



Dora
Department of Regulatory Agencies

STRATEGIC PLAN

2010-11





Executive Director's Office
D. Rico Munn
Executive Director

Bill Ritter, Jr.
Governor

3.2 EXECUTIVE LETTER

August 31, 2009

I am pleased to present the Department of Regulatory Agencies' (DORA) Strategic Plan for 2010-2011. I appreciate the opportunity to discuss the inner workings of DORA from a pragmatic point of view. Following are some of DORA's goals outlined in our strategic plan.

- 1) **Consumer Outreach** – In the current economic climate it is more important than ever to share information and educate consumers about their rights. We do this because smart consumers are good for business. Smart consumers are more confident and show their confidence by actively engaging in the marketplace. It is also the time to educate professionals as to their responsibility to consumers and the market, and to educate regulatory violators as to how they can comply with the standards required by their professions.
- 2) **Professional Outreach** – DORA's outreach efforts will also concentrate on improving communications with the professionals we regulate to educate them of their responsibilities and consumers' rights. Every time DORA is called upon to regulate a new profession, great effort must go into contacting professionals and explaining the steps to comply with their licensure or registration.

- 3) **Complaint Resolution** – DORA continues to work on improving its complaint resolution process in every division and shares best practices across divisions in order to achieve greater customer service. DORA is now using the data from the types of complaints we receive to drive our outreach efforts to both professionals and consumers.
- 4) **Timely Access** – DORA offers a valuable service 24/7 to all professionals needing to apply for or renew licenses with 100% of licensure applications made available online. Also, most of DORA’s divisions allow complaints to be filed online. DORA continues to seek ways to be more accessible to consumers and professionals, including modifying our website and encouraging citizens to utilize its services. DORA has also initiated outreach and translated web pages for Spanish speakers.
- 5) **Qualified Professionals** – Through an agency-wide training program and orientation sessions for all new employees, DORA aims to accomplish its goal of its employees having the knowledge, skills, and abilities to effectively and fairly regulate Colorado professionals and industries. Through DORA’s commitment to training, Colorado consumers can be certain they are working with knowledgeable, respectful and qualified employees who are working to protect them.
- 6) **Economic Environment** – DORA understands its role in the current economic environment as encouraging business expansion and greater economic development. By protecting consumers, DORA positively impacts consumer confidence, which will, in turn, increase activity in Colorado’s marketplace. Through fair standards and consistent regulatory oversight, DORA fosters a competitive business environment.

DORA continues to thoughtfully implement regulatory programs for the professions we regulate with the purposeful determination of protecting Colorado consumers. Through these efforts and our promotion of a fair and competitive business environment in Colorado, DORA will preserve the integrity of the marketplace.

Sincerely,



D. Rico Munn
Executive Director

3.3 INTRODUCTION

The mission of the Colorado Department of Regulatory Agencies (DORA) is consumer protection, and DORA seeks to preserve marketplace integrity in which consumers and businesses can thrive. 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 with over 40 boards, commissions, or advisory committees 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 Banking
Division of Civil Rights
Office of Consumer Counsel
Division of Financial Services

Division of Insurance
Public Utilities Commission
Division of Real Estate
Division of Registrations
Division of Securities

The Department is primarily cash funded by regulated entities through fees and assessments flowing to cash funds set 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. However, effective in FY 2009-10 and beyond, General Fund impact in the Division of Insurance has been eliminated via the increase of fees charged to licensees in that division.

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.

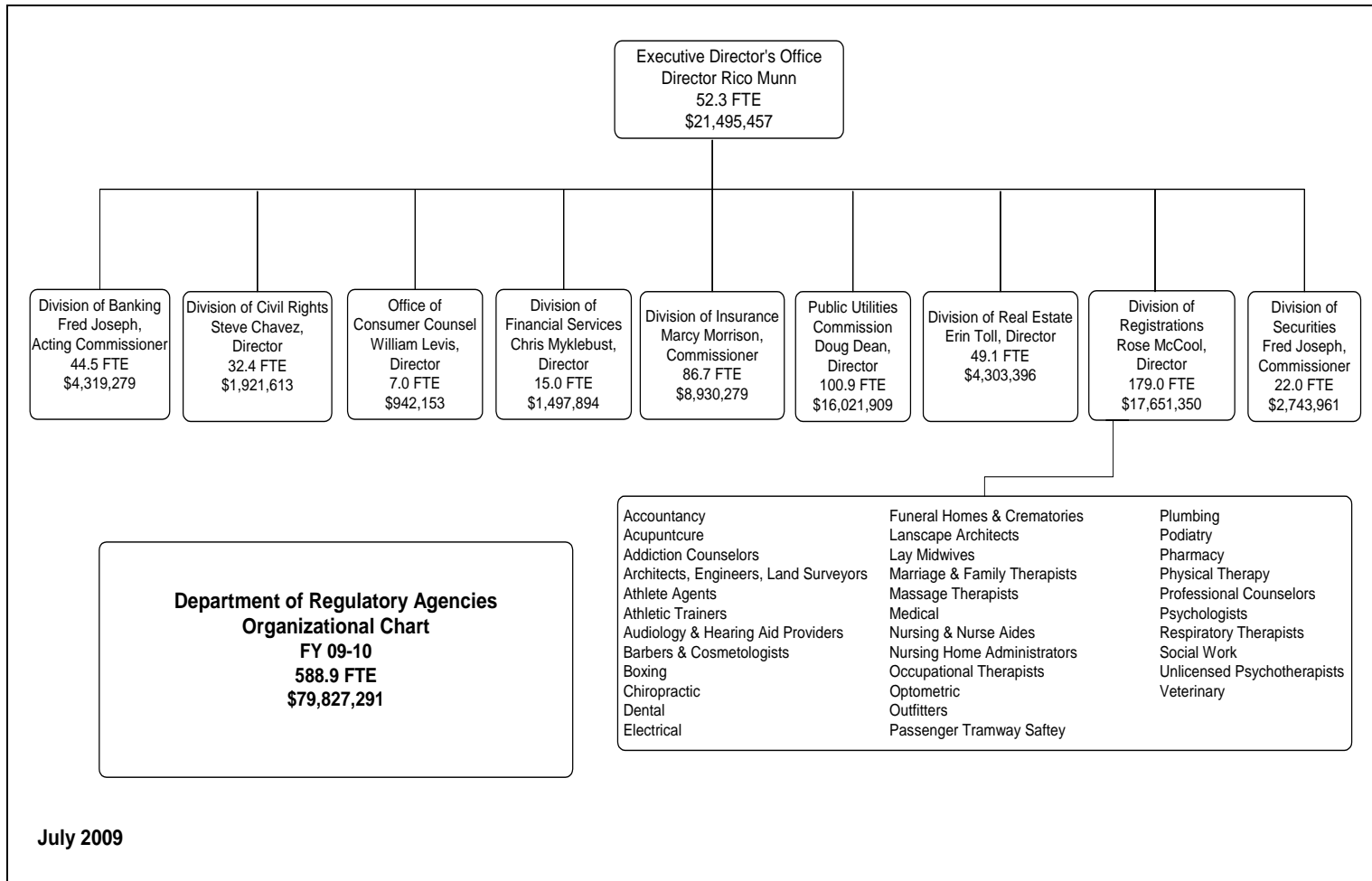
In addition to its existing statutory duties, during FY 2009-10 the Department will focus on implementation of targeted regulation and new regulatory programs and activities including:

- Building on the success of the new Consumer Outreach and Education Program to enhance consumer protection;
- New regulated occupations including Athletic Trainers and Mortuary Science;
- New and stronger standards for the practice of nursing and the regulation of financial institutions, as well as changed standards of competency for electricians and mental health professionals.

3.4 STATUTORY AUTHORITY

The statutory authority for the Department is found at Title 24, Section 34, Colorado Revised Statutes. More specific statutory authority by Division can be found in Titles 10, 11, 12, 24, 40, and 42.

3.5 ORGANIZATIONAL CHART



3.6 MISSION STATEMENT

DORA is dedicated to preserving the integrity of the marketplace and is committed to promoting a fair and competitive business environment in Colorado. Consumer protection is our mission.

3.7 A NARRATIVE ON THE DEPARTMENT'S VISION

DORA interacts with consumers, professionals, government officials and the general public. DORA's belief is that Colorado's economy will thrive through a regulatory framework that protects Colorado's consumers, while fostering fair and rigorous standards for professionals and businesses.

Given the growing awareness that consumers and professionals have of DORA, we are proud to say that DORA has become a valuable resource in state government where consumers as well as professionals can go to have their issues addressed and questions answered.

The stated mission of DORA is 'Consumer Protection.' This includes alerting consumers to wrongdoing in the marketplace and how they can avoid harm. This also means working with professional organizations and the professionals themselves to create an understanding of their responsibilities.

Consumer protection is the common thread running through all of our operations at DORA. Working toward this end demonstrates the value Colorado places on a safe and competitive business environment. Adhering to the consumer protection mission also requires that DORA promotes fair standards across the professions.

Under the leadership of DORA Executive Director Rico Munn, the priority at DORA is to create a reliable resource for consumers. Whether it is a question about utility rates in Colorado, where one can attain the best value in health insurance, or if one has questions about their professional license or certification, DORA is the place to call. A "no wrong door" philosophy creates a new identity for DORA, making it a one-stop shop to have professional questions addressed and consumer complaints resolved.

The use of modern technology allows DORA to give consumers 24/7 access to information on their doctors or plumbers as well as those who provide their insurance or real estate transactions. DORA's knowledgeable and accessible personnel are being trained to answer questions across divisions and implement efficiencies wherever possible.

The goals of increasing consumer and professional outreach, timely access to information, and improving complaint resolution time are being achieved with renewed vigor and focus. Through these efforts and our efforts to promote a fair and competitive business environment in Colorado, DORA will preserve the integrity of the Colorado economy.

In order to be achievable, this vision will be supported by corresponding budget initiatives. At the same time, particularly in current budget times, DORA demonstrates adherence to statewide budget constraints. For this reason, the Department's budget is focused on embracing all aspects of the mission of consumer protection and the strategies for achievement – not only in the form of specific increase requests, but also in the form of sustainable utilization of base resources.

In terms of making consumers aware of wrongdoing in the marketplace and how they can avoid harm – and also working with professional organizations and the professionals themselves to create an understanding of their rights and responsibilities – the Department has devoted considerable time and effort from existing staff to enhance communications activities.

Additionally, the Department has placed a focus on planning for and implementing training opportunities for Department staff, because qualified employees are an essential part of a regulatory structure that truly protects consumers. This has been made possible by effectively planning the use of base resources, and has not required any budget increase.

3.8 CORE OBJECTIVES & 3.9 PERFORMANCE MEASURES

DEPARTMENT OF REGULATORY AGENCIES

1. Consumer Outreach.

Objective: Consumers are educated about their rights and understand how the violation of those rights can be addressed and resolved.

Performance Measure #1	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
10% increase in number of web hits.	Benchmark		+10%	+10%	+10%
	Hits	113,431,184	+9.31% 123,993,673	Unknown	Unknown

Strategy:

Consumers are educated about their rights and the protections the state provides through awareness campaigns, electronic publications, enhanced use of technology, public information events and media coverage.

Evaluation of Prior Year Performance:

This measure was adopted in the FY 2009-10 strategic plan and has continued relevance into the future because it shows consumers valuing the Department’s educational outreach and helpful information as provided through its website. DORA’s outreach efforts began in February 2009, resulting in a 17% increase over the same period the previous year.

Key Workload Indicators: Relevant workload indicators to this measure are set forth in the following tables:

Month and Year	Total Internet Hits	Total Page Views	DORA Unique Visitors	Month and Year	Total Internet Hits	Total Page Views	DORA Unique Visitors
Entire DORA Website Usage (2008-09)				Entire DORA Website Usage (2007-08)			
Jul-08	9,746,329	2,321,954	585356	Jul-07	8,552,839	2,244,505	873,295
Aug-08	9,557,596	2,373,698	546372	Aug-07	8,990,741	2,454,747	789,563
Sep-08	10,506,080	2,761,722	562067	Sept-07	11,110,059	3,810,985	737,015
Oct-08	9,729,681	2,389,453	541785	Oct-07	10,296,837	3,129,181	780,780
Nov-08	8,091,599	1,863,516	475929	Nov-07	6,157,419	1,000,677	541,087
Dec-08	9,388,308	2,550,143	556763	Dec-07	8,302,295	2,244,553	605,919
Jan-09	10,490,529	2,405,253	592560	Jan-08	11,818,850	3,285,265	766,781
Feb-09	10,955,346	2,620,942	594197	Feb-08	9,784,022	2,196,373	653,496
Mar-09	11,259,356	2,469,565	642118	Mar-08	9,466,537	2,134,705	756,723
Apr-09	12,211,467	2,469,227	625266	Apr-08	9,876,786	2,217,743	813,765
May-09	9,637,754	1,208,637	460774	May-08	9,397,142	2,330,459	748,709
Jun-09	12,419,628	3,340,038	641247	Jun-08	9,677,657	2,425,091	612,025
123,993,673 28,774,148 6,824,434				113,431,184 29,474,284 8,679,158			

DEPARTMENT OF REGULATORY AGENCIES

2. Professional Outreach.

Objective: Businesses and professionals are educated about consumer rights and the standards and regulations that apply.

Performance Measure #2	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
10% increase in professionals on listservs to receive regulatory updates/ newsletters.	Benchmark		+10%	+10%	+10%
	Actual	30,166	+355% 137,144	Unknown	Unknown

Performance Measure #2	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
50% of all active licensed professionals are available on listservs.	Benchmark			50%	60%
	Actual	N/A	N/A	Unknown	Unknown

Strategy: Businesses and professionals are educated about their rights and responsibilities through awareness campaigns, electronic publications, enhanced use of technology, public information events and media coverage.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was excellent as several new lists were

developed. A new measure is proposed for the FY 2009-10 Strategic Plan that better communicates the percentage of the professionals we regulate that can be directly communicated with in a moment's notice. The new measure aligns with Department priorities, because it directly and specifically illustrates the ability to receive timely information from DORA and this demonstrates the Department's effectiveness in consumer protection by communicating with and educating professionals and businesses about their responsibilities.

Key Workload Indicators: Beginning in FY 09-10 and beyond, the percentage of professionals on DORA's listservs will be the most relevant workload indicator for this measure, and the percentage of the total population in the regulated profession will be reported in future years.

Description	6/30/09 Estimated number	Subscribed 7/1/08- 6/30/2009	6/30/08 Estimated number
CO Addiction Counselors eUpdates	1656	1656	0
CO Architect, Engineer Land Surveyor eUpdates	3889	3889	0
Appraiser Licensees	3022	3029	-7
Co Barber & Cosmetology eUpdates	70	64	6
BOREA Newsletter	3194	1385	1809
CO Chiropractic eUpdates	1134	1110	24
Board of Professional Land Surveyors	576	0	576
Colorado Investment Advisor Representatives	427	55	372
CO Insurance Rates & Forms Updates	1498	18	1480
Colorado Senior Medicare Fraud Patrol	186	0	186
Division of Banking -- Commercial Banks	107	107	0
REA- CO Conservation Easement Update for LM emails	86	85	1
Colorado Premium Tax Filers	100	0	100
CO Real Estate Commission Newsletter	7218	1841	5377
REG- CO Dental eUpdates for List Manager emails	4090	4090	0
Division of Financial Services eNews	0	0	0
DOI Bulletins	752	372	380
DORA Statewide media list	606	213	393
REG- CO Electrical eUpdates for List Manager emails	7326	7227	99

Description	6/30/09 Estimated number	Subscribed 7/1/08- 6/30/2009	6/30/08 Estimated number
Electricians	1	0	1
Health Care Insurance Carriers	4	0	4
Insurance Complaint Reconciliation eNotices	239	0	239
CO Insurance Continuing Education eNews	2	2	0
CO Producers & Agency Licensing eNews	55978	55854	124
Larimer-Weld Electrical License Renewal	663	0	663
CO Licensed Professional Counselors eUpdates	2707	2707	0
CO Real Estate Mortgage Brokers Licence updates	7192	0	7192
Real Estate Mortgage Brokers Program	3168	1322	1846
CO Medical Examiners eUpdates	4	4	0
ABC-CO Medicare Part D Training Group	649	0	649
CO Marriage & Family Therapist Examiners eUpdates	310	310	0
Division of Banking - Money Transmitters	29	29	0
Motorist Insurance Identification E-Mail Contact List	297	0	297
CO Massage Therapy eUpdates	6024	6021	3
Colorado Municipal Bond Board	101	14	87
Office of Consumer Counsel Updates	1	0	1
CO Optometric Examiners eUpdates emails	9	9	0
CO Occupational Therapy eUpdates	1652	1652	0
REG- CO Outfitter eUpdates for List Manager emails	406	405	1
Prescription Drug Monitoring Program	4	0	4
CO Pharmacy eUpdates	3950	3	3947
CO Plumbers eUpdates	2781	2755	26
CO Psych Techs eUpdates	345	344	1
CO Psychologist Examiners eUpdates	1254	1254	0
CO Physical Therapy eUpdates	2859	2859	0
Physical Therapy Update	233	25	208
PUC Energy-Water Updates	5	1	4
PUC Rulemaking Updates	4	0	4
PUC Telecom Updates	4	0	4

Description	6/30/09 Estimated number	Subscribed 7/1/08- 6/30/2009	6/30/08 Estimated number
PUC Transportation-Rail Updates	4	0	4
Colo Real Estate License update	738	737	1
CO Registrations eUpdates	1883	3	1880
Colorado Regulator Newsletter	2001	262	1739
Colorado Securities Board	209	32	177
Colorado Division of Securities Rules Notices	295	35	260
CO Social Work Examiners eUpdates	2370	2370	0
Division of Banking - Trust Companies	7	7	0
CO Unlicensed Psychotherapists eUpdates	1917	1916	1
Western Slope Electrical License Renewal	908	905	3
	137144	106980	30166

DEPARTMENT OF REGULATORY AGENCIES

3. Complaint Resolution.

Objective: Consumer complaints are resolved in a timely and efficient manner.

Performance Measure #3	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
75% of all complaints are resolved within 180 days.	Benchmark		75%	75%	75%
	Actual	N/A	92.3%	Unknown	Unknown

Strategy: Identify and share efficiency strategies across divisions in order to process complaints and applications more efficiently.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was excellent. Beyond FY 2008-09, this measure is expected to have continued relevance because it illustrates to consumers a more meaningful measure and how efficient the Department’s complaint resolution process is.

Key Workload Indicators: Because this is a new measure, more relevant workload indicators to this measure will be collected and tracked. Beginning in FY 08-09 and beyond, the percentage of complaints resolved within 180 days will be the most relevant workload indicator for this measure, and this data will be reported in future years. However, the overall number of complaints for the Department is included below:

	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Complaints	10,333	13,575	14,000	14,000

DEPARTMENT OF REGULATORY AGENCIES

4. Timely Access.

Objective: Businesses and professionals can access the regulatory process in a timely and efficient manner.

Performance Measure #4	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
75% licensed within 30 days.	Benchmark		75%	75%	75%
	Actual	N/A	98.67%	Unknown	Unknown

Strategy:

Enhance DORA’s website to be more consumer focused and ease access to DORA’s services. Make regulatory actions more easily accessible to the public. Identify and share strategies across divisions to ensure all applications for licensure or registration are available online.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was excellent. Beyond FY 2008-09, this measure is expected to have continued relevance because it illustrates a meaningful number to professionals and shows how the Department’s performance ties in with consumer protection by efficiently licensing businesses and professions.

Key Workload Indicators: Because this is a new measure, no relevant workload indicators to this measure are currently collected and tracked. Beginning in FY 08-09 and beyond, the percentage of licenses issued within 30 days will be the most relevant workload indicator for this measure, and this data will be reported in future years. However, the overall numbers of new and renewal licenses across the Department are included below:

	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
New Licenses	107,056	133,734	133,734	133,734
Renewal Licenses	414,519	317,607	380,906	380,906

DEPARTMENT OF REGULATORY AGENCIES

5. Qualified Professionals.

Objective: DORA's employees have the knowledge, skills, and abilities to effectively and fairly regulate Colorado professionals and industries.

Performance Measure #5	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
% employees who received job-specific training.	Benchmark		85%	85%	90%
	Actual	N/A	89%	Unknown	Unknown

Strategy:

DORA's implementing a department-wide training program that will address the job specific needs of its employees.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was 89%. Beyond FY 2008-09, this measure is expected to have continued relevance because it shows how the Department's performance reflects the abilities and training of its employees.

Key Workload Indicators: 89% of DORA employees participated in the training program. 127 sessions of 33 different classes were offered, and 89% of DORA's workforce (474 of 533 employees) participated in at least one session.

DEPARTMENT OF REGULATORY AGENCIES

6. Economic Environment. *Objective:* DORA plays an active part in improving Colorado’s economic environment.

Performance Measure #6	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Amount of savings and return on investment achieved through regulation, settlements and rate reviews.	Benchmark		100%	100%	100%
	Actual	216.3%	338.2%	Unknown	Unknown

Strategy: DORA plays an active role in economic development through regulation, settlement agreements and rate review and approval.

Evaluation of Prior Year Performance: This measure continues from FY 2009-10. Comparing DORA’s cost to estimated savings as a performance measure is intended to assess the extent to which DORA is meeting its objective to play an active part in improving Colorado’s economic environment. Last year the Department reported an overall savings figure of \$205.6 million for FY 2007-08 based on estimated savings rates for rate cases, rate approvals, miscellaneous enforcement, and penalties, which reflected a 216.3% return on investment compared to a baseline appropriation of \$65.0 million. For FY 2008-09, the savings figure is \$290.8 million, which compares to a baseline appropriation of \$66.4 million and translates to a 338.2% return on investment. Savings are estimated and will fluctuate by year based on the timing and significance of matters before DORA entities – therefore, the Department’s benchmark conservatively targets that savings exceed costs each year. However, annualized savings figures involving rates that remain in place since the date of the original action can recur until further rate action, and accumulated savings has a positive influence on estimated annual savings. The FY 2008-09 benchmark for this measure was a target of 100%, and the actual performance was 338.2%.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Total Savings (in millions)	\$205.6	\$290.8	\$141.4	\$141.4
Baseline Appropriation (in millions)	\$65.0	\$66.4	\$70.7	\$70.7
Total Return (in millions)	\$140.6	\$224.4	\$70.7	\$70.7
Percent Return	216.3%	338.2%	100.0%	100.0%

EXECUTIVE DIRECTOR'S OFFICE

1. Commitment to Mission.

Objective: DORA employees understand the mission of DORA and their role in implementing it.

Performance Measure #1	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
100% of new employees complete orientation within 30 days of beginning work.	Benchmark			100%	100%
	Actual	20%	83%	Unknown	Unknown

Strategy: DORA's Executive Director's office will work with each of the Divisions and Section heads to develop a DORA-wide orientation that helps new employees understand the role of DORA as Colorado's consumer protection agency. This will include helping staff understand the broad nature of the services and protections that DORA provides and the role their Division and their section plays as part of the whole consumer protection mission of DORA.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was 83%. The new employee orientation began starting in May 2009. There were six employees hired in May and June 2009. Five of the six employees completed the orientation within 30 days of being hired. The sixth employee was in the field training on the date of their first opportunity to complete the orientation. This person completed the orientation within 60 days of beginning work.

This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division's performance translates to the effectiveness of the Department by educating employees on the shared mission.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Number of new appointments	125	119	120	120

EXECUTIVE DIRECTOR’S OFFICE

2. Public Access.

Objective: DORA’s divisions and systems are easily accessible to the public.

Performance Measure #2	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
100% of DORA's licensing and registration functions are available on the internet.	Benchmark		100%	100%	100%
	Actual	100%	100%	Unknown	Unknown

Strategy: DORA ensures technology stays current with business needs through a variety of mechanisms. Information technology staff, both managerial and technical, regularly meet with Division business program staff to scope, plan and implement technology enhancements to business systems. Other meetings and dialog are continually occurring to ensure new legislation and business funding needs (fiscal notes) are addressed appropriately. DORA uses a project management methodology to ensure that both the business managers and technology staff are engaged and aware of technology upgrades supporting DORA’s licensing and other business systems.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was 100%. Beyond FY 2008-09, this measure is expected to have continued relevance because it illustrates how DORA’s effectiveness can be maximized by public accessibility. It will also include all new programs or functions added to DORA’s regulatory authority.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Number of Licensing and Registration Systems	2	2	2	2

Note: This data includes the Department’s two major licensing/registrations systems: DLS for the Division of Registrations, and RMS for the Division of Real Estate, both of which are electronic.

EXECUTIVE DIRECTOR’S OFFICE

3. Qualified Professionals.

Objective: DORA’s employees have the knowledge, skills and abilities and ongoing training to succeed in their jobs.

Performance Measure #3	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
% of employees who receive job specific training	Benchmark		85%	85%	90%
	Actual	N/A	89%	Unknown	Unknown

Strategy:

The DORA Human Resources Section will utilize information collected by previous studies and assessments, and input from the workforce to identify training needs and interests. A training and development program will be implemented, and will continue to be refined and expanded, to include both formal (classroom, workshops, seminars, etc.), and informal (handbooks, manuals, electronic materials, etc.), opportunities for employees to receive job specific and transferrable skills training.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2000-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was 89%.

This measure was adopted in FY 2008-09 and has continued relevance into the future because it shows how the Department’s performance can be maximized by proper employee training.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Number of Department Employees	558.5	577.6	596.4	596.5

Note: this data includes the Department’s actual FTE use during FY 2007-08, and the total appropriation for FY 2008-09, pending the availability of actual year data.

EXECUTIVE DIRECTOR’S OFFICE

4. DORA is a Trusted Resource.

Objective: The Legislature accepts DORA as a trusted resource for sunset, sunrise, rules review, budgetary and other policy matters.

Performance Measure #4	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
80% of DORA's recommendations are adopted by the Legislature.	Benchmark		80%	80%	80%
	Actual	N/A	>90%	Unknown	Unknown

Strategy: Relying upon well-trained and professional staff ensures that each recommendation is sound and well researched with sufficient information to support the request or conclusions. DORA seeks to empower the legislature and its staff with enough information on a given analysis to agree with DORA’s analysis, to disagree with DORA’s analysis, or to ask informed questions. This includes four primary activities: stating clear assumptions behind each and every quantified cost or impact; tracing each assumption to specific bill language and omitting any assumption that is not driven by bill language; indicating the minimum cost thought to be necessary; and, being willing to update or correct an assumption that turns out to be inaccurate, with or without being prompted by questions. In this way, DORA’s primary interest is not in simply convincing outside entities that DORA’s analysis is correct, but rather in ensuring that the analysis itself is correct in the first place. This affords credibility that serves as a basis for being a trusted resource.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. Information provided from sunset recommendations is estimated to have led to an 88.4% adoption rate, and fiscal note analysis was accepted with very minimal substantive disagreement; the Department is therefore reporting here that performance was >90%. The Department believes this signifies that information being provided is honest, accurate, and viewed as such by the General Assembly. This measure was adopted in FY 2008-09 and has continued relevance into the future because it emphasizes the importance of trust in the Department as a resource.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
Number of:	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Sunrise Reviews	8	5	5	5
Sunset Reviews	15	19	19	16
Fiscal Note Assessments	194	158	200	200

EXECUTIVE DIRECTOR’S OFFICE

5. Fair Standards.

Objective: DORA’s procurement and contracting processes are perceived as fair and understandable.

Performance Measure #5	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
85% of evaluators rate the procurement process as having been understandable and fair.	Benchmark		85%	85%	85%
	Actual	N/A	100%	Unknown	Unknown

Strategy:

The DORA Procurement Office will survey all department staff who requested solicitations during the planning period as well as all evaluation team members. This survey will ask for feedback on the process, such as how easy the process was to understand; whether the procurement office provide adequate guidance and information during the process; whether the customer felt that the solicitation process was fair.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was 100%. This measure was adopted in FY 2008-09 and has continued relevance into the future because it shows the fairness and clarity of the Division’s processes and performances.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
Number of:	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Contracts	54	57	60	60
Purchase Orders	524	563	570	570

EXECUTIVE DIRECTOR’S OFFICE

6. Consumer outreach.

Objective: Consumers are educated about their rights and understand how the violation of those rights can be addressed and resolved.

Performance Measure #6	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
% increase in web hits to DORA's website.	Benchmark		+10%	+10%	+10%
	Actual	113,431,184	123,993,673	Unknown	Unknown

Strategy:

In all meetings, outreach events, correspondence with consumers and consumer groups, and in media contacts, the EDO will include the DORA brand and emphasize the mission and any applicable mandates. The “call to action” for consumers will be to visit the DORA website for helpful tips, complaint processes and to verify licenses or disciplinary action.

Evaluation of Prior Year Performance:

DORA continues to educate consumers and regulated professionals on consumers’ rights and professionals’ responsibilities. This ongoing effort has paid off as the number of web hits to DORA’s website has increased over 9%, even though DORA’s coordinated outreach efforts began officially in February 2009.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Number of hits to DORA's website	113,431,184	123,993,673	135,300,000	148,830,000

DIVISION OF BANKING

1. Professional Outreach.

Objective: Bankers are aware of statutory and regulatory requirements.

Performance Measure #1	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Division annually conveys key regulatory issues and guidelines to 80% of state chartered banks.	Benchmark			80%	80%
	Actual	N/A	85%	Unknown	Unknown

Strategy:

The Commissioner will attend and participate in the regulatory update seminars hosted by the FRB, director training sessions sponsored by the FDIC, and banker roundtables arranged by the bank trade groups. All examination exit conferences will be attended by a Division manager. Alerts, interpretive opinions, and operating agreements will be posted on the Division's website, and an industry list serve will be utilized to electronically communicate key issues.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. Division staff attended and participated in regulatory update seminars hosted by the FRB, training sessions by the FDIC, roundtable discussion by industry trade groups and bank visitations. Division staff also attended examination exit conferences, and bank board meeting to discuss examination findings. This measure was adopted in FY 2008-09 and has continued relevance into the future because it shows how the Division's performance translates to the education of financial institutions.

Key Workload Indicators:

Relevant workload indicators to this measure include:

DIVISION OF BANKING	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
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		

* 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.

DIVISION OF BANKING

2. Complaint Resolution.

Objective: Consumer complaints are resolved in a timely and efficient manner.

Performance Measure #2	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
100% of Consumer complaints are resolved within 20 days.	Benchmark		100%	100%	100%
	Actual	100%	52%	Unknown	Unknown

Strategy: The importance of quick complaint resolutions will continue to be emphasized with Division staff. The time allowed for the bank to respond to the Division’s notice and details of the complaint will be shortened from 10 to 7 days. The Division will utilize interagency agreements with federal banking regulators to monitor trends and refer consumers to the appropriate agency as necessary.

Evaluation of Prior Year Performance: During FY 2008-09, the Division closed 61 consumer complaints with an average processing time of 22 days. Although the average did not meet the goal, as nearly half of the complaints took longer than 20 to close. Of those exceeding 20 days, the longest processing time was 82 days due to the complexity of the issues. It should be noted that the complaint processing goal for national banks regulated by the Office of the Comptroller of the Currency is 60 days. Complaints settled in favor of the consumer amounted to \$79,354 in restitution back to the consumer. In addition to the formal complaints, the Division’s consumer complaints specialist fielded numerous general inquiry calls and concerns that did not rise to the level of a formal complaint, and/or were referred on to the appropriate regulatory agency for resolution.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Number of consumer complaints	50	61	50	50
Average Processing Time	19 days	22 days	18 days	18 days

DIVISION OF BANKING

3. Access to capital.

Objective: Colorado’s low-income and under-banked consumers have better access to diverse products to meet their needs.

Performance Measure #3	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
An increase of 10% in the number of state-chartered banks that offer products targeted to the needs of under-served consumers.	Benchmark		+10%	+10%	+10%
	Actual	N/A	See Comment	Unknown	Unknown

Strategy:

A survey of products offered by state chartered banks targeted to the needs of under-served consumers will be conducted to identify successful bank strategies, and to establish a baseline from which we can measure improvement. Based on the survey findings, rules will be promulgated that encourage state banks to expand product offerings, while maintaining safe and sound operating standards.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. FY 08-09 was a time of great transition in financial services and more specifically the banking community, both in Colorado and nationally. The Department decided it best to allow this sector of the economy to stabilize further before conducting the survey to ensure an accurate response to a survey on access to capital. The Division has been in discussions with organizations representing bankers on this issue and looks forward to developing a baseline in 2009-2010 as the economy continues to improve.

This measure was adopted in FY 2008-09 and has continued relevance into the future, because it shows how the Division’s performance provides product and capital to challenged consumers.

Key Workload Indicators: Because this is a new measure, no relevant workload indicators to this measure were collected and tracked. In light of the comments above, the “number of state-chartered banks that offer targeted products” will be the most relevant workload indicator for this measure, and this data will be reported in future years.

DIVISION OF BANKING

4. Responsive government. *Objective:* Executive and legislative branches of Colorado government are able to influence banking policy.

Performance Measure #4	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
78% of Colorado banks are state-chartered & 75% of new charters are state-chartered.	Benchmark		>78% of Colorado Banks >95% of new charters	>78% of Colorado Banks & >75% of new charters	>78% of Colorado Banks >75% of new charters
	Actual	N/A	>78% of Colorado Banks 100% of new charters	Unknown	Unknown

Strategy: The measure will be achieved through the provision of fair and prompt regulatory oversight, streamlined application processing, and maintaining assessments at rates significantly below the levels applicable to national banks. Division managers will be evaluated based on prompt responses to bank inquiries, requests for interpretive opinions, and providing high quality supervisory oversight to regulated institutions. Delegated applications will be processed in under 10 business days. The Division's application manager will work closely with new bank charter organizing groups to streamline the process and coordinate efforts with the FDIC officials reviewing the deposit insurance application. The Commissioner will meet with national bank management teams and volunteer to attend board of director meetings of all national banks that express interest in the state charter. Expenditures will be tightly controlled in order to preserve at least a 50 percent cost advantage for state assessments compared to national bank rates.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. Only two new bank charters were granted during this review period, and both are state-chartered banks. This measure was adopted in FY 2008-09 and has continued relevance into the future because it shows how the Division's performance reflects the influence government has on banking policy. The future targets for this measure have been revised from 95% down to 75% to reflect the fact that few banks are being formed so a measure of 75% makes more sense.

Key Workload Indicators: Relevant workload indicators to this measure include:

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
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

Division of Banking

5. Economic Environment.

Objective: Public confidence is promoted, depositor funds are protected, and access to credit is facilitated by the safe and sound conduct of the business of state banks.

Performance Measure #5	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Fewer than 7% of state-chartered banks are adversely rated in the fiscal year	Benchmark		<7%	<7%	<7%
	Actual	N/A	22%	Unknown	Unknown

Strategy: The Division will continue to strengthen its cooperative working relationship with the federal banking agencies to ensure thorough, full-scope examinations are conducted in a timely manner. The scope of examinations will be risk-focused based on off-site monitoring and surveillance reports, with particular attention focused on poorly performing banks with identified weaknesses. Enforcement actions ranging from board resolutions to cease & desist orders will be implemented promptly as warranted. In order to strengthen the regulatory process in the current economic environment and keep pace with industry growth, the Division will pursue an increase in authorized FTE and examiner training funding.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was that 22.22 % of state-chartered commercial and industrial banks are adversely rated as CAMELS 3, 4, 5. The overall condition of the banking industry in Colorado has weakened during this review period. This is based on an increase in the level of adverse classifications, reduced earnings, and limited capital support. The FY 09-10 for this measure will be retained at <7% due to the proposition that banks being rated within this range would reflect a healthy, vibrant banking climate. The current performance raises concerns about the health of the banking climate, which should surprise no person reading this report.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Percentage of Required Examinations Completed	100.0%	104.9%	100.0%	100.0%
Additional Discretionary Examinations Performed	1	2	3	3

CIVIL RIGHTS DIVISION

1. Consumer complaint intake.

Objective: Consumers' complaints are received and processed in an efficient and timely manner preserving consumer rights.

Performance Measure #1	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
80% of fully completed intake packets received will result in the drafting of a formal complaint within 20 days.	Benchmark		80%	80%	80%
	Actual	N/A	50%	Unknown	Unknown

Strategy:

Under the worksharing agreement with HUD, CCRD is required to draft charges within 30 days. CCRD has also had two vacancies in the intake unit of six, for which we do not have an expected date to fill. Therefore, for consistency within the Division and to accommodate the complexity of housing cases, we have extended this measure 5 days. In addition to expeditiously processing intake packets, the Division initiated a reorganization of the intake unit to more closely align it with the work the investigatory units complete. Cross training of intake staff has been initiated to more efficiently meet stakeholder needs.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was below goal, but improving. While the performance for the year was only 50%, the division did achieve target in the 4th quarter. This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division's performance translates to the preservation of consumer rights and efficiency of response.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Number of new cases opened	779	887	808*	808*

CIVIL RIGHTS DIVISION

2. Consumer complaint intake.

Objective: Consumers' complaints are received and processed in an efficient and timely manner preserving consumer rights.

Performance Measure #2	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
95% of charges filed are served on the Respondent within 10 days of filing	Benchmark		100%	95%	95%
	Actual	N/A	77%	Unknown	Unknown

Strategy:

CCRD has determined that because of unforeseen circumstances when a charge is served and the shrinkage of the intake unit by almost 1/3, the measure of 100% is virtually unattainable. Therefore, CCRD has modified the measure to 95% from 100%. In addition to expeditiously processing intake packets, the Division initiated a reorganization of the intake unit to more closely align it with the work the investigatory units complete. Cross training of intake staff has been initiated to more efficiently meet stakeholder needs.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was below goal, but improving. While the performance for the year was only 77%, the division was within 3% of target in the 4th quarter.

This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division's performance translates to the preservation of consumer rights and efficiency of response.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Number of new cases opened	779	887	808*	808*

CIVIL RIGHTS DIVISION

3. Enforcement of consumer civil rights.

Objective: Investigations and mediations are resolved in a timely manner.

Performance Measure #3	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Complete 80% of investigations within 270 days. Complete 80% of mediations within 30 days.	Benchmark		80%	80%	80%
	Actual	79%	87% investigations 70% mediations	Unknown	Unknown

Strategy:

The enforcement unit's work processes are being evaluated and streamlined. In addition, all investigators will receive updated training on appropriate techniques to utilize in Civil Rights investigations. A formal orientation and on-going legal education protocol will be implemented to ensure timely investigations.

Evaluation of Prior Year Performance:

This measure continues from FY 2009-10. The FY 2007-08 benchmark for this measure was a target of 100%, and the actual performance was 79%. The Department has since determined that in practice this former benchmark was not realistic, and has revised the measure to 80%. Based on recent actual performance, this benchmark will require improvement in future years. As noted above, improvements are being made to ensure success with regard to this measure.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Number of cases closed	781	750	850	850

This indicator will be supplemented in future years by also including the number of investigations and mediations completed.

CIVIL RIGHTS DIVISION

4. Consumer education.

Objective: Public awareness of state and federal civil rights laws is increased with a key emphasis on retaliation, sexual harassment, and sexual orientation.

Performance Measure #4	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
100% of outreach efforts convey at least one of the Division's identified key messages.	Benchmark		100%	100%	100%
	Actual	N/A	100%	Unknown	Unknown

Strategy: The Division has determined that outreach and education should be directed toward identified trends and, therefore; outreach to businesses, employers, and the public by the Division will emphasize retaliation, sexual harassment, and sexual orientation. The Division has a formal training and outreach schedule on its website. In addition, Division staff and the Director conduct education and outreach activities as requested from communities of interest and the business community. The Director speaks frequently at conferences and before trade organizations and at continuing legal education events. The Division has created brochures to inform the public about the addition of sexual orientation as a protected class for housing, employment and public accommodation discrimination, as well as other issues, that will be of assistance in future education efforts.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows the Division's consumer outreach as a means to protect consumers.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Number of Training/education sessions and presentations conducted by staff	67	82	90	90
Number of Persons Trained	1440**	3450**	2,500	2,500

CIVIL RIGHTS DIVISION

5. Outreach, intake and conflict diffusion.

Objective: Community and business groups, and government agencies partner with the Division on outreach to diffuse community conflicts, conduct targeted intakes and promote targeted messages.

Performance Measure #5	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
30% of the Division's activities where a partner was involved.	Benchmark		30%	30%	30%
	Actual	N/A	53%	Unknown	Unknown

Strategy:

This year the Division received a grant from HUD to investigate discriminatory predatory lending in Colorado. The Division has partnered with community groups to provide anti-predatory lending training to citizens. As a result, the Director has established many positive working relationships with community groups that he will use to conduct further work. The Division seeks out opportunities to partner with other state agencies, and is currently working with the Divisions of Housing in DOLA, and DORA's Divisions of Real Estate, and Financial Services to educate housing consumers about their rights and services available to them.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good.

This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows the Division's outreach efforts and the affect on community conflicts.

Key Workload Indicators: Because this is a new measure, no relevant workload indicators to this measure are currently collected and tracked. Beginning in FY 2009-10 and beyond, the number of relevant Division activities upon which the measure is calculated will be the most relevant workload indicator, and this data will be reported in future years.

OFFICE OF CONSUMER COUNSEL

1. Consumer Savings.

Objective: Consumers save money through OCC's advocacy to reduced utility rates, obtain refunds, and decrease utilities' rate increase requests.

Performance Measure #1	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Maintain a positive "Return on Investment" representing consumer savings of \$30 for every \$1 spent, based on a 4-year rolling average.	Benchmark		\$30 savings for each \$1 spent	\$30 savings for each \$1 spent	\$30 savings for each \$1 spent
	Actual	\$28	\$40	Unknown	Unknown

Strategy: Following the final disposition of any filing or application in which the OCC participated on behalf of consumers, the designated OCC analyst will complete, within 30 days, an internal report of any savings and/or benefits achieved. The reports' results will then be accumulated on an annual fiscal year basis at which time an updated rolling 4-year average will be computed and reported to EDC.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. During FY 2008-09, 2 large rate cases were filed in which the OCC became involved and successfully established a significant amount in sole savings reflective in consumers' bills. Additionally, there were a few other miscellaneous dockets in which the OCC was successful in litigating settlements that attributed to the FY annual benefit to savings ratio. However, actual data has been collected by this Division, and it shows annual savings figures of \$38.9 million and \$73.1 million in the most recent two actual years. Compared to OCC's annual appropriation of \$1.4 million, this suggests a range of between \$28 and \$52 per dollar spent and an average of \$40 over the last two years. This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division's performance brings savings to the Consumer.

Key Workload Indicators: Relevant workload indicators to this measure include:

Office of Consumer Counsel Savings to Consumer	Actual FY 07-08	Actual FY 08-09
Solely Responsible (in millions)	\$0.04	\$28.92
Primarily Responsible (in millions)	\$0.00	\$7.14
Jointly Responsible (in millions)		
Actual	\$38.90	\$22.44

Note: The OCC does not estimate target numbers, as it cannot anticipate annual savings as a result of unknown interventions that may be required as a result of various utility actions.

OFFICE OF CONSUMER COUNSEL

2. Fair Rates. *Objective:* Consumers receive high quality and reliable services at fair and reasonable rates.

Performance Measure #2	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Review utilities' rate filings within 10 days to determine whether to participate in dockets affecting consumers' rates and/or quality of service.	Benchmark		10 days	10 days	10 days
	Actual	N/A	10 days	Unknown	Unknown

Strategy: On a daily basis, the OCC will assign to an analyst all pertinent rate-impacting filings received. The OCC will hold weekly meetings to discuss each filing. The analyst will recommend the disposition of said filing and the appropriate action will be taken. An Access 2000 database will be maintained that will validate when all filings were received in the entire year, when they were reviewed, what the disposition was and other pertinent information.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. The OCC maintains the standard protocol indicated in the strategy and has continued reviewing all pertinent rate-impacting filings, holding full staff weekly meetings and utilizing our staff database to monitor all cases reviewed by the OCC. Beyond FY 2008-09, this measure is expected to have continued relevance showing how the Division's performance translates to high quality service at a reasonable rate.

Key Workload Indicators: Relevant workload indicators to this measure include:

Office of Consumer Counsel	Actual FY 07-08	Actual FY 08-09
Utility Filings Reviewed	708	758
Case Interventions/Active Cases	66	65
Filings Resolved/No intervention	54	32
Lack of Services/No intervention	0	0

Note: 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.

OFFICE OF CONSUMER COUNSEL

3. Education/Outreach.

Objective: Consumers are knowledgeable about the OCC’s mission, scope and its consumer protection efforts.

Performance Measure #3	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
100% of outreach efforts convey the OCC's key messages of mission, statutory mandate, and consumer protection.	Benchmark		100%	100%	100%
	Actual	N/A	100%	Unknown	Unknown

Strategy: Strategy to achieve: In all meetings, OCC-sponsored outreach events, correspondence with consumers and consumer groups, and in media contacts, the OCC will include the DORA mission and any applicable mandates.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. There has been more focus on OCC outreach: updated OCC brochure, telecommunications rate comparison online, clarification of consumer complaints and increased OCC meetings with constituents have all contributed to the OCC's mission, scope and consumer protection efforts.

This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows the Division’s performance in educating consumers about its mission and scope.

Key Workload Indicators: Relevant workload indicators to this measure include:

Office of Consumer Counsel	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Outreach Program				
Research, prepare and distribute informational materials	6	8	6	6
Presentations, develop a speakers bureau	11	12	8	8

DIVISION OF FINANCIAL SERVICES

1. Complaint Resolution.

Objective: Consumers and businesses have quick and easy access to the Division’s resources for information and to file complaints.

Performance Measure #1	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
100% of consumer complaints will be resolved within 45 days.	Benchmark		100%	100%	100%
	Actual	89.29%	98%	Unknown	Unknown

Strategy:

The Division will respond to initial complaints within 24 hours. Incoming complaints and response times will be recorded to ensure measurable outcomes.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good, falling just 2% below the 100% target. All phone calls are returned within 24 business hours and written consumer complaints receive attention within 5 business days. Follow up with financial institutions is initiated promptly, and research completed timely in order to respond in writing to consumers within the timeframe allowed. Beyond FY 2008-09, this measure is expected to have continued relevance because it illustrates how the Division’s performance translates to consumer protection through complaint resolution.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Number of complaints resolved	56	54	100	100

DIVISION OF FINANCIAL SERVICES

2. Outreach.

Objective: Consumers and businesses are educated about the risks that exist in the marketplace and the regulatory framework that protects them.

Performance Measure #2	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
90% of communication the Division has with the public will address consumer protection, and the Division's identified key messages: having faith in financial institutions, information on contractual relationships, and educational resources.	Benchmark		90%	90%	90%
	Actual	N/A	100%	Unknown	Unknown

Strategy:

The Commissioner will write quarterly web-based newsletters that educate the public. Examiner knowledge of the consumer protection mission will be measured in an annual employee survey.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was excellent. 100% of the Division's communications with the public resulted in meeting this measure. The Division's website was updated at least quarterly to further promote and encourage the DORA's consumer protection mission. The Commissioner participated in DORA's CBS 4 outreach campaign to explain federal insurance and explain why the public should have faith in their financial depository institutions.

This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division's performance reinforces faith in financial institutions and educational resources.

Key Workload Indicators: Given the qualitative nature of this measure, no workload indicator is thought to relate to this measure specifically.

DIVISION OF FINANCIAL SERVICES

3. Government Efficiency.

Objective: State-chartered institutions realize greater efficiencies than federally-chartered institutions.

Performance Measure #3	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
The average cost of regulation for state-chartered credit unions is at least 10% less than those of federally-chartered credit unions	Benchmark		>10%	>10%	>10%
	Actual	N/A	>33%	Unknown	Unknown

Strategy:

The annual fee assessment will ensure that the same discount applies across all state-charters.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. As a result of the NCUA increasing its assessment by 12% beginning January 1, 2009 state-chartered credit unions ended FY 08-09 with an assessment base that is 33% less than federally chartered peers.

This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division’s performance creates increased government efficiencies.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
Cost of regulation (cents per \$1,000)	FY 07-08	FY 08-09	FY 09-10	FY 10-11
State Chartered	12.30	15.28	15.28	15.28
Federally Chartered	20.39	22.84	unknown	unknown

DIVISION OF FINANCIAL SERVICES

4. Access to Capital.

Objective: Colorado’s low income and under-banked consumers have better access to diverse products to meet their needs.

Performance Measure #4	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
1 additional credit union each year is designated as a community development provider.	Benchmark		+1	+1	+1
	Actual	3	2	Unknown	Unknown

Strategy:

The Commissioner will attend at least two annual events dedicated to educating him about how to award a credit union as a community development provider. The Commissioner will sponsor or participate in an annual training session that will teach credit unions how to become a community development provider and how to apply for grants.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. Two credit unions received a federal low-income designation.

This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division’s performance translates to increased community development.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Number of community development provider credit unions	3	2	2	2

DIVISION OF FINANCIAL SERVICES

5. Economic Environment.

Objective: Public confidence is promoted by the safe and sound conduct of state-chartered credit unions, life care institutions, and savings and loans.

Performance Measure #5	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Fewer than 10% of regulated institutions will experience a reduction in rating during any fiscal year.	Benchmark		<10%	<10%	<10%
	Actual	N/A	7.7%	Unknown	Unknown

Strategy: The Division will maintain an ongoing watch list of regulated institutions showing financial weakness. The Division will take a proactive regulatory approach via off-site monitoring and interim visits to ensure problem institutions remain financially strong.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. Helped by industry consolidation, 100% of depository institutions regulated by the Division are federally insured and functioning in a safe and sound manner, or proper enforcement actions have been initiated to remediate concerns. Beyond FY 2008-09, this measure is expected to have continued relevance because it illustrates how the Division's performance translates to increased consumer confidence.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
Number of institutions	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Regulated	57	51	51	51

DIVISION OF INSURANCE

1. Complaint Resolution.

Objective: Timely resolution of complaints allows consumers to get the insurance they paid for to protect their assets.

Performance Measure #1	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
85% of consumer complaints will be resolved within 90 days.	Benchmark		85%	85%	85%
	Actual	N/A	89.2%	Unknown	Unknown

Strategy: We have shortened the companies’ response time to consumer complaints; Analysts are evaluated on the timely handling of complaints in accordance with the 90-day goal; Consumer complaints and response times are monitored and reported monthly.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. In FY 2008-09, 89.2% of consumer complaints were resolved within 90 days and 93.7% were resolved within 120 days. This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division’s performance translates to consumer protection through complaint resolution.

Key Workload Indicators: Relevant workload indicators to this measure include:

DIVISION OF INSURANCE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
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

DIVISION OF INSURANCE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
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)	100	100	200	200
Target				
Actual	180	173		
Consumer Complaints Customer Survey Cards Returned	800	1,000	1,200	1,200
Target				
Actual	1,015	1,024		
Consumer Complaints Survey Results: Excellent or Satisfactory	90%	90%	90%	90%
Target				
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)				
Target	1,000	1,200	1,200	1,300
Actual	1,377	1,260		
Target	400	400	400	400
Actual	477	244		

DIVISION OF INSURANCE

2. Carrier Stability.

Objective: Colorado's consumers and economy are protected through competitive and stable insurance carriers.

Performance Measure #2	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
100% of examinations, analyses, and processes comply with national financial and market regulation standards and statutory requirements.	Benchmark		100%	100%	100%
	Actual	N/A	100%	Unknown	Unknown

Strategy:

The Division has adopted the NAIC standards and state requirements, and assesses and adjusts as changes occur to NAIC or state standards throughout the year. The Division updates rules, regulations, and bulletins related to state and national standards on an as needed basis.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good, and the goal of 100% was met. Staff monitor any changes closely as this can affect our accreditation. Any changes are implemented immediately. This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division’s performance translates to insurance carrier stability.

Key Workload Indicators:

Relevant workload indicators to this measure include:

DIVISION OF INSURANCE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Examinations Given				
Actual – All License Types	18,616	17,800	18,000	18,000
Annual Financial Statements Received *				
Actual	1,472	1,477	1,480	1,480
Domestic Annual Financial Statements Analyzed				
Actual	48	48	46	46
Premium Tax Annual Returns Received				
Actual	1,486	1,475	1,500	1,500
Annual Premium Tax Returns Audited				
Actual	702	750	750	750
Financial Examinations Conducted				
Actual	13	12	8	6
Policy Forms Reviewed				
Actual	411	524	500	500
Rate & Rule Filings Reviewed				
Actual	1,639	1,759	2,000	2,000
Rate & Rule Filings Processed				
Actual	4,074	5,278	4,500	4,500

DIVISION OF INSURANCE

3. Consumer Outreach and Education.

Objective: Consumers are educated about responsibilities, rights and choices, and the complaint resolution process.

Performance Measure #3	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
100% of outreach conveys key messages above.	Benchmark		100%	100%	100%
	Actual	N/A	90%	Unknown	Unknown

Strategy: Staff will be educated about key messages. Key messages are incorporated in all printed material: brochures, handouts, signage, trade show booth design, etc. Key messages are incorporated in website design and information. Key messages are included in talking points, speeches, panel discussions. Availability of the complaint resolution process will be highlighted on the web and in one-on-one contact with consumers.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good, but only 90% was attained. The Division has improved its outreach efforts to consumers and our key messages are clearer now and have been distributed to all managers. Staff will monitor this closely to bring it up to 100% in the next fiscal year. This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division's performance protects consumers through education.

Key Workload Indicators: During FY 2008-09, the Division conducted 35 presentations and reached 1,597 attendees.

DIVISION OF INSURANCE

4. Business Education.

Objective: Insurance providers and companies can access the regulatory process in a timely and efficient manner.

Performance Measure #4	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
In 2010, 100% of all required filings are done electronically.	Benchmark		100%	100%	100%
	Actual	N/A	97%	Unknown	Unknown

Strategy:

The Division has enacted rules, regulations, and bulletins with regard to electronic filing requirements. The Division will contact and communicate with the company/individual to determine why they have not followed electronic filing requirements;

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. The Division receives 17,198 filings and 16,758 were filed electronically this year. This includes all rates and form filings, financial filings, and premium tax filings. The Division will continue to work on financial filings to bring this to 100%.

This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division's performance provides insurance providers and companies timely access to the regulatory process.

Key Workload Indicators: Several different workload indicators to this measure are currently collected and tracked, ranging from insurance rate filings to premium tax filings to financial statements. Additionally, recent legislation has specified certain new filings that must be sent to the Division electronically. As stated above, during FY 2008-09 the Division received 17,198 filings and 16,758 were filed electronically this year.

PUBLIC UTILITIES COMMISSION

1. Dispute Resolution.

Objective: Consumers are protected through timely and fair resolution of complaints and disputes and other issues among and between utilities and consumers.

Performance Measure #1	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
95% of informal consumer complaints resolved in 15 business days.	Benchmark		95%	95%	95%
	Actual	96.3%	94%	Unknown	Unknown

Strategy: Consumer Affairs staff is trained in proper complaint handling procedures. Timeliness of complaint resolution is tracked through the Consumer Complaints Tracking System. Work with regulated utilities to ensure information is provided to staff and consumers in a timely fashion.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was just shy of the target of 95%. The consumer affairs staff was very close in meeting the goal, with 94 percent of all complaints resolved within the stated goal. Two reasons for not meeting the goal would be that this fiscal year there were 402 more contacts referred to utilities than the previous year. Additionally, with the number of closed contacts increased by 845 compared to last year, the workload had increased. Yet the unit accomplished the increased workload with one vacancy in their unit for the entire fiscal year. Beyond FY 2008-09, this measure is expected to have continued relevance because it illustrates how the Division’s performance translates to consumer protection through timely dispute resolution.

Key Workload Indicators: Relevant workload indicators to this measure include:

Public Utilities Commission	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Fixed Utilities				
Complaints Closed**	2,624	2882	3000	3000
Transportation				
Complaints Closed**	326	413	300	300
Investigations Closed	266	326	300	300

PUBLIC UTILITIES COMMISSION

2. Economic Oversight.

Objective: Colorado utilities maintain financial viability through just and reasonable rates.

Performance Measure #2	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Measured over a 5-year period, the savings the PUC secures for consumers outweighs the cost of the agency.	Benchmark			5 year net savings	5 year net savings
	Actual	N/A	\$350,806,279 - \$76,470,766 = \$274,335,513 (\$4.59 in saving for every \$1.00 spent)	Unknown	Unknown

Strategy: Vigorously analyze rate filing data to ensure the filing is justified and the resulting rates are reasonable. Negotiate settlements with utilities on rate cases when appropriate. Compare Colorado utilities “rate of return” with other national utilities to ensure rates are providing the companies the opportunity to earn a profit and thus maintain financial viability. Track savings for consumers as a result of complaint resolution.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. The accounting for savings in utility rate regulation is complex because rates are often in effect over periods crossing several fiscal years. The Commission ruled on five rate cases (1 electric, 2 gas, 1 water, and 1 telecom) in the past fiscal year approving \$129,255,626 as compared to the \$196,060,569 requested. This translates to rate savings in the 2008-2009 fiscal year of \$3,638,007 (the bulk of the savings will occur in 2009-2010). There is \$99,274,595 in continuing rate savings in the 2008-2009 fiscal year as a result of decisions made in prior years. The Commission also authorized refunds totaling \$2,900,949 to customers for quality of service issues and excess charges (additional money will be refunded in FY 2009-2010). In total, Commission decisions in effect over the past fiscal year resulted in \$106,122,161 in savings to customers. The total budget for the PUC for fiscal year 2008-2009 was \$16,683,352. This translates to a \$6.36 savings to customers for every \$1.00 expended by the PUC budget for the 08/09 fiscal year. This measure was adopted in FY 2008-09 and has continued relevance into the future because it shows how the Division’s performance translates to just and reasonable utility rates for consumers.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual
	FY 07-08	FY 08-09
Savings (in millions)	\$108.9	\$106.1
Costs (in millions)	\$20.2	\$16.7

PUBLIC UTILITIES COMMISSION

3. Outreach.

Objective: Consumers and utilities are educated about their rights and responsibilities and the effect of PUC decisions.

Performance Measure #3	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
100% of outreach is consistent with the key messages of consumer protection, education and public participation.	Benchmark		100%	100%	100%
	Actual	N/A	100%	Unknown	Unknown

Strategy: Consumers are provided the opportunity to address the Commission at every weekly meeting and prior to all major rate cases a public hearing is held. The Commission holds frequent information meetings to educate the public on important utility issues. The Commission regularly publishes and revises “Consumer FYI” publications, which inform ratepayers how PUC decisions will affect them. The Commission holds town meetings when feasible.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. The Commission met this goal. On all major cases there were public hearings and hundreds of people attended in some cases, and public participation was high. In addition, that opportunity is available to everyone at each weekly meeting. Customers were kept apprised about PUC activities through our news releases and consumer publications. A variety of informational meetings were held as well to educate the public on such topics as smart grid and ARRA. The ARRA meeting alone had nearly 500 people in attendance and the energy conference last year had 650. This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division’s performance translates to consumer protection through education of consumer and utility responsibilities.

Key Workload Indicator: No workload measures presently collected are thought to clearly relate to this measure.

PUBLIC UTILITIES COMMISSION

4. Safety and Compliance.

Objective: Utilities provide reliable, safe, equitable, adequate, and quality services.

Performance Measure #4	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
100% score from the Office of Pipeline Safety annual review.	Benchmark		100%	100%	100%
	Actual	N/A	100%	Unknown	Unknown

Strategy: Pipeline inspectors spend at least the minimum required time in the field and follow approved pipeline safety inspection procedures and conduct thorough investigations of jurisdictional incidents. Similarly, transportation safety and rail safety inspectors follow appropriate federal and state laws and procedures in conducting inspections and safety audits.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. The pipeline safety unit has met its goal of 100% as indicated on the U.S. Office of Pipeline Safety State Evaluation form. The federal oversight review included the evaluation of PUC inspection staff field construction and repair records and activities. These field inspection records reflect findings/observations of gas utility/pipeline construction activities. Other special inspections involved the Pueblo explosion incident investigation (November 2008) which involved one death and 5 injuries. The investigation was completed timely (within 2 months of the incident) and the report made available to interested parties, including the gas industry to share lessons learned from the incident.

This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division's performance results in reliable and safe utilities.

Key Workload Indicators: No specific workload indicator is thought to be relevant given the nature of the measure.

PUBLIC UTILITIES COMMISSION

5. Motor Carrier Permits.

Objective: All over-the-counter applications are timely processed to verify qualifications to operate.

Performance Measure #5	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Process 100% of completed applications within 5 business days of receipt.	Benchmark		100%	100%	100%
	Actual	N/A	100%	Unknown	Unknown

Strategy: Customer Care staff is trained in proper application processing procedures. Timeliness of application processing is tracked through the Operating Rights system. Application processing is contingent upon the filing of proper proof of insurance. This process is no longer reliant upon the mail, as all proof of insurance filings are now electronically filed with an accuracy rate of 99%.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. It is the standard of the unit to issue permits on the same day the applications become complete. If compliance items are not filed until late in the day the permit is issued the following day. 100% of all permits issued this year were issued within this timeframe. This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and specifically illustrates how the Division’s performance ensures consumer protection through verification of motor carrier permits.

Key Workload Indicators: Relevant workload indicators to this measure include:

Public Utilities Commission	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Transportation Authority Applications Processed – Intrastate Regulated Carriers	133	145	140	140
Permits, Registrations and Stamps Processed/Issued	26,049	21,415	25,000	25,000

Division of Real Estate

1. Enforcement.

Objective: Coloradans are protected by eliminating bad actors and creating a level playing field by achieving compliance with all applicable laws.

Performance Measure #1	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
75% of all complaints are investigated and resolved within 180 days. Any complaints not completed within 180 days are considered "backlog."	Benchmark		75% within 180 days	75% within 180 days	75% within 180 days
	Actual	75%	75% Real Estate 97% Mortgage Brokers 93% Appraisers	Unknown	Unknown

Strategy:

The Division of Real Estate intends to meet this performance measure through streamlining the complaint process across all programs. At the intake phase, acknowledgement of the complaint will be made within five business days. The project manager will then review and assign the complaint to an investigator within five business days and the complainant will be notified. Investigations will be completed within six months of intake.

After the investigation is complete, the program manager will review the investigation and determine how to handle it and what recommendations will be made to the commission, board or director within five business days. Fining matrices will be created and published for all three programs housed within the Division to ensure recommendations and final results are consistent and properly tracked. Cases will be presented to the commission, board or director at a maximum of 30 days after the investigation is complete. The resolution of cases will be completed within five days and may include referral to the Office of the Attorney General or sending out a settlement agreement to the respondent. Final disposition of cases may take up to three months after the investigation is complete if a case goes to hearing or is referred to another regulatory agency. Payment policies for efficient compliance will be established for the final disposition stage and respondents will be notified of non-compliance within five business days.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good, and the measure was met exactly as set forth in the strategy outlined above. Beyond FY 2008-09, this measure is expected to have continued relevance because it illustrates how the Division's performance translates to consumer protection through enforcing compliance of applicable laws.

Key Workload Indicators:

Relevant workload indicators to this measure include:

DIVISION OF REAL ESTATE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Brokers				
Complaints in Progress	219	291	275	275
Complaints Received (respondents)	843	840	860	860
Completed Investigations (respondents)	730	680	775	775
Appraisers				
Complaints in Progress	305	136	200	200
Complaints Received (respondents)	341	231	250	250
Completed Investigations (respondents)	294	169	175	175

DIVISION OF REAL ESTATE

2. Outreach.

Objective: Stakeholders are educated to ensure the public and regulated community know and can exercise their rights and responsibilities

Performance Measure #2	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Reduce the number of complaints we receive where we do not have jurisdiction by 10%.	Benchmark		-10%	-10%	-10%
	Actual	N/A	-10% (est.)	Unknown	Unknown

Revised Performance Measure #2	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Ensure that 25% of licensees sign up to receive e-mail notices regarding jurisdiction.	Benchmark		25%	25%	25%
	Actual	N/A	9.4% Real Estate 1.7% Mortgage Brokers 7.4% Appraisers	Unknown	Unknown

Strategy:

Division of Real Estate will sponsor outreach events, increase correspondence with consumers and consumer groups, enhance media relations, and the Division will include the DORA mission, its jurisdiction, and any applicable mandates.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good, and the Division believes there was a 10% reduction in the number of cases complaints filed in which the Division did not have jurisdiction. However, no effective baseline measure could be established for this measure. Therefore, the Division proposes changing it for the upcoming years as noted in the table above.

The proposed new measure more closely shows how the Division's performance in providing education increases regulated community responsibility and met expectations.

Key Workload Indicators: Although the overall number of complaints by profession is currently tracked, the number of complaints dismissed for non-jurisdictional reasons is not explicitly tracked as a separate indicator associated with this new measure.

DIVISION OF REAL ESTATE

3. Proactive Regulation.

Objective: Proactive and interactive outreach with stakeholders leads to necessary regulation.

Performance Measure #3	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Create a DRE Advisory Council of licensees and consumers to provide feedback regarding recommended regulatory changes and hold quarterly meetings.	Benchmark		Create Council	Maintain Council	Maintain Council
	Actual	N/A	Council Created	Unknown	Unknown

Strategy:

Advisory counsel is in place and we are exploring feedback tools as well as a regularly holding meeting.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good, and this measure has been met. An Advisory Council has been created and the first meeting was held on March 18, 2009. The council discussed its mission and the goals of the council, which includes providing the Division with the consumers’ view point on consumer protection and how to best reach the consumer. Beyond FY 2008-09, this measure is expected to have continued relevance because it illustrates how the Division’s performance translates to creation and maintenance of necessary regulation.

Key Workload Indicators: No specific workload indicator is thought to be relevant given the nature of the measure.

DIVISION OF REAL ESTATE

4. Timely Access.

Objective: All license applications and renewals are efficiently processed.

Performance Measure #4	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
License applications are processed within 3 business days of receipt of completed application.	Benchmark		100% within 5 days	75% within 3 days	75% within 3 days
	Actual	100%	100%	Unknown	Unknown

Strategy:

To meet this measure the Division of Real Estate first intends to ensure smooth implementation of the new mortgage broker regulatory program. The division also is focusing on resolving fingerprint problems and ensuring applicants are educated on obtaining E&O coverage. The licensing applications will be redesigned for better efficiency, an on-line application will be designed for the mortgage broker program, credit card processing will be implemented for renewal applications and a cash management process will be created and implemented.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good, and this measure has been met. However, with the new conservation easement program and new federal requirements, this measure requires adjustment to accommodate those programs. It is expected that changing the measure to 75% of all applications being processed within 3 business days will best measure performance on this objective.

Beyond FY 2008-09, this measure is expected to have continued relevance because it illustrates how the Division's performance translates to timeliness of processed applications, efficiently keeping the regulation process moving to protect consumers.

Key Workload Indicators: Relevant workload indicators to this measure include:

DIVISION OF REAL ESTATE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
New Broker Licenses Issued	3,146	1,930	2,250	2,250
New Corporations/Partnerships	697	555	600	600
Broker and Salesperson License Renewals	18,292	0	0	0
New Subdivisions	27	8	10	10
Subdivision Renewals	160	155	150	150
New Appraisers—Certified General	95	75	75	75
New Appraisers—Certified Residential	169	56	75	75
New Appraisers—Licensed	82	18	20	20
New Appraisers—Registered	189	58	60	60
Appraisal Renewals	1,540	1,116	1,200	1,200

DIVISION OF REAL ESTATE

5. Complaint Processing.

Objective: Consumer complaints are resolved in a manner ensuring consumer confidence in the process while preserving market integrity.

Performance Measure #5	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Complaints are investigated and referred to the Real Estate Board, Commission or Division Director for action or dismissal within 180 days of receipt of the complaint. Any complaints not completed within 180 days are considered "backlog."	Benchmark		100%	100%	100%
	Actual	100%	100%	Unknown	Unknown

Strategy:

The Division of Real Estate intends to meet this performance measure through streamlining the complaint process across all programs. At the intake phase acknowledgement of the complaint will be made within five business days. The project manager will then review and assign the complaint to an investigator within five business days and the complainant will be notified. Investigations will be completed within six months of intake. After the investigation is complete the program manager will review the investigation and determine how to handle it and what recommendations will be made to the commission, board or director within five business days. Fining matrices will be created and published for all three programs housed within the division to ensure

recommendations and final results are consistent and properly tracked. Cases will be presented to the commission, board or director at a maximum of 30 days after the investigation is complete. The resolution of cases will be complete within five days and may include referral to the Office of the Attorney General or sending out a settlement agreement to the respondent. Final disposition of cases may take up to three months after the investigation is complete if a case goes to hearing or is referred to another regulatory agency. Payment policies for efficient compliance will be established for the final disposition stage and respondents will be notified of non-compliance within five business days.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was met as described in the strategy above.

Beyond FY 2008-09, this measure is expected to have continued relevance because it illustrates how the Division’s performance translates to timeliness of processed applications, efficiently keeping the regulation process moving to protect consumers.

Key Workload Indicators: Relevant workload indicators to this measure include:

DIVISION OF REAL ESTATE	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Brokers				
Complaints in Progress	219	291	275	275
Complaints Received (respondents)	843	840	860	860
Completed Investigations (respondents)	730	680	775	775
Appraisers				
Complaints in Progress	305	136	200	200
Complaints Received (respondents)	341	231	250	250
Completed Investigations (respondents)	294	169	175	175

DIVISION OF REGISTRATIONS

1. Complaint Resolution.

Objective: Consumer complaints are resolved in a timely and accountable manner.

Performance Measure #1	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
In the Office of Investigations, 95% of High Priority cases will be investigated within 90 days and 90% of Standard cases will be investigated within 180 days.	Benchmark		95% / 90%	95% / 90%	95% / 90%
	Actual	84.3%	100% / 82.6%	Unknown	Unknown

Strategy:

The Division will continue to monitor cases assigned to staff in the Office and will reassign cases when necessary in order to meet the measure. The Division will also evaluate the measure to determine if the target of 180 days is appropriate.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. The Division met the first part of the measure; however, the Division did not meet the second part of the measure. The Office of Investigations received 57 more cases and investigated 100 more cases. The Office had vacancies for part of the year that impacted case completion times.

Beyond FY 2008-09, this measure is expected to have continued relevance because it illustrates how the Division's performance translates to timely resolution of consumer complaints in an effort toward consumer protection.

Key Workload Indicators:

Two relevant workload indicators to this measure include:

Complaints Received and Handled				
	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Accountancy	63	121	135	140
Acupuncturists	11	15	16	18
Addiction Counselors	84	108	110	121
Architects/Engineers/Land Surveyors	105	178	180	170
Athlete Agents	N/A	0	7	5
Athletic Trainers	N/A	N/A	40	40
Barber/Cosmetology	487	600	620	650
Boxing	14	8	10	12
Chiropractic	117	99	110	115
Dental	301	291	315	315
Electrical	124	188	200	175
Funeral Homes/Crematories	N/A	N/A	2	8
Hearing Aid Providers/Audiologists	22	27	32	35
Landscape Architects	1	5	5	10
Lay Midwives	7	6	8	10
Massage Therapists	N/A	10	120	120
Mental Health – Licensed Professional Counselors	101	67	74	82
Mental Health – Marriage and Family Therapists	19	12	14	18
Mental Health – Psychology	74	52	60	66
Mental Health – Social Work	95	52	77	84
Mental Health – Grievance/Unlicensed Psychotherapists	87	76	79	85
Medical	1,133	1,012	1,050	1,050
Nursing	585	584	650	650
Nurse Aides	249	253	300	300
Nursing Home Administrators	23	31	35	35
Occupational Therapists	N/A	5	25	25
Optometric	30	15	20	22

Complaints Received and Handled

	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Outfitters	30	32	40	42
Passenger Tramway	5	2	6	6
Pharmacy	283	458	250	250
Physical Therapy	32	37	41	45
Plumbers	85	119	120	110
Podiatry	16	16	20	20
Respiratory Therapy	25	24	27	30
Veterinarians	61	86	93	93
TOTAL DIVISION OF REGISTRATIONS				
Total Actual	4,269	4,589	4,847	4,909

(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.

FY 09 Complaints Investigated

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

FY 09 Complaints Investigated						
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
	Lay Midwives	1	5	4	2	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
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 09 Complaints Investigated						
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
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.

DIVISION OF REGISTRATIONS

2. Consumer Education.

Objective: Consumers are educated about their rights and ways in which to access the Division and its services.

Performance Measure #2	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
100% of Boards and Programs will conduct outreach to consumer groups on DORA's mission, filing a complaint and ALISON.	Benchmark		100%	100%	100%
	Actual	N/A	100%	Unknown	Unknown

Strategy:

The Division will continue to dedicate staffing and fiscal resources for education and outreach, rely upon technology to gather consumer feedback and work internally with the Department to develop consumer feedback models.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. The measure was changed to more closely align with the Division's communication efforts and focus on key messaging. During FY 2008-09 the measure that was met by the Division through individual Board and Program presentations to consumer groups, media events and press releases was "100% of Boards and Programs will make a presentation to a consumer group and/or participate in media events."

This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division's performance translates to consumer awareness and usage of the services provided by the Division.

Key Workload Indicators: No presently collected workload indicator is thought to relate to this measure specifically.

DIVISION OF REGISTRATIONS

3. Fair Standards.

Objective: Public health, safety and welfare are enhanced through fair and consistent oversight and enforcement of regulatory standards.

Performance Measure #3	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
20% increase in the number of programs that will evaluate complaints and develop targeted outreach to licensees and consumers.	Benchmark		+20%	+20%	+20%
	Actual	N/A	600% increase	Unknown	Unknown

Strategy:

The Division will continue with the current strategy. The six Boards that met the measure in FY08 will continue providing targeted outreach. Additional Boards and Programs will evaluate complaints and determine and provide the best type of outreach for their respective professional organizations and licensees.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was excellent. The measure was revised for FY 2009-10 such that the Division will analyze "complaints" versus "complaint trends." The FY 2008-09 measure was 100%. Six of the Division's Boards and Programs completed the evaluation, developed and provided targeted outreach. Each Board determined the best type of outreach for their respective professional organizations and licensees considering the size of the profession, staff and board time needed for each mode of outreach, cost of the outreach and effectiveness of the type of outreach for the profession. The Division also developed a standard message of consumer protection in PowerPoint presentations and brochures for the outreach.

This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division's performance ensures the public's best interests through regulation.

Key Workload Indicators: Given the qualitative nature of this measure, no presently collected workload indicator is thought to relate to this measure specifically.

DIVISION OF REGISTRATIONS

4. Timely Access.

Objective: The public is protected by licensing qualified applicants in a timely and efficient manner.

Performance Measure #4	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
90% of qualified applicants are licensed or approved for exam within 14 days of receipt of an application that includes all required documentation.	Benchmark		90%	90%	90%
	Actual	96%	96%	Unknown	Unknown

Strategy:

The Division will use online applications and credit card payments as well as the electronic transmission of application and examination data to help speed up the process. The Division will work with the Office of the Attorney General, Boards and Committees to achieve the Strategic Result. The Division will continue to (1) facilitate acquisition and implementation of a new licensing system that will allow applicants to submit online applications and credit card payments, (2) investigate electronic transmission of application, examination and other data to help speed up the process, (3) provide outreach and education to applicants regarding the licensing process and (4) work towards generating more reliable reporting of data.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. The new measure for FY 2008-09 measured the entire timeframe from application receipt to licensure for an applicant that submits a complete application (versus the measure in FY08 which only reported on part of the licensing process). "Complete" means that the applicant has provided all information requested on the application. These complete applications are given priority over those that are received as incomplete. Although the measure was met, this 96% is based on data for just 3,938 applications received in the Division which is only 10% out of over 39,000 total applications received. Due to the reporting limitations of the current licensing system it is difficult to provide more reliable data. Additionally, the Division was not able to carry out all of the strategic activities since they have not been able to move forward with online applications and credit card payments for initial applications. The Division was unable to fill all positions due to the hiring freeze and carried numerous vacancies in the Licensing and Support Section. Another challenge was the implementation of two legislative bills for registration of massage therapists and occupational therapists that resulted in an additional 11,000 applications to process.

Beyond FY 2008-09, this measure is expected to have continued relevance because it illustrates how the Division's performance affects access to timely applications such that consumers can be protected.

Key Workload Indicators: Relevant workload indicators to this measure include:

New Licenses	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Accountancy	927	943	958	960
Acupuncturists	99	102	105	107

New Licenses	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Addiction Counselors	359	367	363	365
Architects/Engineers/Land Surveyors	1,992	2,855	2,289	2,300
Athletic Agents	N/A	2	1	2
Athletic Trainers	N/A	N/A	700	50
Barber/Cosmetology	3,260	2,943	3,000	3,000
Boxing	794	1,091	850	850
Chiropractic	170	145	150	155
Dental	502	492	500	525
Electrical	3,253	2,625	2,800	2,850
Funeral Homes/Crematories	N/A	N/A	349	35
Hearing Aid Providers/Audiologists	82	75	78	80
Landscape Architects	469	249	75	75
Lay Midwives	8	7	8	8
Massage Therapists	N/A	7,536	400	400
Mental Health – Licensed Professional Counselors	330	381	350	355
Mental Health – Marriage and Family Therapists	49	45	18	49
Mental Health – Psychology	101	121	115	120
Mental Health – Social Work	390	255	300	325
Mental Health – Grievance/Unlicensed	662			
Psychotherapists		800	800	850
Medical	1,575	1,711	1,600	1,700
Nursing	5,792	5,558	5,500	5,800
Nurse Aides	4,815	5,225	5,000	5,200
Nursing Home Administrators	35	42	43	45
Occupational Therapists	N/A	2,182	140	150
Optometric	76	73	75	77
Outfitters	57	62	64	66
Passenger Tramway	20	11	15	18
Pharmacy	902	975	950	970
Physical Therapy	401	378	350	375
Plumbers	3,012	1,085	1,100	1,150
Podiatry	9	6	7	8

New Licenses	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Respiratory Therapy	261	193	200	225
Veterinarians	339	255	280	300
TOTAL DIVISION OF REGISTRATIONS	30,890	38,790	28,484	29,460

DIVISION OF REGISTRATIONS

5. Efficient Government.

Objective: Efficiency and security are improved through the use of technology.

Performance Measure #5	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
50% increase in the number of Boards- Programs that use electronic means for distribution of agenda packets.	Benchmark		+50%	+50%	+50%
	Actual	N/A	400%	Unknown	Unknown

Strategy:

The Division will continue with the current strategy and dedicate staffing resources to allow our Boards to conduct business electronically. The four Boards that met the measure in FY 2008-09 will continue holding paperless meetings. At least two additional Boards and Programs will implement the product in FY 2009-10.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good. The Division purchased the software and entered into an information technology services contract with the vendor to provide the product along with consulting, training, online access, system upgrades, security and support. Four of the Division's Boards and Programs that hold board or committee meetings implemented use of the product and successfully held paperless meetings.

This measure has continuing relevance into the future because it illustrates how the Division’s successful use of technology can increase efficiency, improve the security of sensitive information, and protect consumers.

Key Workload Indicators: In the future, the Division will track its number of paperless boards. Presently, there are no fully-paperless boards.

DIVISION OF SECURITIES

1. Licensing.

Objective: Citizens of Colorado are protected from investment fraud through fair and just enforcement of licensure standards for stockbrokers and investment advisors.

Performance Measure #1	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Contact for additional information all broker-dealers who have special review applications pending for stockbrokers within one week of receipt of the application by the Division.	Benchmark		125	125	125
	Actual	N/A	509	Unknown	Unknown

Strategy: A monitoring system will identify special review applications and monitor those in need of additional information. Once established, additional information will be requested.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was excellent. The monitoring system tracked 509 special review applications for

securities licenses. Of the 509 applications, 263 applications, or 52%, resulted in no license being granted. Of the 509 special review applications, 18 licenses were issued to individuals who are subject to special conditions for their activities in Colorado.

This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division’s performance protects consumers through enforcement of regulation and licensing standards.

Key Workload Indicators: Relevant workload indicators to this measure include:

DIVISION OF SECURITIES	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Broker-Dealer and Investment Adviser Licensing				
(SEC = Securities and Exchange Commission)				
SEC Broker-Dealer Applications	160	176	175	175
Investment Adviser Applications	301	242	300	300
SEC Broker-Dealer Renewals	2,352	2288	2,300	2,300
Investment Adviser Renewals	1,987	2062	2,000	2,000
Non-SEC Broker-Dealer Applications	1	2	1	1
Non-SEC Broker-Dealer Renewals	6	6	10	10
Sales Representative and Investment Adviser Representative Licensing				
(NASD = National Association of Securities Dealers, Inc.)				
NASD Sales Representative Applications	42,100	39521	41,000	41,200
NASD Sales Representative Renewals	143,772	145347	143,800	144,000
NASD Disciplinary Withdrawals	256	263	260	260
Non-NASD Sales Representative Applications	2	2	5	5
Non-NASD Sales Representative Renewals	11	7	10	10
Investment Adviser Representative Applications	2,541	2321	2,400	2,450
Investment Adviser Representative Renewals	8,458	8913	8,500	8,500

DIVISION OF SECURITIES

2. Examinations.

Objective: Investors are protected from dishonest and unethical sales practices through examinations, which ensure that brokerage and investment advisory firms comply with the law.

Performance Measure #2	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Annually examine 125 licensed Investment Advisor Representatives and brokerage firms in Colorado.	Benchmark		125	125	125
	Actual	N/A	50	Unknown	Unknown

Strategy: The Division received two additional examiners beginning in FY 09-10, which will significantly increase improvements during FY 2009-10 in order to accomplish this measure. Additional staff are being requested for FY 2010-11 to ultimately attain this goal.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was reasonable without having had sufficient resources to meet the full measure. Positions for 2 additional examiners were approved by the state legislature, and the Division is in the process of filling these positions. Because of the addition of two new examiners, the Division will achieve 75 to 80% of its measure of 125 examinations per year next fiscal year. However, the target is unchanged because the Division believes it is the optimum examination rate.

This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division's performance protects consumers through enforcement of regulation and licensing standards.

Key Workload Indicators: Relevant workload indicators to this measure include:

DIVISION OF SECURITIES	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Field Examinations	46	50	50	50

DIVISION OF SECURITIES

3. Enforcement.

Objective: Citizens are protected by deterring investment fraud activity through timely and thorough investigations and enforcement actions.

Performance Measure #4	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Upon receipt of a complaint, within 15 days make a determination as to whether justification exists to open an active investigative case.	Benchmark		100%	100%	100%
	Actual	98%	91%	Unknown	Unknown

Strategy: Once the complaint form is received, a review will be performed to determine if there is a violation of the Colorado Securities Act. If so, an investigation will be opened. If not, the staff will attempt to refer the complaint to the appropriate regulatory or law enforcement agency.

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure was good, and the Division met its 15-day measure for 91% of the complaints received. Beyond FY 2008-09, this measure is expected to have continued relevance because it illustrates how the Division’s performance ensures investor protection through regulatory enforcement.

Key Workload Indicators: Relevant workload indicators to this measure include:

DIVISION OF SECURITIES	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11
Enforcement Statistics and Projections				
Total Caseload	357	355	360	365
New Cases	137	139	145	150
Files Closed	146	140	144	145
Total Legal Actions	179	175	170	175

DIVISION OF SECURITIES

4. Investor Education.

Objective: Public awareness is heightened about basic financial principles, investor protection issues and regulatory safeguards to help make sound investment decisions.

Performance Measure #5	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Establish a baseline for 2008 for use of the Division's interactive web games which improve investor awareness skills and increase participation by 10 percent for 2009.	Benchmark		+10%	+10%	+10%
	Actual	N/A	-25%	Unknown	Unknown

Strategy:

Using DORA's website analysis, a baseline can be established for current statistics of usage. We expect to utilize partners, such as the Jumpstart Coalition, the National Financial Literacy Network, and Newspapers in Education, to publicize the availability of the web games in order to generate web traffic.

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure is not yet fully known. In fiscal year 08-09, the Division's website had a total number of hits of 794,421 for an average of 66,201 per month. This number was an actual decrease of 25% over FY 07-08. But this number is expected to serve as a baseline, and comparing the last quarter of FY 07-08 to FY 08-09, the Division saw an actual increase of 17% hits on its website. The Department expects this trend to continue as education efforts grow. This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division's performance ensures investor protection through education.

Key Workload Indicators: No presently collected workload indicator is thought to relate to this measure specifically.

3.11 EVALUATION OF SUCCESS IN MEETING BENCHMARKS

In general, the Department fared well in meeting both existing and new measures. First, at the Department level, outreach is a very important element central to consumer protection, and web hits to the Department's site increased by 10 million, just below the Department's 10% increase target. Similarly, Divisions uniformly report meeting outreach targets. Public awareness and education about DORA and its programs helps DORA protect consumers.

Additionally, the amount of savings and return on investment achieved through regulation, settlements, and rate reviews continues to be strong at well over the Department's 100% target. DORA's appropriation and its ultimate cost to fee-payers and tax-payers is easily reported, and similarly, the amount of savings being achieved by DORA divisions is also tracked. Comparing the two as a performance measure is intended to assess the extent to which DORA is meeting its objective to play an active part in improving Colorado's economic environment. For FY 2008-09, the estimated savings figure is \$290.8 million, which compares to a baseline appropriation of \$66.4 million and translates to a 338.2% return on investment. Savings are estimated and will fluctuate by year based on the timing and significance of matters before DORA entities – therefore, the Department's benchmark conservatively targets that savings exceed costs each year. The Department's ability to report on this indicates that it continues to play an active part in improving Colorado's economic environment, and it signifies that regulated entities and consumers are receiving excellent value for the investment in DORA.

In addition to these important measures, various other measures that have been continued demonstrate success in meeting benchmarks, among them:

- Despite the economic challenges facing our nation's financial sector, the percent of state-chartered financial institutions v. federally-chartered institutions had held steady or increased.
- The ability of DORA's divisions to meet our complaint resolution timelines, in spite of the hiring freeze.
- The ability of DORA's divisions to process licenses in a timely manner in spite of the hiring freeze.

In summary, the Department is pleased to report successful performance in many important areas, and intends to focus on those other areas where benchmarks were not met. All told, the Department's planning efforts are meeting their purpose in serving to realistically define the Department's targets for success and performance in achieving it.