	353	390	255		
Mental Health – Grievance/Unlicensed Psychotherapists					
Estimate	575	519	765	800	850
Actual	480	662	800		
Medical					
Estimate	1,550	1,562	1,584	1,600	1,700
Actual	1,556	1,575	1,711		

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Nursing					
Estimate	5,500	6,897	6,046	5,500	5,800
Actual	6,320	5,792	5,558		
Nurse Aides					
Estimate	4,750	4,235	5,065	5,000	5,200
Actual	4,173	4,815	5,225		
Nursing Home Administrators					
Estimate	40	44	37	43	45
Actual	44	35	42		
Occupational Therapists					
Estimate	N/A	N/A	2,040	140	150
Actual	N/A	N/A	2,182		
Optometric					
Estimate	50	68	86	75	77
Actual	62	76	73		
Outfitters					
Estimate	60	61	59	64	66
Actual	69	57	62		
Passenger Tramway					
Estimate	2	13	13	15	18
Actual	9	20	11		
Pharmacy					
Estimate	2,000	760	987	950	970
Actual	1,083	902	975		
Physical Therapy					
Estimate	350	394	446	350	375
Actual	356	401	378		
Plumbers					
Estimate	1,525	3,126	1,500	1,100	1,150
Actual	1,159	3,012	1,085		
Podiatry					
Estimate	8	8	9	7	8
Actual	9	9	6		
Respiratory Therapy					

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Estimate	215	199	275	200	225
Actual	201	261	193		
Veterinarians					
Estimate	180	250	240	280	300
Actual	230	339	255		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	29,951	30,846	38,678	29,533	29,545
Total Actual	28,035	30,890	38,790		

(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. Additional authorities to practice are not included.

License Renewals
Chart 3A

Pertinent Workload Statistics
License Renewals (1)

	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Accountancy					
Estimate	400	14,785	375	14,915	500
Actual	219	14,983	703		
Acupuncturists					
Estimate	0	865	0	925	0
Actual	0	812	0		
Addiction Counselors					
Estimate	2,428	350	0	2,697	0
Actual	1,752	389	0		
Architects/Engineers/Land Surveyors					
Estimate	15,030	16,259	9,124	16,500	12,500
Actual	11,460	16,764	12,277		
Athlete Agents					

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Estimate	N/A	N/A	0	0	2
Actual	N/A	N/A	0		
Athlete Trainers					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Barber/Cosmetology					
Estimate	13,500	28,238	12,073	28,769	12,500
Actual	11,469	28,806	12,312		
Boxing					
Estimate	51	40	45	45	45
Actual	9	50	37		
Chiropractic					
Estimate	200	2,361	0	2,300	0
Actual	503	1,609	0		
Dental					
Estimate	0	7,788	0	8,110	0
Actual	0	8,016	0		
Electrical					
Estimate	23,000	0	18,134	0	18,600
Actual	17,710	0	18,388		
Funeral Homes / Crematories					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Hearing Aid Providers/Audiologists					
Estimate	0	308	0	415	0
Actual	0	399	0		
Landscape Architects					
Estimate	N/A	0	570	598	650
Actual	N/A	0	485		
Lay Midwives					
Estimate	45	50	53	50	54
Actual	46	48	46		
Massage Therapists					
Estimate	N/A	N/A	0	6,120	0

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Actual	N/A	N/A	0		
Mental Health – Licensed Professional Counselors					
Estimate	3,315	350	0	4,410	0
Actual	2,822	433	0		
Mental Health – Marriage and Family Therapists					
Estimate	497	60	0	621	0
Actual	416	80	0		
Mental Health – Psychology					
Estimate	2,073	160	0	2,400	0
Actual	1,806	217	0		
Mental Health – Social Work					
Estimate	3,444	250	0	4,220	0
Actual	2,916	406	0		
Mental Health – Grievance/Unlicensed Psychotherapists					
Estimate	1,497	200	0	2,550	0
Actual	897	238	0		
Medical					
Estimate	15,872	2,132	18,403	1,650	18,050
Actual	16,323	1,614	17,129		
Nursing					
Estimate	26,000	27,000	27,550	25,000	30,000
Actual	25,426	31,738	25,883		
Nurse Aides					
Estimate	0	24,000	0	28,622	0
Actual	0	22,176	0		
Nursing Home Administrators					
Estimate	400	400	310	380	390
Actual	304	350	372		
Occupational Therapists					
Estimate	N/A	N/A	N/A	0	2,029
Actual	N/A	N/A	N/A		
Optometric					
Estimate	1,103	0	1,096	0	1,120
Actual	1,057	0	1,097		

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Outfitters					
Estimate	725	703	707	711	720
Actual	693	692	693		
Passenger Tramway					
Estimate	350	350	360	360	360
Actual	351	345	356		
Pharmacy					
Estimate	2,213	6,764	2,244	6,879	2,120
Actual	1,445	6,562	1,934		
Physical Therapy					
Estimate	5,100	0	5,300	0	5,200
Actual	4,793	0	5,084		
Plumbers					
Estimate	0	6,052	0	7,724	0
Actual	0	6,171	0		
Podiatry					
Estimate	180	190	190	185	190
Actual	180	186	180		
Respiratory Therapy					
Estimate	2,020	0	1,944	0	2,100
Actual	1,907	0	2,076		
Veterinarians					
Estimate	3,945	0	3,547	0	3,850
Actual	3,515	0	3,677		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	123,388	139,655	102,025	167,156	110,980
Total Actual	108,019	143,084	102,729		
<p>(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.</p>					
<p>License Reinstatements Chart 3B</p>					

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Pertinent Workload Statistics					
License Reinstatements (1)					
	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Accountancy					
Estimate	150	150	350	130	215
Actual	380	127	209		
Acupuncturists					
Estimate	15	15	19	22	20
Actual	21	22	18		
Addiction Counselors					
Estimate	70	70	15	70	20
Actual	12	69	17		
Architects/Engineers/Land Surveyors					
Estimate	367	450	450	564	600
Actual	434	562	626		
Athlete Agents					
Estimate	N/A	N/A	0	0	0
Actual	N/A	N/A	0		
Athlete Trainers					
Estimate	N/A	N/A	N/A	0	0
Actual	N/A	N/A	N/A		
Barber/Cosmetology					
Estimate	1,500	1,500	1,500	2,000	1,500
Actual	1,518	1,520	2,005		
Boxing					
Estimate	5	5	1	5	5
Actual	0	1	6		
Chiropractic					
Estimate	25	40	20	70	25
Actual	16	75	22		
Dental					
Estimate	50	50	76	95	60
Actual	56	66	89		

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Electrical					
Estimate	235	200	180	200	250
Actual	175	289	238		
Funeral Homes / Crematories					
Estimate	N/A	N/A	N/A	0	0
Actual	N/A	N/A	N/A		
Hearing Aid Providers/Audiologists					
Estimate	10	10	9	11	15
Actual	13	10	20		
Landscape Architects					
Estimate	N/A	0	5	5	2
Actual	N/A	0	6		
Lay Midwives					
Estimate	3	3	1	1	1
Actual	1	3	1		
Massage Therapists					
Estimate	N/A	N/A	N/A	0	0
Actual	N/A	N/A	N/A		
Mental Health – Licensed Professional Counselors					
Estimate	50	60	30	115	35
Actual	29	118	42		
Mental Health – Marriage and Family Therapists					
Estimate	10	15	5	11	8
Actual	6	12	10		
Mental Health – Psychology					
Estimate	15	40	14	45	16
Actual	12	50	20		
Mental Health – Social Work					
Estimate	50	80	30	98	38
Actual	28	115	51		
Mental Health – Grievance/Unlicensed Psychotherapists					
Estimate	50	80	50	110	55
Actual	52	116	59		
Medical					

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Estimate	287	130	80	140	98
Actual	79	157	107		
Nursing					
Estimate	1,000	1,000	800	853	862
Actual	849	835	890		
Nurse Aides					
Estimate	800	700	650	700	950
Actual	693	621	946		
Nursing Home Administrators					
Estimate	20	15	12	15	17
Actual	11	15	16		
Occupational Therapists					
Estimate	N/A	N/A	0	0	0
Actual	N/A	N/A	0		
Optometric					
Estimate	10	12	10	7	9
Actual	8	6	8		
Outfitters					
Estimate	20	20	30	30	35
Actual	32	25	35		
Passenger Tramway					
Estimate	N/A	0	0	0	0
Actual	0	0	0		
Pharmacy					
Estimate	20	50	28	50	70
Actual	29	54	73		
Physical Therapy					
Estimate	75	40	80	50	80
Actual	88	55	72		
Plumbers					
Estimate	50	150	70	150	65
Actual	61	144	62		
Podiatry					
Estimate	2	2	2	1	2

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Actual	1	1	0		
Respiratory Therapy					
Estimate	50	20	30	25	35
Actual	34	32	39		
Veterinarians					
Estimate	80	40	110	35	55
Actual	116	37	54		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	5,019	4,947	4,657	5,608	5,143
Total Actual	4,754	5,137	5,741		
Active Licenses					
Chart 4					
Pertinent Workload Statistics					
Active Licensees (1)					
	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Accountancy					
Estimate	17,000	17,181	17,475	18,144	18,597
Actual (Active, Inactive, Retired)	16,892	18,062	17,701		
Acupuncturists					
Estimate	950	1,056	1,003	1,072	1,099
Actual (Active, Inactive)	956	935	1,046		
Addiction Counselors					
Estimate	3,100	3,069	2,904	3,157	3,236
Actual	2,913	2,815	3,080		
Architects/Engineers/Land Surveyors					
Estimate	30,490	30,245	29,498	30,481	31,243
Actual (Active, Inactive, Retired)	29,658	29,578	29,738		
Athlete Agents					

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Estimate	N/A	N/A	130	2	2
Actual	N/A	N/A	2		
Athlete Trainers					
Estimate	N/A	N/A	N/A	700	750
Actual	N/A	N/A	N/A		
Barber/Cosmetology					
Estimate	50,000	51,504	49,028	51,424	52,710
Actual	50,494	47,815	50,170		
Boxing					
Estimate	400	900	1,100	1,224	1,254
Actual	863	1,014	1,194		
Chiropractic					
Estimate	2,600	2,716	2,501	2,721	2,789
Actual (Active, Inactive)	2,640	2,488	2,655		
Dental					
Estimate	8,100	8,919	8,535	9,176	9,405
Actual (Active, Inactive, Retired)	8,617	8,374	8,952		
Electrical					
Estimate	20,946	18,451	20,380	19,791	20,285
Actual	18,587	20,102	19,308		
Funeral Homes / Crematories					
Estimate	N/A	N/A	N/A	349	384
Actual	N/A	N/A	N/A		
Hearing Aid Providers/Audiologists					
Estimate	475	566	532	566	580
Actual	533	513	552		
Landscape Architects					
Estimate	N/A	750	569	698	715
Actual	N/A	469	681		
Lay Midwives					
Estimate	52	56	60	55	57
Actual	55	58	54		
Massage Therapists					
Estimate	N/A	N/A	6,500	7,716	7,909

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Actual	N/A	N/A	7,528		
Mental Health – Licensed Professional Counselors					
Estimate	4,053	4,199	4,280	4,535	4,648
Actual	4,003	4,029	4,424		
Mental Health – Marriage and Family Therapists					
Estimate	685	635	619	667	684
Actual	607	600	651		
Mental Health – Psychology					
Estimate	2,306	2,423	2,372	2,524	2,587
Actual	2,352	2,326	2,462		
Mental Health – Social Work					
Estimate	4,185	4,258	4,238	4,532	4,645
Actual	4,099	4,074	4,421		
Mental Health – Grievance/Unlicensed Psychotherapists					
Estimate	2,485	2,294	2,192	2,774	2,843
Actual	2,100	2,059	2,706		
Medical					
Estimate	21,500	22,627	21,848	23,305	23,888
Actual (Active, Inactive)	21,812	21,360	22,737		
Nursing					
Estimate	69,875	69,902	68,314	69,305	71,038
Actual (Active, Inactive, Retired)	68,155	67,245	67,615		
Nurse Aides					
Estimate	28,500	33,248	27,276	32,598	33,413
Actual	29,911	26,033	31,803		
Nursing Home Administrators					
Estimate	475	450	416	459	471
Actual	435	437	448		
Occupational Therapists					
Estimate	N/A	N/A	2,040	2,214	2,269
Actual	N/A	N/A	2,160		
Optometric					
Estimate	1,150	1,100	1,177	1,173	1,202
Actual (Active, Inactive)	1,087	1,167	1,144		

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Outfitters					
Estimate	775	777	721	756	775
Actual	777	732	738		
Passenger Tramway					
Estimate	373	358	370	374	383
Actual	357	367	365		
Pharmacy					
Estimate	9,900	9,242	9,178	9,873	10,120
Actual (Active, Inactive)	8,925	8,937	9,632		
Physical Therapy					
Estimate	5,350	5,325	5,883	5,675	5,817
Actual	5,237	5,689	5,537		
Plumbers					
Estimate	8,123	8,995	8,840	9,314	9,547
Actual	6,957	8,382	9,087		
Podiatry					
Estimate	205	201	200	203	208
Actual (Active, Inactive)	199	201	198		
Respiratory Therapy					
Estimate	2,250	2,273	2,633	2,419	2,479
Actual	2,191	2,481	2,360		
Veterinarians					
Estimate	4,201	3,883	4,314	4,098	4,200
Actual (Active, Inactive)	3,869	4,242	3,998		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	300,504	307,603	307,126	324,075	332,235
Total Actual	295,281	292,584	315,147		
<p>(1) "Active" Licenses = number of active licenses on June 30, 2009. 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. Additional authorities to practice are not included.</p>					
<p>Complaints Received and Handled Chart 5</p>					

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Pertinent Workload Statistics					
Complaints Received and Handled (1)					
	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Accountancy					
Estimate	110	110	130	135	140
Actual	121	63	121		
Acupuncturists					
Estimate	20	15	13	16	18
Actual	6	11	15		
Addiction Counselors					
Estimate	137	75	78	110	121
Actual	48	84	108		
Architects/Engineers/Land Surveyors					
Estimate	125	125	125	180	170
Actual	122	105	178		
Athlete Agents					
Estimate	N/A	N/A	6	5	5
Actual	N/A	N/A	0		
Athlete Trainers					
Estimate	N/A	N/A	N/A	40	40
Actual	N/A	N/A	N/A		
Barber/Cosmetology					
Estimate	650	500	500	620	650
Actual	500	487	600		
Boxing					
Estimate	20	20	25	10	12
Actual	19	14	8		
Chiropractic					
Estimate	80	75	85	110	115
Actual	53	117	99		
Dental					
Estimate	275	325	295	315	315

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Actual	301	301	291		
Electrical					
Estimate	170	150	150	200	175
Actual	147	124	188		
Funeral Homes / Crematories					
Estimate	N/A	N/A	N/A	25	25
Actual	N/A	N/A	N/A		
Hearing Aid Providers/Audiologists					
Estimate	25	25	24	32	35
Actual	21	22	27		
Landscape Architects					
Estimate	N/A	10	10	5	10
Actual	N/A	1	5		
Lay Midwives					
Estimate	10	10	10	8	10
Actual	2	7	6		
Massage Therapists					
Estimate	N/A	N/A	195	120	120
Actual	N/A	N/A	10		
Mental Health – Licensed Professional Counselors					
Estimate	100	90	84	74	82
Actual	63	101	67		
Mental Health – Marriage and Family Therapists					
Estimate	22	20	17	14	18
Actual	12	19	12		
Mental Health – Psychology					
Estimate	85	75	66	60	66
Actual	62	74	52		
Mental Health – Social Work					
Estimate	96	100	88	77	84
Actual	86	95	52		
Mental Health – Grievance/Unlicensed Psychotherapists					
Estimate	112	80	85	79	85
Actual	74	87	76		

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Medical					
Estimate	1,125	1,050	1,116	1,050	1,050
Actual	1,039	1,133	1,012		
Nursing					
Estimate	800	650	650	650	650
Actual	559	585	584		
Nurse Aides					
Estimate	200	200	300	300	300
Actual	158	249	253		
Nursing Home Administrators					
Estimate	40	32	32	35	35
Actual	25	23	31		
Occupational Therapists					
Estimate	N/A	N/A	40	25	25
Actual	N/A	N/A	5		
Optometric					
Estimate	20	18	21	20	22
Actual	14	30	15		
Outfitters					
Estimate	45	50	50	40	42
Actual	55	30	32		
Passenger Tramway					
Estimate	5	6	6	6	6
Actual	12	5	2		
Pharmacy					
Estimate	160	170	180	250	250
Actual	161	283	458		
Physical Therapy					
Estimate	25	30	26	41	45
Actual	26	32	37		
Plumbers					
Estimate	135	100	100	120	110
Actual	96	85	119		
Podiatry					

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Estimate	15	20	20	20	20
Actual	20	16	16		
Respiratory Therapy					
Estimate	10	15	15	27	30
Actual	12	25	24		
Veterinarians					
Estimate	130	115	93	93	93
Actual	98	61	86		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	4,747	4,261	4,635	4,912	4,974
Total Actual	3,912	4,269	4,574		
 (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.					
 Inspections					
Chart 6					
 Pertinent Workload Statistics					
Inspection Data by Board Staff					
	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Barber/Cosmetology					
Estimate	500	375	500	300	350
Actual	366	301	264		
Electrical					
Estimate	51,000	51,000	52,500	45,000	45,000
Actual	50,633	51,230	42,715		
Nursing					
Estimate	8	8	8	7	7
Actual	6	12	6		
Nurse Aides					
Estimate	64	70	65	70	70

DIVISION OF REGISTRATIONS	Actual FY 06-07	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11
Actual	52	65	44		
Passenger Tramway					
Estimate	752	758	758	750	755
Actual	748	752	747		
Pharmacy					
Estimate	1,300	1,200	1,400	900	900
Actual	1,198	1,428	1,277		
Plumbers					
Estimate	13,000	12,000	13,000	11,000	12,000
Actual	11,274	11,550	11,149		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	66,624	65,411	68,231	58,027	59,082
Total Actual	64,277	65,338	56,202		

FY 09 Board or Program Actions Chart 7						
Board or Program	Revocation (1)	Suspensions (2)	Stipulations (3)	Letters of Admonition	Other Actions (4)	Dismissals
Accountancy	4	0	19	3	3	77
Acupuncturists	0	0	1	0	2	8
Addiction Counselors	5	2	3	4	7	38
Architects/Engineers/Land Surveyors	1	0	35	42	89	77
Athlete Agents	0	0	0	0	0	0
Barber/Cosmetology	10	0	364	3	57	99
Boxing	0	0	9	0	0	0
Chiropractic	3	0	13	8	2	53
Dental	2	10	37	25	3	204
Electrical	6	1	41	17	56	30
Hearing Aid Providers/Audiologists	1	0	2	1	1	16
Landscape Architects	0	0	0	0	3	1
Lay Midwives	0	0	3	0	1	2
Massage Therapists	0	0	0	0	0	5

FY 09 Board or Program Actions						
Chart 7						
Board or Program	Revocation (1)	Suspensions (2)	Stipulations (3)	Letters of Admonition	Other Actions (4)	Dismissals
Mental Health						
- Licensed Professional Counselors	2	2	5	2	1	49
- Marriage and Family Therapists	1	3	3	1	0	48
- Psychology	0	0	0	0	0	16
- Social Work	0	2	2	3	0	40
- Unlicensed Psychotherapists	1	4	2	4	0	24
Medical	8	27	53	46	4	651
Nursing	42	64	67	87	1	371
Nurse Aides	54	34	N/A	58	5	125
Nursing Home Administrators	3	0	0	0	1	20
Occupational Therapists	0	0	1	0	0	4
Optometric	0	0	2	0	0	6
Outfitters	2	0	8	1	5	30
Passenger Tramway	0	0	2	0	0	1
Pharmacy	24	15	117	31	71	193
Physical Therapy	1	3	6	0	0	19
Plumbers	1	0	19	16	24	23
Podiatry	0	0	0	1	0	8
Respiratory Therapy	2	0	7	3	1	6
Veterinarians	2	1	5	11	2	50
TOTAL DIVISION OF REGISTRATIONS	175	168	826	367	339	2,294
FY 07-08 Actual	224	140	735	310	130	2,351
FY 06-07 Actual	130	72	801	352	144	2,582
FY 05-06 Actual	125	92	631	266	299	2,957
FY 04-05 Actual	150	70	754	215	127	2,795
FY 03-04 Actual	137	81	439	209	140	2,251
(1) Revocations include voluntary surrender of license.						

FY 09 Board or Program Actions						
Chart 7						
Board or Program	Revocation (1)	Suspensions (2)	Stipulations (3)	Letters of Admonition	Other Actions (4)	Dismissals
<p>(2) Suspensions are those actively served. Includes summary suspensions, agreements to cease practice in lieu of suspension, and interim cessations of practice.</p> <p>(3) "Stipulations" replaces the previous category of "Probations." Stipulations may or may not include probation. Includes Barber/Cosmetology citations.</p> <p>(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 09 Complaints Investigated						
Chart 8						
Board or Program	July 1, 2008 - June 30, 2009			As of June 30, 2009		
	Carried over from FY 08	Received	Investigated	Under investigation	Over 8 months old	Pending Hearing
Accountancy	7	7	12	2	0	14
Acupuncturists	2	9	7	4	0	1
Architects/Engineers/Land Surveyors	0	5	5	0	0	13
Athlete Agents	0	0	0	0	0	0
Barber/Cosmetology	0	3	3	0	0	6
Boxing	0	0	0	0	0	0
Chiropractic	2	21	13	10	0	11
Dental	31	55	69	17	0	53
Electrical	0	6	3	3	0	10
Hearing Aid Providers/Audiologists	2	7	5	4	0	0
Landscape Architects	0	0	0	0	0	0
Lay Midwives	1	5	4	2	0	0
Massage Therapists	0	0	0	0	0	6
Mental Health						
Addiction Counselors	7	23	23	7	0	14
Licensed Professional Counselors	1	9	7	3	0	3
Marriage and Family Therapists	0	4	4	0	0	2
Psychology	4	9	11	2	0	13

FY 09 Complaints Investigated Chart 8						
Board or Program	July 1, 2008 - June 30, 2009			As of June 30, 2009		
	Carried over from FY 08	Received	Investigated	Under investigation	Over 8 months old	Pending Hearing
Social Work	2	5	6	1	0	7
Grievance	7	17	17	7	0	7
Medical	19	70	66	23	0	76
Nursing	76	169	179	66	1	80
Nurse Aides	34	83	87	30	0	25
Nursing Home Administrators	3	7	7	3	1	0
Occupational Therapists	0	0	0	0	0	0
Optometric	0	1	0	1	0	0
Outfitters	1	4	5	0	0	2
Passenger Tramway	0	0	0	0	0	0
Pharmacy	0	0	0	0	0	37
Physical Therapy	5	16	16	5	0	1
Plumbers	0	3	2	1	0	13
Podiatry	2	2	3	1	0	2
Respiratory Therapists	0	10	7	3	0	6
Veterinarians	1	7	3	5	2	6
TOTAL DIVISION OF REGISTRATIONS	207	557	564	200	4	408
FY 07-08 Actual	171	500	464	207	5	413
FY 06-07 Actual	315	494	638	171	8	374
FY 05-06 Actual	215	571	471	315	37	384
FY 04-05 Actual	296	506	587	215	27	396
FY 03-04 Actual	320	531	561	290	58	350

(1) Received by the Office of Investigations from Boards and Programs for formal investigation. Does not include all complaints received and handled by Boards and Programs (Chart 5) or investigations conducted by board staff, specifically, Pharmacy, Tramway, or Barber/Cosmetology.

FY 09 Expedited Settlement Chart 9							
Board or Program	Carried over from FY 08	July 1, 2008 - June 30, 2009			Not Settled	As of June 30, 2009	
		Received	Completed	Settled		Currently Open	Over 90 days old
Accountancy	2	32	25	22	3	9	1
Acupuncturists	0	1	1	1	0	0	0
Architects/Engineers/Land Surveyors	11	33	39	30	9	5	0
Athlete Agents	0	0	0	0	0	0	0
Barber/Cosmetology	43	255	265	255	10	33	0
Boxing	0	5	4	2	2	1	0
Chiropractic	3	16	15	11	4	4	0
Dental	6	46	50	31	19	2	0
Electrical	11	37	43	33	10	5	0
Hearing Aid Providers/Audiologists	0	3	3	2	1	0	0
Landscape Architects	0	0	0	0	0	0	0
Lay Midwives	2	1	3	2	1	0	0
Massage Therapists	0	0	0	0	0	0	0
Mental Health							
Addiction Counselors	1	27	24	19	5	4	0
Licensed Professional Counselors	2	10	6	5	1	6	0
Marriage and Family Therapists	0	1	1	1	0	0	0
Psychology	0	4	4	3	1	0	0
Social Work	0	3	3	2	1	0	0
Grievance	0	13	11	8	3	2	0
Medical	1	34	31	23	8	4	0
Nursing	20	86	89	44	45	17	0
Nurse Aides	0	0	0	0	0	0	0
Nursing Home Administrators	2	2	3	3	0	1	0
Occupational Therapists	0	1	1	1	0	0	0
Optometric	1	0	1	1	0	0	0
Outfitters	1	8	9	8	1	0	0
Passenger Tramway	0	5	4	4	0	1	0
Pharmacy	26	90	105	81	24	11	0

Board or Program	July 1, 2008 - June 30, 2009				Not Settled	As of June 30, 2009	
	Carried over from FY 08	Received	Completed	Settled		Currently Open	Over 90 days old
Physical Therapy	0	4	4	2	2	0	0
Plumbers	8	33	35	25	10	6	0
Podiatry	0	1	1	0	1	0	0
Respiratory Therapists	1	8	9	7	2	0	0
Veterinarians	1	8	9	5	4	0	0
TOTAL DIVISION OF REGISTRATIONS	142	767	798	631	167	111	1
FY 07-08 Actual	140	752	779	618	161	143	14
FY 06-07 Actual	240	598	668	573	117	170	46

DIVISION OF SECURITIES	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Enforcement Section				
Enforcement Statistics and Projections				
Total Caseload				
Target	384	408	360	365
Actual	357	355		
Target	310	320	290	300
Actual	273	268		
Licensed Respondents (included in total above)				
Target	110	120	100	100
Actual	84	87		
File Carryover				
Target	240	235	220	225
Actual	211	215		
Target	194	204	180	185
Actual	160	170		
Licensed Respondents (included in total above)				
Target	66	96	55	60
Actual	51	45		
New Cases				
Target	124	132	145	150
Actual	137	139		

DIVISION OF SECURITIES	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Target	96	108	108	110
Actual	99	99		
Licensed Respondents (included in total above)				
Target	48	60	50	60
Actual	38	40		
Files Closed				
Target	132	144	144	145
Actual	146	140		
Target	108	120	110	115
Actual	113	98		
Licensed Respondents (included in total above)				
Target	60	72	50	55
Actual	33	42		
<i>In the Total Caseload category for FY 08-09, 44 additional matters were dealt with by the enforcement staff, but were handled informally and without opening an investigation.</i>				
Total Legal Actions				
Target	144	168	170	175
Actual	179	175		
Administrative Legal Actions				
Total Administrative Legal Actions				
Target	84	96	85	90
Actual	81	76		
Referrals				
Target	18	24	20	22
Actual	24	8		
Consent Orders				
Target	18	24	50	50
Actual	28	51		
Stop Orders				
Target	1	1	1	1
Actual	0	1		
Broker-Dealer/Cease & Desist Actions Filed				
Target	18	24	20	22
Actual	12	5		
Hearings Held				
Target	3	4	4	4
Actual	5	1		
Orders/Hearings				
Target	3	4	4	4

DIVISION OF SECURITIES	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Actual	8	1		
Judicial Review and Appeal				
Target	1	1	1	1
Actual	1	1		
Summary Suspensions				
Target	3	5	5	5
Actual	5	3		
Summary Revocations				
Target	12	5	4	3
Actual	5	4		
Other				
Target	12	12	12	12
Actual	3	7		
Civil Legal Actions				
Total Civil Legal Actions				
Target	54	60	70	75
Actual	66	79		
Referrals to Attorney General's Office				
Target	12	15	16	18
Actual	21	14		
Subpoena Enforcement Actions				
Target	5	6	6	6
Actual	6	6		
Complaints Filed				
Target	9	7	8	10
Actual	5	11		
Subpoena Enforcement Orders				
Target	4	4	5	6
Actual	4	8		
TRO's Obtained				
Target	2	2	2	2
Actual	0	2		
Preliminary Injunctions				
Target	2	3	3	3
Actual	3	3		
Permanent Injunctions				
Target	12	16	20	25
Actual	16	32		
Bankruptcy Actions				
Target	1	1	2	2

DIVISION OF SECURITIES	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Actual	1	3		
Appeals				
Target	2	2	2	2
Actual	1	1		
Other				
Target	12	15	10	12
Actual	9	3		
Criminal Legal Actions				
Total Criminal Legal Actions				
Target	40	35	35	35
Actual	32	20		
Referrals to Prosecutor				
Target	9	7	7	8
Actual	5	5		
Grand Jury Proceeding				
Target	6	5	5	5
Actual	1	3		
Indictments				
Target	6	6	5	5
Actual	4	3		
Complaints/Information				
Target	5	3	3	3
Actual	1	2		
Convictions				
Target	8	10	10	10
Actual	10	6		
Appeals				
Target	1	1	1	1
Actual	1	0		
Assistance				
Target	5	3	3	3
Actual	1	2		
Other				
Target	6	8	6	6
Actual	9	2		
Examination Section				
As of June 30, 2009, there were:				

DIVISION OF SECURITIES	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
· 2,403 broker-dealers licensed in Colorado.				
Securities Registration				
Registration by Coordination				
Target	95	90	60	60
Actual	83	45		
Registration by Qualification				
Target	5	5	4	4
Actual	5	4		
Target	3	3	1	1
Actual	0	0		
Local Government Trust Registrations				
Target	0	0	0	
Actual	0			
Local Government Trust Ann. Renewal				
Target	3	3	2	2
Actual	3	2		
Colorado Municipal Bond Registrations				
Target	0	0	0	
Actual	0			
Colorado Municipal Bond Exemptions				
Target	140	135	120	130
Actual	135	100		
Claim of Exemption				
Target	1,875	2,000	2,000	2,000
Actual	2,051	1616		
Investment Companies				
Target	2,200	2,200	2,300	2,300
Actual	2,295	2475		
Broker-Dealer and Investment Adviser Licensing				
(SEC = Securities and Exchange Commission)				
SEC Broker-Dealer Applications				
Target	185	160	175	175
Actual	160	176		
Investment Adviser Applications				
Target	280	300	300	300
Actual	301	242		
SEC Broker-Dealer Renewals				
Target	2,300	2,300	2,300	2,300
Actual	2,352	2288		
Investment Adviser Renewals				

DIVISION OF SECURITIES	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Target	1,750	1,950	2,000	2,000
Actual	1,987	2062		
Non-SEC Broker-Dealer Applications				
Target	1	1	1	1
Actual	1	2		
Non-SEC Broker-Dealer Renewals				
Target	10	10	10	10
Actual	6	6		
NASD Sales Representative Applications				
Target	41,000	42,500	41,000	41,200
Actual	42,100	39,521		
NASD Sales Representative Renewals				
Target	125,000	143,800	143,800	144,000
Actual	143,772	145,347		
NASD Disciplinary Withdrawals				
Target	400	275	260	260
Actual	256	263		
Non-NASD Sales Representative Applications				
Target	10	5	5	5
Actual	2	2		
Non-NASD Sales Representative Renewals				
Target	11	11	10	10
Actual	11	7		
Investment Adviser Representative Applications				
Target	2,700	2,700	2,400	2,450
Actual	2,541	2,321		
Investment Adviser Representative Renewals				
Target	7,500	8,500	8,500	8,500
Actual	8,458	8,913		
Investment Adviser Representative Withdrawals				
Target	N/A	NA	NA	NA
Actual	N/A	NA		
Field Examinations				
Units				
Target	47	48	50	50
Actual	46	50		