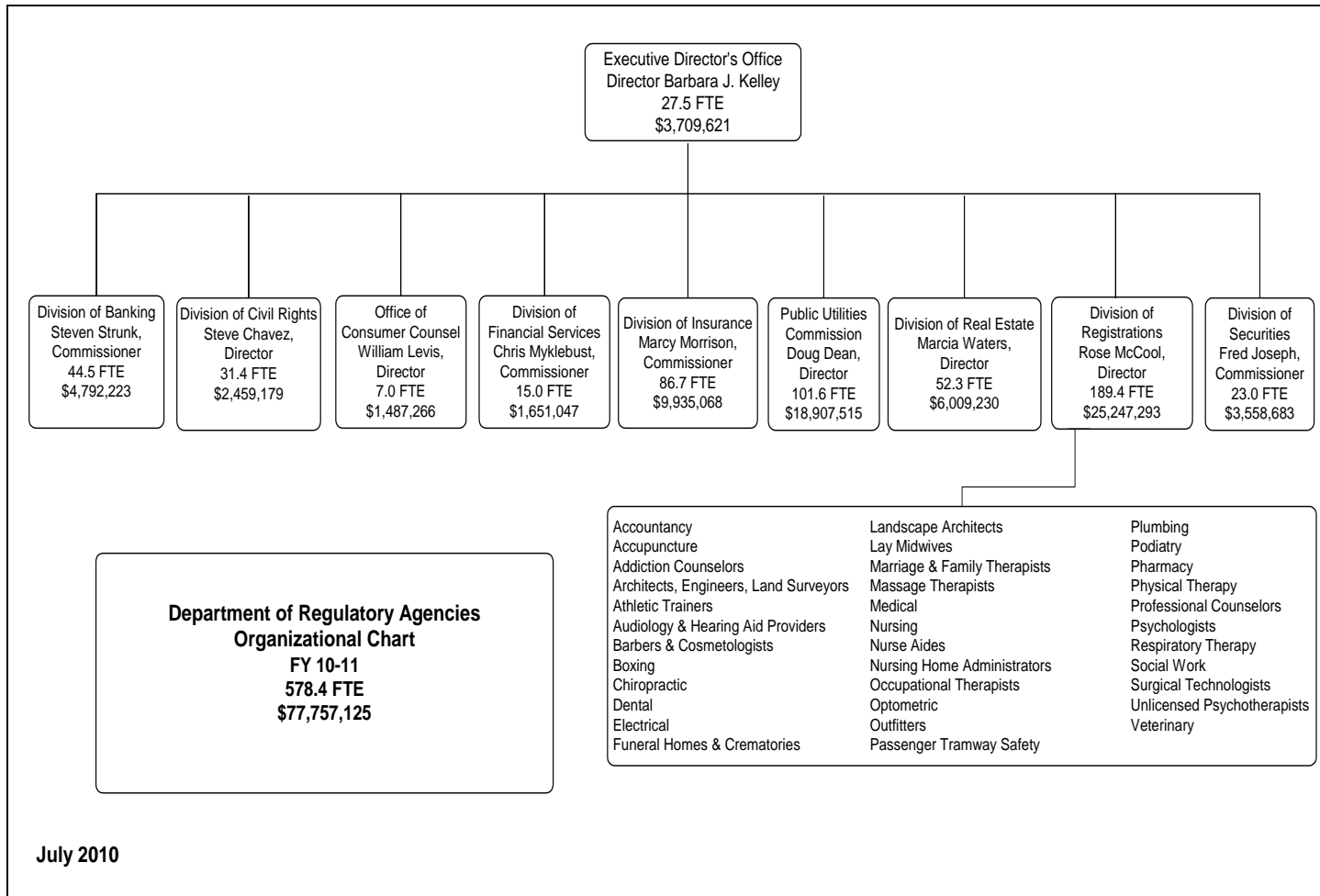




Department of Regulatory Agencies
Department Description

FY 2011-12 Budget Request

November 1, 2010

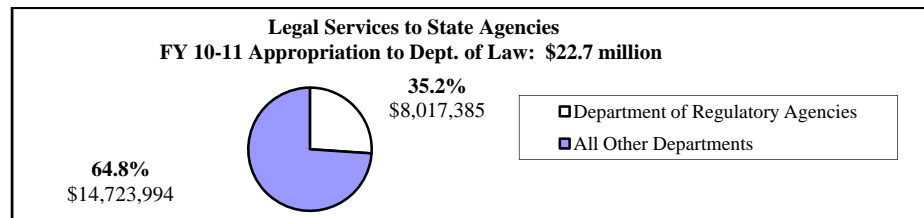


As one of the principal departments of Colorado state government, the mission of the Colorado Department of Regulatory Agencies (DORA) is consumer protection. The Department carries out regulatory programs that license, establish standards, approve rates, investigate complaints, and conduct enforcement across numerous professions, occupations, and institutions. The Department includes 10 separate divisions having 41 boards, commissions, and advisory committees across more than 50 individual professions and programs. This includes 250 board members and 578 professional regulatory staff including program administrators, professional examiners, inspectors, financial analysts, and administrative staff. DORA’s programs are organized in the general appropriations act (‘Long Bill’) as follows:

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

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

The number of people living and working in Colorado and the amount of legal services required by the Department’s various agencies are the two largest factors driving DORA’s budget. Population affects the number of professional and occupational licenses issued, as well as the number of complaints filed by consumers against licensed businesses and individuals. Additionally, DORA is unique in its demand for legal services, which under the Oregon Plan are obtained centrally from the Colorado Department of Law under the State Attorney General. DORA accounts for approximately 35.2 percent of all legal hours appropriated to state agencies, a fact that is driven by the nature of regulatory oversight and enforcement.



For background information, a brief section describing each DORA Division is included as follows:

Executive Director's Office (\$3.7 million and 27.5 FTE). The Executive Director is responsible for the overall management of the Department and its divisions. Fees and assessments throughout the Department support the Executive Director's Office.

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

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

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

DIVISION OF BANKING (\$4.8 million and 44.5 FTE). As a unit of the Colorado Department of Regulatory Agencies, the Division of Banking (Division) is responsible for the regulation of state-chartered commercial banks, trust companies, industrial banks, and money transmitters.

The Division holds charter and license application hearings, issues rules and regulations, and investigates consumer complaints involving regulated institutions. Division staff conducts examinations of state-chartered institutions and licensees. The Division works closely with the Federal Reserve Bank (Federal Reserve) and the Federal Deposit Insurance Corporation (FDIC) in the regulation of

commercial banks and industrial banks and certain federally insured trust companies. The Division is also responsible for the enforcement of the Public Deposit Protection Act to protect public entity deposits held by state and national banks.

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

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

As of December 31, 2009, the Division had 44.0 authorized positions, 36 of which were in the Financial Credit Examiner (FCE) category. Of the 36 FCE classifications, one is Director of Examinations, 28 are classified as field examiners, four are Caseload Managers, one manages applications, one primarily manages the examination scheduling function, and one is assigned primarily to consumer complaints. The Division also employs one information technology (IT) auditor to conduct IT examinations of financial institutions and data centers that provide IT services to Division-regulated institutions. Other positions include an Operations Manager and administrative support staff.

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

The supervision and regulation of Colorado state-chartered banks, industrial banks, and certain trust companies are conducted within the framework of the dual banking system in the United States, distinguished by the ability of banks to make a free choice between state and federal chartering and regulation. The states and the federal government act independently to charter, regulate, and supervise financial institutions. The system has produced a decentralized banking industry characterized by a number of checks and balances. The Colorado General Assembly affirmed the importance of the dual banking system in Colorado by establishing as one of the

Division's statutory goals to "preserve and promote a dual federal and state banking system." In order to preserve the benefits of the dual banking system while avoiding duplication and minimizing regulatory burden, the Division has developed strong working relationships with the FDIC and the Federal Reserve. The Division cooperates with the federal agencies in the supervision and examinations of state-chartered banks by conducting examinations jointly or on an alternating basis.

Specific legislation that falls under the enforcement oversight of the Division includes the Colorado Banking Code, Public Deposit Protection Act, and the Money Transmitters Act. There were 156 state-chartered or licensed institutions operating in Colorado regulated by the Division, including 107 commercial banks, 8 trust companies, and 41 money order companies as of December 31, 2009, compared to 156 as of year-end 2008 (which included 107 commercial banks, 2 industrial banks, 7 trust companies, and 40 money order companies).

The Colorado economy continues to experience the slowdown that began in 2008 with the national economy. Unemployment, layoffs in the financial and business services sectors, coupled with declining residential and commercial real estate sales, and increasing apartment vacancy rates have posed an increased risk for bank loan portfolios.

Although Colorado's state chartered commercial banks were affected by the downturn in the economy, with one bank having to close its doors, the banks were still able to post a net income of \$9,474,000. Trust activities at state chartered trust companies were also affected by the volatility in the financial markets this past year, but the industry remained profitable recording a modest net income of \$6,083,000.

The last two remaining industrial banks in Colorado ceased to exist in 2009, with one converting to a commercial state-chartered bank and the other becoming a non-depository trust company. Despite the decline in earnings this past year, overall the industry continues to remain strongly capitalized.

DIVISION OF BANKING HOT ISSUES

- Due to ongoing deterioration in the financial condition of Colorado State Chartered Banks, the number of mandated bank examinations has increased 45% (69) from 153 for the 6/30/10 FYE to 222 for the 6/30/11 FYE. Due to a lack of sufficient resources, the Division of Banking will not fulfill the required number of examinations for the 6/30/11 FYE.
- During the 6/30/12 FYE, the Division of Banking will not be able to fulfill its responsibilities pursuant to both the FDIC and the Federal Reserve Bank Cooperative Agreements, which will lead to a need for the Division of Banking to perform all of its own bank examinations without leveraging off of the federal bank regulatory resources. This fact will translate into a need for doubling the total number of bank examiners.

- Numerous rules and regulations will be promulgated as a result of the July, 2010 enactment of the Dodd-Frank Act. It is in the best interests of Colorado Consumers and the Colorado Economy if the State of Colorado refines and enhances its' existing consumer protection regulatory framework, in order that it deemed to be acceptable by the newly created Consumer Financial Protection Bureau.

CIVIL RIGHTS DIVISION (\$2.5 million and 31.4 FTE). The Colorado Civil Rights Division (CCRD) is charged with investigating claims of alleged discrimination with regard to housing, employment, and public accommodation, and carrying out enforcement activities. The division is supported by a combination of the general fund and federal contract funding administered by the U.S. Dept. of Housing and Urban Development (HUD) and the Equal Employment Opportunity Commission (EEOC), with which CCRD shares formal work-sharing agreements to avoid duplication of effort on those cases where joint jurisdiction (state and federal) exists.

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

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

Complimenting the agency's enforcement efforts are prevention activities conducted by the Outreach unit. The Outreach unit works to prevent discrimination by: informing the citizens of Colorado about anti-discrimination laws and related issues, and, cooperating with public and private organizations with parallel missions in conducting educational programs designed to eliminate intergroup tensions. The Division also provides various types of training and presentations, free of charge, throughout the state. Training may be provided upon request, or as a condition included in a settlement agreement. Training typically focuses on fair housing and/or employment laws and practices.

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

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

CIVIL RIGHTS DIVISION HOT ISSUES

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

OFFICE OF CONSUMER COUNSEL (\$1.4 million and 7.0 FTE). The Office of Consumer Counsel (OCC) represents the public interest and, specifically, the interests of residential, small business and agricultural consumers before the Public Utilities Commission, certain federal agencies (such as the Federal Communications Commission and the Federal Energy Regulatory Commission), and in appellate courts in electric, gas and telecommunications utility rate and rule making matters. The OCC examines the technical evidence (primarily costing and pricing data) filed by utilities in complex cases, provides expert testimony on consumers' behalf, cross-

examines other witnesses, makes legal arguments, and represents consumers in settlement negotiations. Approximately 40 other states have utility consumer advocate offices similar to the OCC according to the National Association of State Utility Consumer Advocates (“NASUCA”). The OCC is an active member of NASUCA.

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

The OCC has a staff of seven technical and administrative personnel as well as legal representation through the Department of Law. In addition, a statutorily authorized board appointed by the Governor gives policy guidance to the OCC. The 11-member board is appointed to represent the public interest and, specifically, the interests of residential, small business, and agricultural utility consumers. Board members come from all geographic areas of the state.

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

OFFICE OF CONSUMER COUNSEL HOT ISSUES

- Smart Grid/Smart Energy. Smart Grid technology has become an international focus because of the potential benefits of the technology. Three major Smart Grid issues are privacy, cost to consumers and ease of use of technology.
- Proposed increases in regulated energy rates. Due to changes in technology, environmental requirements and prices, regulated electricity and gas utilities are requesting to increase rates to residential and commercial customers.
- Governor’s New Energy Economy. With the recent passing of HB 1365 – “Clean Air, Clean Jobs” act, the two utilities affected by this legislation (Public Service of Colorado and Black Hills) have filed their plans with the PUC. 40 parties are involved in the process and there will be many issues deliberated.
- Appeal to District Court Cases. The OCC has appealed critical telecommunication and energy matters decided by the Public Utilities Commission to the District Court where the issues will be briefed and reargued.

- Trends in the Colorado High Cost Telephone Fund (the Colorado High Cost Support Mechanism)
 - The subsidy fund continues to grow as wireless companies and rural local exchange carriers apply for money under the fund.
 - Proposed rulemaking is taking place in order to define more clearly what types of services are eligible for high cost funding.
 - The PUC has formed the Telecommunications Policy Advisory Group, whose members include the OCC, to address issues including potentially those related to the CHCSM.

DIVISION OF FINANCIAL SERVICES (\$1.7 million and 15.0 FTE). The Division of Financial Services regulates state-chartered credit unions, savings and loans, and life care institutions. In addition, administers the Public Deposit Protection Act, which safeguards uninsured public monies deposited in federal and state chartered savings and loans. Fees and assessments against regulated institutions support the Division.

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

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

State-chartered credit unions operate under the supervision of the Division. The Division is empowered to approve applications to incorporate new state credit unions and to approve mergers between credit unions. State credit unions are examined regularly by the Division's staff to evaluate their financial condition and compliance with applicable laws and regulations. The Division's credit union examination and supervision program has been accredited by the National Association of State Credit Union Supervisors (NASCUS) for a five-year period ending in May 2012, subject to annual review. State-chartered savings and loans also operate under the

supervision of the Division. The Division is empowered to approve applications to incorporate new state-chartered savings and loan associations, approve branch office applications for existing associations, approve mergers between associations, and approve changes of ownership. The Division staff examines state savings and loan associations on a regular basis to evaluate their financial condition and compliance with applicable laws and regulations. For the protection of consumer savings, all state savings and loan associations and all credit unions that serve Colorado citizens are required to maintain federal deposit insurance. The Division also administers and enforces the Public Deposit Protection Act for savings and loan associations. State and federal savings and loans designated by the Division as eligible public depositories must pledge collateral to secure any deposits in excess of the federally-insured limit accepted from Colorado governmental units.

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

DIVISION OF FINANCIAL SERVICES HOT ISSUES

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

DIVISION OF INSURANCE (\$9.9 million and 86.7 FTE). The Division of Insurance (the "Division") regulates approximately 1,500 insurance entities and approximately 115,000 insurance producers operating in Colorado. Insurance companies regulated by the Division include traditional insurance entities such as automobile, homeowners, life, health, health maintenance organizations (HMOs) and workers' compensation insurers, as well as non-traditional entities such as pre-need funeral companies, bail bond companies, fraternal benefit societies, captive insurers, risk retention groups, and self-insurance pools. The Division is funded

primarily from licensing fees paid by regulated entities. The head of the Division is the Commissioner of Insurance, who is appointed by the Governor.

The Division is organized into the following two sections:

- Finance and Administration. This section carries out insurance company and producer licensing and performs all aspects of financial solvency authorization examination and monitoring, market conduct examination, and premium tax collection for approximately 1,500 insurance and insurance related companies licensed in Colorado. This section also regulates non-admitted reinsurers, self-insurance pools and plans, surplus line companies, regional home office qualifications, pre-need funeral contract sellers, limited service licensed provider networks, foreign risk retention and purchase groups, and captive insurance companies. This section processes and reviews rate and form filings submitted to the Division and initiates desk audits of various insurers and insurance related entities to make sure that benefits, coverage and treatment are provided to Colorado consumers as required by law. Enforcement activities include examining insurers and related entities to determine compliance with insurance law and regulation and investigating unauthorized or illegal insurance or agent activity. Examination reports are public records and are posted on the Division's website after an exam has been completed and adopted by the Commissioner. This section oversees the office management functions including reception and all budgetary functions.
- Consumer Affairs. This section oversees all consumer services, including the ICARE (Insurance Compliance and Regulatory Enforcement) for Life & Health and the Property & Casualty areas, the Senior Health Insurance Program, and Compliance and Investigations responsibilities. The section fields consumer inquiries and resolves consumer complaints against insurance companies, regulated persons and entities. It also investigates and takes enforcement actions for violations of insurance law and regulation, handles open records and other information requests, and manages other processes including service of process, open records, rulemaking and consumer education. Staff responds annually to an estimated 26,000 telephone calls, e-mails, letters, and walk-in visits from consumers. Coloradans needing assistance with insurance issues may contact the Division to file a complaint or inquiry and for information on all types of insurance.

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

DIVISION OF INSURANCE HOT ISSUES

- Implementation of the federal health care reform adopted by Congress in 2010. This legislation establishes federal requirements and rules for entities regulated by the Colorado Division of Insurance with phased implementation from 2010 to 2014 of the federal provisions. The Division is identifying what changes are required to be made in Colorado law and regulation to comport with the federal requirements. The federal law requires further enhancement to review of health premium rates and prior approval of such rates as established under HB08-1389; expanded consumer outreach and education as to the changes occurring and required in the health care coverage system; and expansion of the Division's enforcement actions to ensure compliance with state and federal law for a rapidly evolving marketplace.
- High profile projects including:
 - ◇ Expanded enforcement actions to protect consumers from violations of insurance laws and regulations, with particular emphasis on annuities disclosures, health coverage benefits and premiums, pre-need funeral contracts, title insurance issues, and property coverage in light of multiple catastrophic storms.
 - ◇ More vigorous examination of insurance companies' business practices through market conduct and financial examinations, annual and quarterly statement review, investigations, market analysis, and other enforcement actions. Concomitant focus on tying company compliance and penalties to expanded access to insurance and coverage.
- Changes in federal law including Congressional legislation for an optional federal charter for certain types of insurance, expanded federal role in regulating insurance.
- Maintaining qualified staff to oversee and regulate increasingly sophisticated and complex insurance and related entities and emerging products, including: risk retention entities; risk pools; financial entity sales of insurance products and insurance as investment vehicles; other issues in a rapidly changing marketplace characterized with increased and previously unrecognized risks of catastrophic natural disasters, domestic and foreign terrorism; and failure of other economic marketplaces and regulation. The Management hopes the state's general economy will improve in order to provide our employees greater opportunity to achieve personal and professional goals.

PUBLIC UTILITIES COMMISSION (\$18.9 million and 101.6 FTE). The Public Utilities Commission (PUC) has the authority to regulate the rates and services of a wide range of transportation and fixed utilities throughout Colorado. Assessments and licensing fees paid by regulated entities support the Division.

PUC has full economic and quality of service regulatory authority over intrastate telecommunication services; and investor-owned electric, gas and water utilities, as well as partial regulatory control over municipal utilities and electric associations. The PUC also has jurisdiction over gas pipeline inspection units, investor-owned distribution operators; municipal distribution operators; master meter distribution operators; investor-owned transmission operators; some municipal transmission operators; LP operators; and direct sales purchasers. The PUC also regulates motor carriers that transport passengers for hire, household goods movers, towing carriers, and carriers operating in interstate commerce. Finally, the PUC has jurisdiction over public highway-rail grade crossings. The PUC has some legislative and judicial authority, and is charged with determining whether utilities have the financial and technical capability to provide services. The PUC also administers the following programs: Colo. Telecommunications High Cost Fund Program, the Low-Income Telephone Assistance Program, the Highway Rail Signalization Program, the Disabled Telephone Users Program and the Colorado No-Call List Program.

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

- The Energy Section is responsible for supporting the mission of the Commission to assure the availability of safe, reliable, adequate, and efficient electric, gas and steam services to utility customers at rates that are just, reasonable, and not discriminatory. The Section conducts financial and engineering analyses, rulemaking, audits and investigations for the Commission in issues of operating authority, rates, quality of service, resource planning, compliance and enforcement. The section is also responsible for water utility service affordability and availability.
- The Telecommunications Section is responsible for supporting the mission of the Commission to assure a wide availability of high quality, safe and efficient telecommunications services at rates that are just and reasonable through the promotion of a competitive telecommunications marketplace and the implementation of flexible regulatory treatments. The Section conducts financial analyses, engineering analyses, audits, investigations and regulatory policy analysis to inform the Commission on matters of retail, wholesale and 911 operating authority, rates, service quality, compliance and enforcement. The Section also administers various telephone service subsidy programs.
- The Economics Section has a wide range of duties which support the overall mission of the Commission. The Section serves the agency through its economic and policy analysis of telecommunications, energy, water, and transportation utilities regulated by the Commission. The section assists the Commission to achieve a balance between utilities' health and stability, consumer protection, economic development and regulatory reform.
- The Transportation Section regulates the affordability and availability of motor carriers transporting passengers for hire, rates and authorization for nonconsensual tows of motor vehicles, and contractual agreements between household goods

movers and shippers. The Section conducts financial reviews, ensures fair and cost-based carrier rates; conducts audits and service complaint investigations; processes carrier applications; and issues permits, based on compliance with insurance and safety standards.

- The Administrative Hearings Section consists of administrative law judges (ALJs) and certified court reporters. ALJs establish procedural schedules, conduct hearings, and issue recommended decisions for all types of proceedings referred to them by the Commissioners. They also offer mediation services in connection with such proceedings. Court reporters make a stenographic record of testimony and legal argument presented at Commission hearings and, for a fee, will produce written transcripts of such testimony/argument if requested to do so.
- The External Affairs Unit resolves complaints between customers and regulated utility companies. It informs the public about PUC decisions and ratepayer issues through publications, as agency spokesperson and through community outreach.
- The Policy Advisory Section provides policy, financial and engineering advice and technical training on all energy, water and telecommunications matters to the decision-makers of the Commission - the Commissioners and Administrative Law Judges. The administrative support team handles all filings by determining the timing, disposition and weekly agenda to ensure that all statutory deadlines are met. This team is also responsible for the processing of all Commission decisions.
- The Rail/Transit Safety Section is responsible for safety at all public highway-rail crossings in Colorado, and is the State Safety Oversight Agency for rail fixed guideway systems. The Section conducts on-site safety inspections, accident investigations, and performs a complete audit of all transit agencies rail fixed guideway systems every three years.
- The Gas Pipeline Safety Section ensures the safety of all intrastate natural gas pipeline systems. The Section Conducts gas pipeline safety audits of operator's pipeline system operation and maintenance records, on-site construction and repair inspections, and incident investigations.
- The Administrative Services Section is responsible for fund administration, budget preparation, purchasing, central records control, business system administration, personnel, and administrative support.
- The Research, and Emerging Issues Section advances policy discussions and Commission decisions concerning current and emerging issues that impact utilities and service providers regulated by the Colorado PUC and their customers. The team accomplishes this mission by initiating, facilitating, coordinating, and performing objective and balanced research and sharing the results of this work with the Commissioners and Staff.

PUBLIC UTILITIES COMMISSION HOT ISSUES

- Due to the continued focus on the energy industry by the Governor's administration and the legislature, the PUC's efforts are required to establish rules and adjudicate issues that include energy efficiency and demand-side management plans, renewable energy plans, environmental, renewable and energy trading activities, new technology applications, and transmission planning. These tasks are in addition to an increased number of traditional rate filings and resource plans that must be decided in the same timeframe. This shift in focus requires employee training including personal research, self-training, conferences, seminars, webinars, etc. as the budget allows.
- Technological and market place changes and the economic downturn continue to require that the PUC spend significant time on new Telecom provider applications for authority to do business, 911 surcharge increases, certifications to receive universal service funds, encumbrances, asset transfers, and mergers and acquisitions, including the pending CenturyLink acquisition of Qwest. The evolution of VoIP, wireless and broadband capabilities have accelerated the need at both the federal, state and local levels to comprehensively re-evaluate critical telecom policies to assure the advancement of communications services to all citizens. The PUC is actively monitoring and participating where necessary in the Federal Communications Commission's (FCC) definition and implementation of its National Broadband Plan. The PUC has simultaneously created a Telecom Advisory Group involving a cross section of telecom providers, and other interested parties to understand the telecom evolution and to inform policy decisions on topics ranging from consumer demand, retail and wholesale market competition, quality of service, public safety and next generation 911, universal service and other consumer subsidies, and provider of last resort obligations.
- The PUC continues its efforts to align itself with the governor's directive to go green. This past year it successfully implemented an internet based electronic filings program (E-Filings). All filings in docketed proceedings may be filed and viewed electronically through the E-Filings system.
- The Unified Carrier Registration Agreement (UCR) is now fully implemented on a national basis and is the main source of revenue for the PUC's Transportation Section. The revenue generated by the UCR program is substantially less than expectations and program requirements. The PUC now believes this trend will continue and the PUC is pursuing revenue alternatives including the setting of fees administratively rather than by statute.

- House Bill 08-1227 and Senate Bill 09-294 amended § 40-10-105(2) by changing the entry standards for taxi service in the counties of Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, El Paso, and Jefferson. This resulted in a relatively large number of new applications for taxi service requiring a significant amount of PUC staff resources to conduct hearings and to analyze the applications and evidence presented. Commission decisions are pending on several of the applications.
- The PUC is continuing an effort to address various issues concerning electric transmission. It recently completed an 18 month investigation into the transmission regulatory process that culminated in new streamlined rules for obtaining Certificates of Public Convenience and Necessity. A second rulemaking is in process to address transmission planning from an all-encompassing state-wide perspective. The PUC continues to work with state, regional and national forums and agencies with the goal of solving transmission issues proactively.
- The PUC under very strict legislative-mandated timelines is busy gathering the information needed to implement the new Clean Air-Clean Jobs Act which requires Colorado's investor-owned electric utilities – Xcel Energy and Black Hills Energy – to develop emission reduction plans to meet the current and “reasonably foreseeable” requirements of the federal Clean Air Act, including a 70-80 percent reduction in 2008 nitrogen oxide levels. The utilities are to give primary consideration to replacing or repowering their coal-fired plants with natural gas and have filed their proposals on Aug. 15. The PUC, along with the Colorado Department of Public Health and Environment must make a decision on the plans by Dec. 15, with implementation slated for Dec. 31, 2010.
- For the first time, the PUC approved a tiered rate structure for Xcel Energy to be effective from June through September to promote efficient use of energy during periods when demand for electricity is greatest. The seasonal rates mean electricity customers will pay more for higher usage during peak summer months and less during other non-peak times.

DIVISION OF REAL ESTATE (\$6.0 million and 52.3 FTE). The Division of Real Estate licenses real estate brokers, real estate appraisers, and mortgage loan originators; and registers time-share, loft/condominium conversion, and raw land subdivision developers, homeowner associations and mortgage companies. The Division of Real Estate also certifies the qualified organizations under Section 170(h) of the Internal Revenue Code of 1986 that hold conservation easements for which a tax credit is claimed. All programs are under the jurisdiction of the Real Estate Commission, the Conservation Easement Oversight Commission, the Board of Mortgage Loan Originators and the Board of Real Estate Appraisers. Fees and assessments support the division.

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

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

With regard to Real Estate Appraisers, jurisdiction rests with a seven-member Board who meet monthly to conduct rulemaking hearings, make policy decisions, consider licensing matters, review complaints and take disciplinary action against real estate appraisers. The seven-member Board consists of three licensed or certified appraisers, one county assessor, one banker with experience in mortgage lending, and two members of the public. The Board members serve a three-year term.

With regard to the Conservation Easement Oversight Commission, jurisdiction rests jointly with a nine member advisory Commission and the Division of Real Estate. The Commission meets quarterly and is comprised of one member representing the Great Outdoors Colorado Trust Fund, one member representing the Department of Agriculture, and one member representing the Department of

Natural Resources. The remaining six members are appointed by the Governor, with one member required to have experience with conservation easements. The Division conducts rulemaking hearings, makes policy decisions, considers certification matters, reviews complaints and takes disciplinary actions against the holders of conservation easements.

With regard to the Board of Mortgage Loan Originators, jurisdiction rests with a five-member Board who meet monthly to conduct rulemaking hearings, make policy decisions, consider licensing matters, review complaints and take disciplinary action against mortgage loan originators. On August 11, 2010, Governor Ritter appointed two licensed mortgage loan originators and one member of the public at large to serve one two-year term. Governor Ritter appointed one licensed mortgage loan originator and one member of the public at large to serve one four year term. Thereafter, the Board members will serve four-year terms. Additional regulatory responsibilities include registering mortgage companies and ensuring that mortgage companies do not employ or act through unlicensed loan originators, and the companies comply with recordkeeping and advertising requirements.

DIVISION OF REAL ESTATE HOT ISSUES

- On July 21, 2010, President Obama signed the Dodd-Frank Wall Street Reform and Consumer Protection Act into law. It is anticipated that the Act will create significant changes in the mortgage loan origination industry, including disclosures made to consumers and mortgage loan originator compensation. The Act will also create considerable adjustments to the appraisal industry. Changes made by the Act include broadening the Appraisal Subcommittee's regulatory authority, addressing appraisal management company regulation, establishing appraisal independence requirements and creating an appraisal complaint hotline. It is anticipated that the federal agencies charged with implementing this law will conduct numerous rulemaking hearings to provide clarity regarding standards of practice.
- Effective January 1, 2011, the Division of Real Estate will begin registering homeowner's associations. The passage of HB 10-1278 creates limited remedies for entities that fail to register or renew their registration with the Division of Real Estate. The HOA Information Officer will serve as a clearinghouse of information concerning the basic rights and duties of unit owners, declarants and unit owners' associations. The HOA Information Officer will track inquiries and complaints regarding unit owner associations and provide an annual report to the Director of the Division of Real Estate.
- Effective January 1, 2011, the Division of Real Estate will begin issuing conservation easement tax credit certificates. The Division will issue certificates for tax credits, not to exceed an aggregate amount of \$26 million dollars, during the income tax years commencing in the calendar years of 2011, 2012 and 2013. Persons who have not received a credit certificate from the Division of Real Estate will not be allowed to seek a tax credit claim during the 2011, 2012 and 2013 calendar years.

- Effective January 1, 2011, the Division of Real Estate will begin registering mortgage companies. The passage of HB10-1141 was vital to ensure that mortgage companies are able to comply with the FHFA requirement that each company obtain a unique identifier through the National Mortgage Loan Licensing System and Registry (the NMLS&R). Along with registration, mortgage companies will be required to maintain records for four years, employ licensed mortgage loan originators and comply with established advertising requirements.

DIVISION OF REGISTRATIONS (\$25.3 million and 189.4 FTE). The Division of Registrations provides consumer protection through its regulation of 324,000 licensees within 49 professions, occupations, and entities in the State of Colorado. The Division's boards and programs have been created by the Colorado Legislature to ensure a minimal level of competence of licensees and to protect the public. There are 203 board and commission members serving on 26 boards, commissions and statutorily created committees. In addition, there are 10 director model programs. Each board and program is empowered to determine the qualifications to obtain a license, regulate the standards of conduct for the profession, review complaints against licensees and take action as necessary.

Accountancy	Funeral Homes and Crematories	Plumbing
Acupuncture	Landscape Architects	Podiatry
Addiction Counselors	Lay Midwives	Pharmacy
Architects, Engineers, Land Surveyors	Marriage & Family Therapists	Physical Therapy
Athletic Trainers	Massage Therapists	Professional Counselors
Audiology & Hearing Aid Providers	Medical	Psychologists
Barbers & Cosmetologists	Nursing & Nurse Aides	Respiratory Therapists
Boxing	Nursing Home Administrators	Social Work
Chiropractic	Occupational Therapists	Surgical Technologists
Dental	Optometric	Unlicensed Psychotherapists
Electrical	Outfitters	Veterinary
	Passenger Tramway Safety	

The Division is the “umbrella agency” that administers these boards by providing administrative and staff support to the boards and managing the day-to-day business of the boards. The Division employs 189 permanent staff.

The Division is primarily organized by function. Centralized support is provided by the Director's Office, Office of Licensing, Office of Support Services, System Support Unit, Office of Examination Services, Office of Investigations and Office of Expedited

Settlement. Specialized program activities, board support and enforcement are grouped into three sections - Business and Technical Section, Healthcare Section and Health Services Section.

The major functional areas of the Division include licensing and examinations, inspections, enforcement and communication. Inherent in accomplishing the Division's program functions is the essential component of efficient administration.

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

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

DIVISION OF REGISTRATIONS HOT ISSUES

- One of the Division's top priorities and challenges is enhancement of services to external customers through the use of technology for communication and business transactions. The Division is working closely with the Governor's Office of Information Technology (OIT) to implement a new licensing system that expands online services for applicants and licensees.
- The Division is seeing an increased desire by consumers for more data and information about licensees, especially within the healthcare professions. The Medical Board implemented legislative requirements of physicians to disclose specific information that can be accessed by the public via the internet. During the 2010 legislative session that requirement was extended to other healthcare professions within the Division. These healthcare professionals will be required to submit information when they apply for or renew a license, certification or registration on or after July 1, 2011.

- Developing effective methods for ensuring and measuring continued competency for licensed professionals is a growing trend. This is particularly true for health professionals as states struggle with developing cost effective and efficient methods to assure the public of ongoing competency of licensed professionals. Continued competency requirements were added to the regulation of Podiatrists during the 2010 legislative session and to Electricians, Addiction Counselors, Licensed Professional Counselors, Marriage & Family Therapists and Social Workers during the 2009 session.
- Consumer use of alternative health care providers continues to increase resulting in a desire for a number of currently unregulated alternative health care providers to seek regulation. Due to recent legislation, the Division now regulates massage therapists, occupational therapists and athletic trainers.
- Increased desire for quick and easy mobility across state lines for licensed professionals is another trend impacting the Division.
- A large number of boards and programs in the Division will be undergoing Sunset Review in the next few years.

DIVISION OF SECURITIES (\$3.6 million and 22.0 FTE). This Division monitors the conduct of securities broker-dealers and sales representatives in Colorado, investigating both citizen complaints and indications of investment fraud. Fees and assessments against regulated entities support the Division.

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

Specific Division activities include:

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

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

DIVISION OF SECURITIES HOT ISSUES

Major Lawsuits:

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

People v. Michael Marshall and Gregory Russell - This is a criminal action filed in Denver District Court. Marshall and Russell were indicted by the Denver County Grand Jury in a 70 count indictment where they were accused of scamming 60 investors out of approximately \$10 million. The money was purportedly invested in their companies, Uriels and Emerald

Sierra. Both are charged with violating Colorado's Organized Crime Control Act, as well as Conspiracy to Commit Securities Fraud, Conspiracy to Commit Theft, 63 counts of securities fraud and 4 counts theft. Trial is set for October 12, 2010.

Joseph v. Sean Mueller and Mueller Capital Management, et. al - This enforcement action was filed in Denver District Court and a preliminary injunction and the appointment of a receiver were obtained against Mueller and his company, Mueller Capital Management, both of Greenwood Village, Colorado. In the complaint, the Commissioner has alleged that Mueller operated a hedge fund where he provided investors with false account statements and the total amount of funds in the hedge fund. The Commissioner also alleged that Mueller fraudulently misused investor funds. Investor losses could exceed \$60 million. The Court appointed a receiver to take control over the assets of Mueller and Mueller Capital. No trial date has been set.

Cease and Desist Order Proceedings:

The Division received cease and desist authority five years ago. In the past two years, the Division initiated 30 C & D actions. Of those 30 actions, most involved the offer of investments in real estate transactions and the offer of interests in oil and gas ventures. With the on-going problems in the housing market, and the continuing rise of the price of oil, the Division anticipates seeing more real estate, and oil and gas offerings. Most of these actions involve out-of-state companies selling unregistered securities in Colorado in a fraudulent manner. The Division anticipates initiating more actions involving these kind of offerings next fiscal year.

Senior Investment Fraud:

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

PRIOR YEAR LEGISLATION

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

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

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

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

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

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

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

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

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

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

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

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

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

2010 Session Bills

S.B. 10-109 – Medical Marijuana Regulation: Requires the Department of Public Health and Environment (DPHE) to promulgate new rules for medical marijuana identification cards and prescribing physicians. Establishes requirements for physicians who prescribe medical marijuana and allows the State Board of Medical Examiners in the Department of Regulatory Agencies to investigate and sanction physicians guilty of violations. Also allows DPHE to impose sanctions on physicians guilty of violating these requirements. Establishes reporting requirements for patients with a valid identification card who are convicted of a drug offense and requirements for patients with legal guardians. Makes the following appropriations:

- Appropriates \$815,224 cash funds from the Medical Marijuana Program Cash Fund and 2.1 FTE to the Department of Public Health and Environment (DPHE).
- Reappropriates \$593,333 along with 1.2 FTE to the Department of Regulatory Agencies (DORA) from the moneys appropriated to the DPHE.
- Reappropriates \$612,463 along with 5.2 FTE to the Department of Law for the provision of legal services to DPHE and DORA. Of this amount, \$99,879 is from the DPHE and \$512,584 is from DORA.

S.B. 10-124 – Skolnik Medical Transparency Act Revisions: Extends the Michael Skolnik Medical Transparency Act to certain health care professionals applying for a new, reinstated, reactivated or renewal license or certification to submit information to the

State Board of Medical Examiners. Appropriates \$98,873 cash funds from the Division of Registrations Cash Fund and 1.0 FTE to the Division of Registrations in the Department of Regulatory Agencies and reappropriates \$7,538 to the Department of Law for the provision of legal services.

H.B. 10-1001 – Increase Renewable Energy Targets: Requires a utility to have a renewable energy portfolio standard (RPS) equal to 30 percent by 2020 and requires a portion of the RPS to be met through "distributed generation" (DG). Allows the Public Utilities Commission (PUC) to reduce the DG percentage after 2014 and incrementally reduce the existing standard rebate offer if the market can support the change. Directs the PUC to require registration with a regional system for tracking renewable energy generation for large DG facilities. The act also:

- Allows a utility to advance funds that do not exceed the 2 percent rate cap from year to year for the acquisition of renewable energy resources with PUC approval;
- Directs the PUC to ensure that a utility allocates its expenditures according to the proportion of its revenues derived from residential and nonresidential customers;
- Increases the threshold at which a utility may negotiate purchases of renewable energy credits from individual customers from 100 kW to 500 kW; and
- Allows the PUC to determine a reasonable retail rate that solar program participants pay into the renewable energy standard adjustment.
- Requires new photovoltaic (PV) installations occurring on and after January 1, 2012 to be funded through ratepayer incentives and rebates and to be installed by licensed electricians or apprentices.
- Authorizes any committee formed by executive order for the purpose of studying the desirability of regulating solar installers to request a sunrise review.
- Appropriates \$51,440 cash funds from the PUC Fixed Utility Fund and 0.5 FTE to the Public Utilities Commission in the Department of Regulatory Agencies.

H.B. 10-1114 – Money Transmitters: Authorizes the Banking Board (Board) to share information about money transmitters with the United States Attorney General. Requires money transmitter agents to provide certain business information to the Board, sign a statement containing a notice of the money laundering laws, and/or receive training on money laundering laws. Prohibits a money transmitter from employing an agent who has committed certain crimes related to banking or property. Makes the initial violation a

class 2 misdemeanor and subsequent violations a class 1 misdemeanor. Appropriates \$23,124 cash funds from the Division of Banking Cash Fund and 0.5 FTE to the Division of Banking in the Department of Regulatory Agencies.

H.B. 10-1128 – Regulatory Efficiencies: Clarifies that moneys collected on behalf of administering entities of professional peer review programs do not constitute state fiscal year spending for purposes of Section 20 of Article X of the State Constitution (TABOR). Clarifies that exemptions from the dental practice act apply to dental students and residents. Deletes duplicative requirements for foreign-trained dentists teaching at dental schools and duplicative requirements for X-ray technicians. Authorizes the Director of the Division of Registrations to take disciplinary action against massage therapists convicted of unlawful sexual behavior or prostitution-related offenses. Exempts out-of-state chiropractors and medical doctors working at United States Olympic Committee sanctioned events, and out-of-state medical doctors working at Shriners hospitals from the requirement to obtain special temporary licenses. Repeals the regulation of athlete agents by the Division of Registrations. Reduces the FY 2010-11 appropriation to the Division of Registrations in the Department of Regulatory Agencies by \$25,887 cash funds, and reduces the appropriation to the Department of Law by \$9,799 reappropriated funds.

H.B. 10-1141 – Mortgage Company Registrations: Creates the five member Board of Mortgage Loan Originators (Board) in the Division of Real Estate as a Type 1 board and requires the Board to regulate mortgage companies, loan originators, and brokers. Requires mortgage companies and loan originators to have a state license and be registered with the Nationwide Mortgage Licensing System and Registry effective January 1, 2011. Requires mortgage companies and loan originators to obtain a unique identifying number that must appear on all residential loan application forms. Appropriates \$15,782 cash funds from the Mortgage Company Loan Originator Licensing Fund to the Division of Real Estate in the Department of Regulatory Agencies and reappropriates \$6,407 to the Department of Law for the provision of legal services.

H.B. 10-1148 – Repeal Continuing Competency for Architects: Repeals the continuing professional competency requirement for an architect. Reduces the FY 2010-11 appropriation to the Division of Registrations by \$11,307 cash funds, and reduces the appropriation to the Department of Law by the same amount of reappropriated funds.

H.B. 10-1197 – Conservation Easement Tax Credit Cap: Limits aggregate credits for donating conservation easements to \$26 million each year for the 2011, 2012, and 2013 income tax years. Taxpayers are first required to submit a claim for a tax credit to the Division of Real Estate, which will issue a certificate in the order the claims were received. If more than \$26 million in credits are claimed, the claims not issued certificates will be placed on a waiting list and certificates will be issued in a subsequent year. Appropriates \$9,028 cash funds from the Conservation Easement Holder Certification Fund and 0.2 FTE to the Division of Real Estate in the Department of Regulatory Agencies.

H.B. 10-1224 – Continuation of Podiatry Regulation: Continues the regulation of podiatrists by the Colorado Board of Podiatry until July 1, 2020 and implements the recommended changes in the 2009 sunset review. Appropriates \$3,149 cash funds from the Division of Registrations Cash Fund to the Division of Registrations and reappropriates \$2,261 to the Department of Law for the provision of legal services.

H.B. 10-1260 – Continuation of Medical Examiners Board: Continues the regulation of medical doctors by the Colorado Medical Board through July 1, 2019, and implements the recommendations made in the 2009 sunset review. On January 1, 2011 transfers the regulation of emergency medical technicians from the Board to the newly-created, eleven member, Emergency Medical Practice Advisory Council within the Department of Public Health and Environment. Appropriates \$29,686 cash funds from the Division of Registrations Cash Fund to the Division of Registrations and reappropriates \$16,584 to the Department of Law for the provision of legal services.

H.B. 10-1278 – HOA Ombudsman: Creates the Home Owners Association (HOA) Information and Resource Center (Center) which is under the direction of the HOA Information Officer. Requires the Center to advocate on behalf of unit owners, mediate disputes, and act as a clearing house for information on the governing law, to track inquiries and complaints, and to report annually on the number and type of inquiries and complaints received. Requires HOAs to register and pay the applicable fee and prohibits an HOA from pursuing lien for assessments or otherwise enforce its rights and remedies under the "Colorado Common Interest Ownership Act" if the HOA fails to register and/or pay the fee. Caps the registration fee at \$50 and exempts HOAs from the fee if they do not charge a fee or cap their fee at \$400. Creates the HOA Information and Resource Center Cash Fund (Fund). Makes an appropriation of \$205,828 cash funds from the Fund and 2.0 FTE to the Division of Real Estate in the Department of Regulatory Agencies and reappropriates \$15,679 along with 0.1 FTE to the Department of Law for the provision of legal services.

H.B. 10-1313 – Supplemental Appropriations Bill: Supplemental appropriation to the Department of Regulatory Agencies for FY 2009-10.

H.B. 10-1365 – Conversion of Coal to Gas: Requires all rate-regulated utilities that own or operate coal-fired electric generating units to submit to the Public Utilities Commission (PUC) a plan to reduce emissions from those units covering the lesser of 900 megawatts or 50 percent of the utility's coal-fired electric generating units in Colorado. Allows the Department of Public Health and Environment the opportunity to comment on the utilities' plans and to determine whether the new or repowered electric generating units proposed under the plans will achieve certain emission rates. Requires the PUC to accept, reject or modify plans by December 15, 2010 and requires utilities to implement plans by December 31, 2017. Allows the PUC on and after January 1, 2012 to approve interim rates and requires a utility to rebate the excess if a final rate is lower than an interim rate. Appropriates \$74,115 cash funds and

0.6 FTE to the Public Utilities Commission in the Department of Regulatory Agencies and reappropriates \$13,041 along with 0.1 FTE to the Department of Law for the provision of legal services.

H.B. 10-1376 – Long Bill: General appropriations act for FY 2010-11.

H.B. 10-1385 – Insurance Fraud Fees: Requires the insurance fraud fee be credited to the newly created Insurance Fraud Cash Fund, and caps the fee at \$561. Requires the fee be used to offset the direct and indirect costs of insurance fraud investigations and prosecutions by the Department of Law. Reduces the FY 2010-11 appropriation to the Division of Insurance by \$860,186 cash funds.

H.B. 10-1415 – Registration of Surgical Assistants: Effective April 1, 2011 creates a registration program in the Division of Registrations for surgical assistants and surgical technologists. Requires the Division to create a database of registered surgical assistants and surgical technologists, and requires employers to check the database before employing a surgical assistant or surgical technologist. Appropriates \$43,414 cash funds from the Division of Registrations Cash Fund and 0.4 FTE to the Division of Registrations in the Department of Regulatory Agencies and reappropriates \$3,769 to the Department of Law for the provision of legal services.

WORKLOAD REPORTS

Workload Reports for the Department are listed as follows:

DIVISION OF BANKING	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Regulated Institutions (as of 6/30)				
Commercial and Industrial Banks	107	105	81	**
Trust Companies	7	8	7	
Money Order/Transmitter Licensees	40	46	48	
Foreign Capital Depositories	0	0	0	
Functional Activities				
Target	262	238	250	
Actual	272	250		
Total Assets and other funds under supervision (000s omitted)				
Target	\$151,074,000	\$107,835,000	\$203,052,880	
		5% increase	5% increase	
Actual	\$102,700,000	\$193,383,696		

DIVISION OF BANKING	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
* FirstBank combined from 25 banks to 1				
<p>1 Functional Activities Regulated include: Safety and soundness and Public Deposit Protection Act (PDPA) examinations of state-chartered commercial, industrial banks, and trust companies (84); PDPA examinations of federally-chartered commercial banks (20); examinations of PDPA escrow providers (7); Electronic Data Processing examinations of service providers and in-house IT systems(11); Uniform Consumer Credit Code examinations (45); Bank Secrecy examinations of state-chartered commercial and industrial banks (45); trust examinations of trust companies and state-chartered bank trust departments (8); and money order company examinations (24).</p>				
<p>2 Includes total assets as of March 2008 in commercial banks (\$36.1 billion), industrial banks (\$1.1 billion), trust companies (\$2.0 billion), plus trust assets (\$75.6 billion), the average monthly amount of public deposits (\$4.7 billion), and exchange sold or issued subject to the Money Transmitters Act (\$19.1 billion as of 12/31/07).</p>				
<p>3 Includes total assets as of March 2009 in commercial banks (\$36.7 billion), industrial banks (\$932 million), trust companies (\$ 515 million), plus trust assets (\$43.7 billion), the average monthly amount of public deposits (\$5.3 billion), and exchange sold or issued subject to the Money Transmitters Act (\$15.6 billion as of 12/31/08).</p>				
<p>4 Includes total assets as of March 2010 in commercial banks (\$37.9 billion), trust companies (\$561 million), plus trust assets (\$136.7 billion), the average monthly amount of public deposits (\$6.7 billion), and exchange sold or issued subject to the Money Transmitters Act (\$11.5 billion as of 12/31/09). In 1989, the General Assembly amended Section 11-102-301, C.R.S. (formerly §11-2-108, C.R.S.), to provide for risk-based examination scheduling. Previously, the law required yearly examinations. The General Assembly acknowledged in the new law that requiring routine yearly examinations added more to burdensome regulation on the industry than it did to the safety and soundness of the industry. Based on the standards developed by the Division and formally adopted by the State Banking Board in Policy No. 80-1, Risk-Based Examination Scheduling (referred to as "the Mandate"), the Division is required to establish a yearly examination schedule based on an assessment of risk in each regulated institution. In addition, the policy requires coordination of examination scheduling with the FDIC and the Federal Reserve Board, and requires that examination reports be processed within a 45-day timetable. The Division's Program Performance Measures are used to evaluate the Division's effectiveness in scheduling examinations in compliance with the Mandate (Required Examinations and Additional Discretionary Examinations Performed); in conducting examinations in compliance with the Mandate (Required Examinations Performed and Percentage of Required Examinations Completed); in coordinating examinations with the federal banking regulators (Required Examinations Performed, Percentage of Required Examinations Completed, and Additional Discretionary Examinations Performed); and in completing the examination function in an efficient manner (Days between Examination Completion and Report Submission to Institution).</p>				
Required Examinations -mandated				
Target	148	157	223	**
Actual	164	154		
Percentage of Required Examinations Completed				
Target	107.40%	100.00%	97.00%	**
Actual	104.90%	100.00%		

Additional Discretionary Examinations Performed				
Target	3	3	0	**
Actual		2		
Days to Complete Report and Submit to Institution (Safety and Soundness Examinations)				
Target	35	35	35	35
Actual	40	46		
Days to Complete Report and Submit to Institution (Specialty Examinations)				
Target	14	14	14	14
Actual	12	11		
Processing Correspondence				
Estimate	10	10	10	10
Actual	2	4		
Complaint Processing				
Estimate	3 – 20	3 – 20	3 – 20	3 – 20
Actual	4 – 54	3-105 average 39		
<p>1) The Division’s examination function is risk-based. At the commencement of each fiscal year an examination schedule is estimated in accordance with risk-based criteria. This estimate changes during the year based on changes in the risk-based criteria, such as improvement in the financial conditions/ratings of a financial services institution, as well as other factors such as industry consolidation, charter conversions, and new charters/licensees. At the conclusion of the fiscal year, the Division is able to determine the actual number of examinations required as a result of these changes.</p> <p>2) The Division conducted two non-mandated examinations one on a commercial bank and one on a money transmitter.</p> <p>3) The Division measures its performance in two ways: (1) From the day a written complaint about a financial services institution chartered or licensed by the Division is received by the Division to the date it sends out its letter regarding the complaint to the subject financial services institution, and (2) To measure the number of days from the beginning of the process until the complaint is closed.</p> <p>** Projections for FY 11-12 are not available.</p>				

CIVIL RIGHTS DIVISION	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Enforcement				
Inventory of open cases at year end (cases assigned to investigators plus cases in conciliation status).				
Target	601	696	577	577
Actual	738	627		

CIVIL RIGHTS DIVISION	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Percentage of cases settled before completion of investigative process.				
Target	15%	15%	15%	15%
Actual	17%	13%		
Average number of cases submitted for disposition per FTE, based on standards per investigator or FTE classification				
Target	84	84	84	84
Actual	82	81		
Number of new cases opened				
Target	815*	808*	800*	800
Actual	887	734		
Number of cases closed				
Target	875	850	850	850
Actual	750	845		
Number of appeals of no-probable cause case determinations				
Target	93*	92*	95*	95
Actual	83	108		
Education/Training				
Training/education sessions and presentations conducted by staff				
Target	90	90	90	90
Actual	82	112		
Number of persons trained				
Target	2,000	2500	2500	2500
Actual	3450**	3849**		
*Projection based upon 3 year average				
**The Division sponsors civil rights conferences, forums, training, and fairs to provide education/information				

Division of Financial Services	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Credit Unions					
Institutions					
Target	60	54	50	47	45
Actual	57	52	50		
Examinations Conducted					
Target *	45	36	36	32	30
Actual **	40	33	38		
*Based on statutory exam requirement of once every 18 months					

Division of Financial Services	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
** Based on statutory exam requirement of once every 18 months plus additional examinations for credit unions needing extra supervision according to the Division's risk-based approach					
On-site Contacts Conducted					
Target	22	12	15	16	15
Actual	12	29	16		
Target	\$7,900	\$8,100	\$9,000	\$9,300	\$9,200
Actual	\$7,874	\$8,842	\$9,257		
* Corporate Assets (in millions)					
Target	0	\$3,000	\$ -	\$ -	
Actual	\$2,932	\$3,000			
Savings and Loan Associations (including PDPA)					
Institution Main Offices					
Target	4	4	4	4	4
Actual	4	4	4		
Branch Offices					
Target	12	12	12	12	12
Actual	12	12	12		
Assets (in millions)					
Target	\$450	\$450	\$450	\$480	\$480
Actual	\$450	\$454	\$473		
Eligible Public Depositories					
Target	14	13	12	11	11
Actual	13	12	11		
Target	0	0	0		
Actual	0	0			
Target	\$120	\$125	\$135	\$150	\$150
Actual	\$127	\$138	\$153		

Office of Consumer Counsel	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12

Office of Consumer Counsel	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Workload –The OCC does not estimate target numbers, as it cannot anticipate the filings or cases that may be brought before the PUC in any given year				
Utility Filings Reviewed				
Target				
Actual	758	644		
Case Interventions/Ongoing Active Cases				
Target				
Actual	65	82		
Filings Resolved Without Intervention				
Target				
Actual	32	24		
Cases Forgone Due to Lack of Resources				
Target				
Actual	0	2		
Savings to Consumer –The OCC does not estimate target numbers, as it cannot anticipated annual savings as a result of unknown interventions that may be required as a result of various utility actions				
Solely Responsible (in millions)				
Target				
Actual	28.92	18.57		
Primarily Responsible (in millions)				
Target				
Actual	7.14	0		
Jointly Responsible (in millions)				
Target				
Actual	22.44	27.96		
Outreach Program				
Target – 3 New, 3 Updates	6	6	6	6
Actual – 3 New, 4 Updates	8	8		
Develop a speakers bureau				
Target	8	8	8	8
Actual	12	12		

DIVISION OF INSURANCE	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Producer Licensing				
Producer License Reviews				
Target	4,500	4,500	3,000	
Actual	4,526	2,509		
Examinations Given				
Target – All License Types	18,000	18,000	18,000	18,000
Actual – All License Types	17,800	15,484		
New Licenses Issued				
Target				
Resident Licenses	7,000	7,200	7,200	
Non Resident Licenses	18,000	18,000	18,000	
Surplus Lines	400	400	400	
Bail Bondsmen	150	100	100	
Reinstatement of Licenses	3,500	3,750	3,750	
Public Adjusters	20	50	50	
Total	29,070	29,500	29,500	
Actual				
Resident Licenses	6,969			
Non Resident Licenses	15,953			
Surplus Lines	336			
Bail Bondsmen	100			
Reinstatement of Licenses (Estimate-database does not provide this info)	3,888			
Public Adjusters	59			
Total	27,305			
Renewal Licenses Issued				
Target	40,000	41,000	41,000	
Actual	43,164			
Miscellaneous Other Activities				
Target				
Producer Registrations	11,000	15,000	15,000	15,000
Duplicate Licenses	800	50	50	

DIVISION OF INSURANCE	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Letters of Certification	1,000	3,000	3,000	
Letters of Clearance	400	350	350	
Name and Address changes	10,000	10,000	10,000	
Total	23,200	28,400	28,400	
Actual (Actual numbers are on calendar year basis)				
Producer Registrations	15,186			
Duplicate License	22			
Letters of Certification	3,147			
Letters of Clearance	324			
Name and Address Change	8,505			
Total	27,184			
Total Active Licensees				
Target	116,000	117,000	117,000	117,000
Actual	118,783	123,204		
Financial, Corporate Affairs, and Premium Taxes				
Annual Financial Statements Received				
Target	1,480	1,480	1,480	1,480
Actual	1,477	1,476		
Domestic Annual Financial Statements Analyzed				
Target	47	46	46	46
Actual	48	46		
Troubled Company Monitoring, Foreign				
Target	50	65	60	60
Actual	107	75		
Premium Tax Annual Returns Received				
Target	1,500	1,500	1,500	1,500
Actual	1,475	1,478		
Annual Premium Tax Returns Audited				
Target	750	1,500	750	750
Actual	1,475	738		
Surplus Lines Tax Returns				
Target	900	1,300	1,300	1,300

DIVISION OF INSURANCE	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Actual	1,338	1,405		
Quarterly Premium Tax Returns Received				
Target	2,400	2,400	2,400	2,400
Actual	2,427	2,427		
Initial and Renewal Authorizations +				
Target	450	450	450	450
Actual	435	442		
Other Authority Actions+ +				
Target	400	300	300	350
Actual	248	343		
Financial Examinations				
Financial Examinations Conducted				
Target	10	8	7	9
Actual	12	9		
Policy Forms Reviewed				
Target	500	500	500	500
Actual	524	640		
Rate & Rule Filings: Prior Approval				
Target	1,700	2,000	400	400
Actual	1,759	564		
Rate & Rule Filings: File and Use				
Target	4,500	4,500	4,500	4,500
Actual	5,278	5,893		
Rate, Rule, and Form Telephone Calls				
Target	4,100	4,000	2,000	2,000
Actual	4,056	2,133		
Desk Audits of Companies				
Target	5	5	5	5
Actual	5			
Rates/Forms customer Survey Cards Returned)				
Target (the Division hopes that surveys will be returned in increasing numbers)	0	0	0	0
Actual	0	0		

DIVISION OF INSURANCE	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Rates/Forms Survey results: Excellent or Satisfactory (DO NOT DO ANY LONGER)				
Target	0	0	0	0
Actual	0	0		
Rates/Forms Dollars Saved Consumers				
Target	5,000,000	5,000,000	5,000,000	5,000,000
Actual	171,724,379	93,695,325		
Compliance and Investigations				
Stipulations				
Target	40	65	65	65
Actual	90	83		
Final Agency Orders				
Target	50	90	90	90
Actual	138	99		
Cease and Desist Orders				
Target	10	10	10	10
Actual	3	1		
Other Orders (including Orders setting Asside C&Ds)				
Target	10	10	10	10
Actual	28	27		
Service of Process				
Target	600	600	600	600
Actual	620	557		
Legislation (tracking)				
Target	80	40	40	40
Actual	n/a	45		
Regulations				
Target	35	35	35	35
Actual				
Regulations	37	47		
Emergency Regulations	8	5		

DIVISION OF INSURANCE	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Bad Check Recovery				
Target	5	5		
Actual	n/a	0		
Refereed to Collections				
Target	10	30	30	
Actual	n/a	15		
Records Request (Other than C&I)				
Target	150	100	100	
Actual	68	164		
Records Request (C&I Only)				
Target	150	150	150	
Actual	130	125		
Investigation Complaint Files Opened				
Target	450	450	450	
Actual	447	638		
Investigation Inquiry Files Opened (Fraud referrals & Monitoring)				
Target	350	425	600	
Actual	495	1,091		
Investigation Inquiry WILMA Files Opened (No Complaint Opened)				
Target	100	100	100	
Actual	98	100		
Investigation Closed Complaint Files				
Target	525	525	525	
Actual	412	547		
Investigation Closed Complaint Files/Average Days Open				
Target	180	180	180	
Actual	253	182		
Investigation Closed Inquiry Files/Average Days Open				
Actual	50	30	30	
Target	14	8		
Investigation Incoming Telephone Calls				
Target	950	950	950	
Actual	904	668		

DIVISION OF INSURANCE	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Investigation Walk-Ins				
Target	25	25	25	
Actual	21	15		
Market Regulation				
Market Conduct				
Market Conduct Examinations				
Target	23	15	15	15
Actual (Orders issued)	8	8		
Market Analysis				
Level 1 Market Analysis reviews				
Target – as assigned by the NAIC	25	25	25	25
Actual	48	39		
Identify actions within the regulatory Continuum of Market Regulatory Responses, not including market conduct examinations, and ensure they are coordinated and performed				
Target	88	65	55	55
Actual	54	63		
Market Analysis Planning Meetings (at least quarterly)				
Target	4	4	4	4
Actual	6	7		
Market Conduct Annual Statements Received or Exempted				
Target	486	480	480	480
Actual	500	492		

Public Utilities Commission	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Fixed Utilities				
Target	400	400	400	400
Actual	412	292		

Public Utilities Commission	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Rate Cases Suspended & Heard				
Target	22	22	6	6
Actual	6	6		
Applications Processed				
Target	130	130	130	130
Actual	245	125		
Interconnection Related Filings				
Target	80	80	40	40
Actual	77	18		
Gas Safety Inspections – Performed				
Target	220	220	220	285
Actual	377	282		
Gas Safety Inspections – Violations Cited				
Target	5	5	5	5
Actual	1	7		
Gas Safety Inspections – Construction Inspection				
Target	80	80	150	150
Actual	165	156		
Gas Safety Inspections – Incident Investigation				
Target	10	10	10	10
Actual	23	8		
Special Reports, Adoption Notices & Promotional Offers				
Target	125	125	20	20
Actual	118	11		
Pass-on Filings (LSN Tariff changes)				
Target	40	40	40	40
Actual	40	27		
Rulemaking Cases				
Target	11	6	10	10
Actual	8	10		
Consumer Complaints Closed				
Target	3,000	3,000	3,000	3,000
Actual	2,882	2,053		

Public Utilities Commission	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Money Saved by Consumers *				
Target	*	*	*	*
Actual	\$498,371	\$490,458		
Annual Financial Report Filings				
Target	456	400	440	440
Actual	386	440		
Toll Reseller Registrations				
Target	80	80	10	10
Actual	46	12		
*The PUC has no "target" savings and prefers not to "estimate" savings as such dollar savings are totally a result of what complaints have occurred and are resolved. Note: Included are \$14,946 in refunds to customers from tariff refund plans.				
Transportation				
Time Schedules and Rate Change Requests Received and Analyzed – Intrastate Regulated Carriers				
Target	80	80	80	80
Actual	82	68		
Vehicle Inspections Completed – Intrastate Carriers				
Target	1,200	1,000	800	800
Actual	432	563		
Authority Applications Processed – Intrastate Regulated Carriers				
Target	140	140	135	135
Actual	145	128		
Permits, Registrations and Stamps Processed/Issued				
Target	25,000	20,000	12,000	12,000
Actual	21,415	12,099		
Insurance Filings Processed				
Target	20,000	20,000	12,000	12,000
Actual	33,395	11,971		
Information Requests				
Target	35,000	25,000	20,000	20,000
Actual	24,104	19,024		

Public Utilities Commission	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Showcause(Insurance/stamps) - revocations completed				
Target	2,100	1,300	1,300	1,300
Actual	1,226	1318		
Number of Intrastate Carriers – Regulated and Exempt				
Target	8,000	8,000	3,800	3,800
Actual	8,452	3734		
Compliance Audits Completed – Intrastate Carriers				
Target	350	325	325	325
Actual	167	237		
Show cause (Annual Report) Investigations				
Target	6	2	2	
Actual	0	0		
Complaints Closed**				
Target	300	300	300	300
Actual	413	361		
Investigations Closed				
Target	300	325	325	
Actual	326	236		
Money Saved by Consumers *				
Target	*	*	*	*
Actual	\$24,529	2291		
Civil Penalty Assessment Notices Issued				
Target	60	50	50	
Actual	20	28		
Highway-Rail Crossing Safety Inspections - Performed				
Target	50	50	50	
Actual	191	189		
Rail Fixed Guideway Safety Inspections - Performed				
Target	90	100	50	50
Actual	11	39		
*The PUC has no "target" savings and prefers not to "estimate" savings as such dollar savings are totally a result of what complaints have occurred and are resolved.				
** Consumer Affairs began taking Transportation complaints on January 1, 2007. Transportation complaints taken from July 1, 2006 - December 31, 2006 have been reported as "Investigations Closed"				

Public Utilities Commission	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
*** 157 includes crossings that were checked to see if proper signs were installed pursuant to Commission Order, and photographs taken at crossings that were not the subject of a diagnostic review. These are special cases that will not happen every year.				

DIVISION OF REAL ESTATE	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Education and Licensing Sections				
New Broker Licenses Issued				
Target	3,500	2,250	2,000	2,000
Actual	1,930			
Total Broker and Appraiser Licensing Examinations Administered				
Broker Target	5,500	5,500	5,250	5,250
Broker Actual	5,449			
Appraiser Target	500	200	200	200
Appraiser Actual	163			
New Corporations/Partnerships				
Target	750	600	350	350
Actual	555			
License Transfers				
Target	14,000	11,000	9,750	9,750
Actual	10,960			
Broker and Salesperson License Renewals				
Target	18,000	12,000	10,750	10,750
Actual	11,820			
New Subdivisions				
Target	30	10	10	10
Actual	8			
Subdivision Renewals				
Target	175	150	125	120
Actual	155			
New Appraisers—Certified General				

DIVISION OF REAL ESTATE	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Target	75	75	60	60
Actual	75	60		
New Appraisers—Certified Residential				
Target	150	75	100	100
Actual	56	215		
New Appraisers—Licensed				
Target	100	20	30	30
Actual	18	30		
New Appraisers—Registered				
Target	200	60	60	60
Actual	58	58		
Appraisal Renewals				
Target	1,500	1,200	1,100	1,100
Actual	1,116	1,172		
Continuing Education Course Approvals				
Broker Target	650	500	500	500
Broker Actual	312	204		
Appraiser Target	200	300	230	230
Appraiser Actual	293	221		
New Mortgage Loan Originator Licenses Issued				
Target	500	1,000	400	400
Actual	671	685		
Mortgage Loan Originator License Renewals				
Target	0	0	4,000	4,500
Actual	0	1,057		
Total Real Estate Licenses (as of June 30) Active + Inactive				
Target	50,000	45,000	47,000	47,000
Actual	53,251	46,267		
Brokers Licenses (as of June 30) (included in total)				
Target	48,000	45,000	42,000	42,000
Actual	44,522	41,577		
Salespersons Licenses* (as of June 30) (included in total)				
Target	0	0	0	0
Actual	0	0		

DIVISION OF REAL ESTATE	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Mortgage Loan Originator Licenses (as of June 30) (included in total)				
Target	9,000	5,400	5,000	5,000
Actual	8,729	4,690		
Subdivision Licenses (as of June 30)				
Target	200	170	130	130
Actual	161	130		
Appraisers—Total				
Target	4,500	4,025	3,000	3,000
Actual	4,006	3,597		
Appraisers—Certified General (included in total)				
Target	1,200	1,175	1,100	1,100
Actual	1,151	1,131		
Appraisers—Certified Residential (included in total)				
Target	1,450	1,500	1,400	1,400
Actual	1,447	1,404		
Appraisers—Licensed (included in total)				
Target	800	600	500	500
Actual	634	518		
Appraisers—Registered (included in total)				
Target	1,100	750	500	500
Actual	774	544		
<i>*Effective January 1, 1997, new salesperson licenses are no longer issued</i>				
Enforcement Section (Real Estate <u>Brokers</u>)				
Complaints in Progress				
Target	250	275	225	225
Actual	291	172		
Complaints Received (respondents)				
Target	900	860	850	850
Actual	840	787		
Completed Investigations (respondents)				
Target	900	775	650	650
Actual	680	548		

DIVISION OF REAL ESTATE	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Cases Referred to Hearing				
Target	50	100	124	124
Actual	143	143		
Completed Hearing Cases				
Target	55	200	65	65
Actual	177	3		
Completed by Attorney General				
Target	40	50	40	40
Actual	62	25		
Completed by Expedited Settlement Procedure (ESP)				
Target	200	150	150	150
Actual	115	189		
Revocations/Suspensions				
Target	50	75	75	75
Actual	65	68		
Other Disciplinary Actions				
Target	100	100	75	75
Actual	49	66		
Completed Cases Through Diversion/Alternative Discipline Procedure				
Target	100	25	40	40
Actual	27	34		
Cases Pending Hearing (with offers of Expedited Settlement (ESP)				
Target	50	50	45	45
Actual	41	30		
Cases Pending Hearing (AG filing of charges and prosecution)				
Target	20	50	45	45
Actual	54	63		
Enforcement Section (Real Estate <u>Appraisers</u>)				
Complaints in Progress				
Target	250	200	205	205
Actual	136	173		

DIVISION OF REAL ESTATE	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Complaints Received (respondents)				
Target	300	250	250	250
Actual	231	182		
Completed Investigations (respondents)				
Target	300	175	175	175
Actual	169	105		
Cases Referred to Hearing				
Target	50	50	50	50
Actual	32	76		
Completed Hearing Cases				
Target	50	50	5	5
Actual	41	0		
Completed by Attorney General				
Target	30	15	10	10
Actual	12	2		
Completed by Expedited Settlement Procedure (ESP)				
Target	100	35	55	55
Actual	29	63		
Revocations/Suspensions				
Target	20	35	25	25
Actual	42	4		
Other Disciplinary Actions				
Target	75	50	45	45
Actual	64	34		
Completed Cases Through Diversion/Alternative Discipline Procedure				
Target	50	25	25	25
Actual	23	21		
Cases Pending Hearing (with offers of Expedited Settlement (ESP)				
Target	30	25	15	15
Actual	10	8		
Cases Pending Hearing (AG filing of charges and prosecution)				
Target	20	15	10	10
Actual	24	8		

DIVISION OF REAL ESTATE	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Enforcement Section (Mortgage Loan Originators)				
Complaints in Progress				
Target	0	600	275	275
Actual	860	264		
Complaints Received (respondents)				
Target	250	600	600	600
Actual	860	602		
Completed Investigations (respondents)				
Target	0	600	570	570
Actual	750	547		
Cases Referred to Hearing				
Target	100	100	225	225
Actual	269	362		
Completed Hearing Cases				
Target	100	75	250	250
Actual	253	1		
Completed by Attorney General				
Target	10	10	20	20
Actual	3	11		
Completed by Expedited Settlement Procedure (ESP)				
Target	50	65	210	210
Actual	250	368		
Revocations/Suspensions				
Target	20	30	45	45
Actual	29	66		
Other Disciplinary Actions				
Target	50	50	160	160
Actual	221	239		
Completed Cases Through Diversion/Alternative Discipline Procedure				
Target	0	0	65	65
Actual	0	65		

DIVISION OF REAL ESTATE	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Cases Pending Hearing (with offers of Expedited Settlement (ESP))				
Target	20	20	60	60
Actual	25	95		
Cases Pending Hearing (AG filing of charges and prosecution)				
Target	10	10	35	35
Actual	35	35		
Auditing Section				
Broker Trust Accounts				
Target	11,000	10,000	10,000	10,000
Actual	0	0		
Brokers Audited—Total				
Target	200	50	25	25
Actual	0	0		
Brokers Audited—On-Site (included in total above)				
Target	200	50	25	25
Actual	0	0		
Brokers Audited—Expedited (included in total above)				
Target	40	0	0	0
Actual	0	0		
Brokers Required to Correct Deficiencies				
Target	100	40	5	5
Actual	0	0		
Brokers to Hearing				
Target	10	40	10	10
Actual	0	0		
Referred to Attorney General				
Target	5	5	5	5
Actual	0	0		
Completed by Expedited Settlement Procedures				
Target	25	35	5	5
Actual	0	0		

DIVISION OF REAL ESTATE	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Completed by Alternate Discipline Procedures				
Target	10	0	0	0
Actual	0	0		
Completed by Letter of Admonishment (LOA) / Other Means				
Target	10	0	0	0
Actual	0	0		
Estimated average daily escrows (\$000)				
Target	\$450,000	\$250,000	\$250,000	\$250,000
Actual	\$0	0		
Amounts Audited (\$000)				
Target	\$4,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Actual	\$0	0		
Shortages Found (\$000)				
Target	\$60,000	\$20,000	\$200,000	\$200,000
Actual	\$0	0		
Shortages Replaced (\$000)				
Target	\$60,000	\$20,000	\$200,000	\$200,000
Actual	\$0	\$0		

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Pertinent Workload Statistics					
Examinations (1)					
Accountancy					
Estimate	8,300	9,350	9,330	8,400	8,600
Actual	9,229	9,316	8,243		
Acupuncturists					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Addiction Counselors					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Architects/Engineers/Land Surveyors					
Estimate	3,100	3,100	3,100	3,200	3,300
Actual	2,856	3,119	3,286		
Athletic Agents - Legislatively Ended 7/1/10					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Athlete Trainers					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Barber/Cosmetology					
Estimate	6,000	6,000	5,000	5,800	6,000
Actual	5,954	4,697	5,666		
Boxing					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Chiropractic					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Dental					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Electrical					
Estimate	1,900	2,000	1,900	1,700	1,700
Actual	2,129	1,791	1,697		
Funeral Homes / Crematories					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Hearing Aid Providers/Audiologists					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Landscape Architects					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Lay Midwives					

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Estimate	2	6	6	6	6
Actual	9	6	7		
Massage Therapists					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Mental Health – Licensed Professional Counselors					
Estimate	220	210	210	230	230
Actual	231	210	226		
Mental Health – Marriage and Family Therapists					
Estimate	30	38	38	25	25
Actual	36	28	22		
Mental Health – Psychology					
Estimate	100	78	78	100	100
Actual	73	94	123		
Mental Health – Social Work					
Estimate	300	325	325	325	325
Actual	306	311	378		
Mental Health – Grievance/Unlicensed Psychotherapists					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Medical					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Nursing					
Estimate	3,500	3,436	3,450	3,502	3,502
Actual	3,475	3,458	3,366		
Nurse Aides					
Estimate	12,079	12,770	11,000	17,100	17,100
Actual	12,424	10,926	16,200		
Nursing Home Administrators					
Estimate	35	35	84	70	70
Actual	82	89	60		
Occupational Therapists					
Estimate	N/A	N/A	N/A	N/A	N/A

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Actual	N/A	N/A			
Optometric					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Outfitters					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Passenger Tramway					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Pharmacy					
Estimate	500	599	635	640	640
Actual	552	594	611		
Physical Therapy					
Estimate	210	175	175	190	190
Actual	114	145	193		
Plumbers					
Estimate	800	800	900	800	800
Actual	747	885	740		
Podiatry					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Respiratory Therapy					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Surgical Technicians					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A			
Veterinarians					
Estimate	150	180	230	240	240
Actual	203	237	238		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	37,226	39,102	36,461	42,328	42,828

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Total Actual	38,420	35,906	41,056		
(1) Examinations are defined as number of examinations administered, whether directly by the board or by private contractor selected by the board (Examination scores submitted as part of the application requirements are not included.)					
New Licenses					
Chart 2					
Pertinent Workload Statistics					
New Licenses					
	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 10-12
Accountancy					
Estimate	946	1,050	958	971	980
Actual	1,009	943	961		
Acupuncturists					
Estimate	101	103	105	101	110
Actual	101	102	99		
Addiction Counselors					
Estimate	361	395	363	498	505
Actual	396	367	731		
Architects/Engineers/Land Surveyors					
Estimate	2,080	2,048	2,289	2,373	2,380
Actual	2,020	2,855	2,245		
Athletic Agents - Legislatively Ended 7/1/10					
Estimate	N/A	130	1	0	0
Actual	N/A	2	2		
Athlete Trainers					
Estimate	N/A	N/A	700	50	50
Actual	N/A	N/A	404		
Barber/Cosmetology					
Estimate	3,247	3,259	3,000	3,019	3,025

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Actual	3,260	2,943	2,855		
Boxing					
Estimate	700	800	850	1,028	1,050
Actual	794	1,091	1,200		
Chiropractic					
Estimate	152	176	150	160	162
Actual	170	145	165		
Dental					
Estimate	400	554	500	495	498
Actual	502	492	491		
Electrical					
Estimate	3,166	3,353	2,800	2,652	2,675
Actual	3,253	2,625	2,078		
Funeral Homes / Crematories					
Estimate	N/A	N/A	349	25	25
Actual	N/A	N/A	241		
Hearing Aid Providers/Audiologists					
Estimate	80	87	78	77	79
Actual	82	75	74		
Landscape Architects					
Estimate	750	100	75	60	62
Actual	469	249	56		
Lay Midwives					
Estimate	6	9	8	5	7
Actual	8	7	11		
Massage Therapists					
Estimate	N/A	6,500	400	1,600	1,600
Actual	N/A	7,536	2,599		
Mental Health – Licensed Professional Counselors					
Estimate	300	350	350	385	400
Actual	330	381	444		
Mental Health – Marriage and Family Therapists					
Estimate	39	55	18	44	48
Actual	49	45	37		

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Mental Health – Psychology					
Estimate	97	125	115	140	143
Actual	101	121	136		
Mental Health – Social Work					
Estimate	285	432	300	400	450
Actual	390	365	502		
Mental Health – Grievance/Unlicensed Psychotherapists					
Estimate	519	765	800	877	900
Actual	662	800	1,170		
Medical					
Estimate	1,562	1,584	1,600	1,700	1,750
Actual	1,575	1,711	1,778		
Nursing					
Estimate	6,897	6,046	5,500	5,629	5,675
Actual	5,792	5,558	5,537		
Nurse Aides					
Estimate	4,235	5,065	5,000	6,000	6,100
Actual	4,815	5,225	6,229		
Nursing Home Administrators					
Estimate	44	37	43	38	40
Actual	35	42	38		
Occupational Therapists					
Estimate	N/A	2,040	140	285	290
Actual	N/A	2,182	283		
Optometric					
Estimate	68	86	75	60	65
Actual	76	73	55		
Outfitters					
Estimate	61	59	64	70	72
Actual	57	62	69		
Passenger Tramway					
Estimate	13	13	15	8	10
Actual	20	11	4		
Pharmacy					

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Estimate	760	987	950	1,000	1,025
Actual	902	975	1,033		
Physical Therapy					
Estimate	394	446	350	400	405
Actual	401	378	404		
Plumbers					
Estimate	3,126	1,500	1,100	1,000	1,100
Actual	3,012	1,085	786		
Podiatry					
Estimate	8	9	7	9	10
Actual	9	6	11		
Respiratory Therapy					
Estimate	199	275	200	210	215
Actual	261	193	211		
Surgical Technicians					
Estimate	N/A	N/A	N/A	1,760	44
Actual	N/A	N/A	N/A		
Veterinarians					
Estimate	250	240	280	255	260
Actual	339	255	255		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	30,846	38,678	29,533	33,385	32,210
Total Actual	30,890	38,900	33,194		
<p>(1) New licenses include those that are issued, whether directly by the board or by private contractor selected by the board. Electrical and Plumbing apprentice registrations and Engineer/Land Surveyor interns are included. Additional authorities to practice are not included.</p>					
<p>License Renewals Chart 3A</p>					
<p>Pertinent Workload Statistics License Renewals (1)</p>					

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Accountancy					
Estimate	14,785	375	14,915	1,204	16,509
Actual	14,983	703	14,772		
Acupuncturists					
Estimate	865	0	925	0	1,058
Actual	812	0	914		
Addiction Counselors					
Estimate	350	0	2,697	0	3,753
Actual	389	0	2,589		
Architects/Engineers/Land Surveyors					
Estimate	16,259	9,124	16,500	12,250	17,000
Actual	16,764	12,277	16,957		
Athlete Agents - Legislatively Ended 7/1/10					
Estimate	N/A	0	0	0	0
Actual	N/A	0	0		
Athlete Trainers					
Estimate	N/A	N/A	N/A	380	404
Actual	N/A	N/A	0		
Barber/Cosmetology					
Estimate	28,238	12,073	28,769	13,860	32,341
Actual	28,806	12,312	30,817		
Boxing					
Estimate	40	45	45	58	60
Actual	50	37	73		
Chiropractic					
Estimate	2,361	0	2,300	0	2,328
Actual	1,609	0	2,273		
Dental					
Estimate	7,788	0	8,110	0	8,641
Actual	8,016	0	8,292		
Electrical					
Estimate	0	18,134	0	0	19,468

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Actual	0	18,388	0		
Funeral Homes / Crematories					
Estimate	N/A	N/A	N/A	241	250
Actual	N/A	N/A	N/A		
Hearing Aid Providers/Audiologists					
Estimate	308	0	415	0	570
Actual	399	0	447		
Landscape Architects					
Estimate	0	570	598	728	731
Actual	0	485	674		
Lay Midwives					
Estimate	50	53	50	61	65
Actual	48	46	51		
Massage Therapists					
Estimate	N/A	0	0	9,513	0
Actual	N/A	0	0		
Mental Health – Licensed Professional Counselors (2)					
Estimate	350	0	4,410	0	4,713
Actual	433	0	3,966		
Mental Health – Marriage and Family Therapists (2)					
Estimate	60	0	621	0	625
Actual	80	0	570		
Mental Health – Psychology (2)					
Estimate	160	0	2,400	0	2,437
Actual	217	0	2,283		
Mental Health – Social Work (2)					
Estimate	250	0	4,220	0	4,737
Actual	406	0	3,948		
Mental Health – Grievance/Unlicensed Psychotherapists (2)					
Estimate	200	0	2,550	0	4,583
Actual	238	0	1,821		
Medical					
Estimate	2,132	18,403	1,650	18,050	1,900
Actual	1,614	17,129	1,871		

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Nursing					
Estimate	27,000	27,550	25,000	28,806	36,000
Actual	31,738	25,883	33,750		
Nurse Aides					
Estimate	24,000	0	28,622	0	29,595
Actual	22,176	0	26,390		
Nursing Home Administrators					
Estimate	400	310	380	420	430
Actual	350	372	416		
Occupational Therapists					
Estimate	N/A	N/A	0	2,317	0
Actual	N/A	N/A	0		
Optometric					
Estimate	0	1,096	0	1,132	0
Actual	0	1,097	0		
Outfitters					
Estimate	703	707	711	719	720
Actual	692	693	705		
Passenger Tramway					
Estimate	350	360	360	361	364
Actual	345	356	362		
Pharmacy					
Estimate	6,764	2,244	6,879	2,250	7,337
Actual	6,562	1,934	6,619		
Physical Therapy					
Estimate	0	5,300	0	5,641	0
Actual	0	5,084	0		
Plumbers					
Estimate	6,052	0	7,724	0	8,076
Actual	6,171	0	7,760		
Podiatry					
Estimate	190	190	185	188	195
Actual	186	180	187		
Respiratory Therapy					

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Estimate	0	1,944	0	2,438	0
Actual	0	2,076	0		
Surgical Technicians					
Estimate	N/A	N/A	N/A	0	0
Actual	N/A	N/A	N/A		
Veterinarians					
Estimate	0	3,547	0	4,568	0
Actual	0	3,677	0		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	139,655	102,025	161,036	105,185	204,890
Total Actual	143,084	102,729	168,507		
<p>(1) Most licenses are renewed every other year for a period of two years. Smaller volume boards renew yearly and larger volume boards renew half each year (Registered Nurses and Cosmetologists.) Renewals are those licenses where the renewal has been approved and the license printed.</p> <p>(2) Mental Health professions changed in FY09 and Nursing Home Administrator profession's renewal period changed in FY10 such that the renewals no longer crosses fiscal years.</p>					
License Reinstatements					
Chart 3B					
Pertinent Workload Statistics					
License Reinstatements (1)					
	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 10-12
Accountancy					
Estimate	150	350	130	135	135
Actual	127	209	134		
Acupuncturists					
Estimate	15	19	22	20	40
Actual	22	18	35		

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Addiction Counselors					
Estimate	70	15	70	20	55
Actual	69	17	50		
Architects/Engineers/Land Surveyors					
Estimate	450	450	564	400	600
Actual	562	626	635		
Athlete Agents - Legislatively Ended 7/1/10					
Estimate	N/A	0	0	0	0
Actual	N/A	0	0		
Athlete Trainers					
Estimate	N/A	N/A	0	25	25
Actual	N/A	N/A	0		
Barber/Cosmetology					
Estimate	1,500	1,500	2,000	2,000	1,500
Actual	1,520	2,005	1510		
Boxing					
Estimate	5	1	5	5	5
Actual	1	6	5		
Chiropractic					
Estimate	40	20	70	20	70
Actual	75	22	66		
Dental					
Estimate	50	76	95	50	65
Actual	66	89	92		
Electrical					
Estimate	200	180	200	250	300
Actual	289	238	268		
Funeral Homes / Crematories					
Estimate	N/A	N/A	0	15	15
Actual	N/A	N/A	0		
Hearing Aid Providers/Audiologists					
Estimate	10	9	11	10	15
Actual	10	20	3		
Landscape Architects					

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Estimate	0	5	5	10	12
Actual	0	6	15		
Lay Midwives					
Estimate	3	1	1	1	1
Actual	3	1	3		
Massage Therapists					
Estimate	N/A	N/A	0	100	50
Actual	N/A	N/A	0		
Mental Health – Licensed Professional Counselors					
Estimate	60	30	115	35	50
Actual	118	42	75		
Mental Health – Marriage and Family Therapists					
Estimate	15	5	11	10	12
Actual	12	10	12		
Mental Health – Psychology					
Estimate	40	14	45	15	25
Actual	50	20	29		
Mental Health – Social Work					
Estimate	80	30	98	38	70
Actual	115	51	74		
Mental Health – Grievance/Unlicensed Psychotherapists					
Estimate	80	50	110	55	75
Actual	116	59	101		
Medical					
Estimate	130	80	140	98	120
Actual	157	107	119		
Nursing					
Estimate	1,000	800	853	775	800
Actual	835	890	773		
Nurse Aides					
Estimate	700	650	700	600	800
Actual	621	946	596		
Nursing Home Administrators					
Estimate	15	12	15	16	15

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Actual	15	16	14		
Occupational Therapists					
Estimate	N/A	0	0	25	25
Actual	N/A	0	0		
Optometric					
Estimate	12	10	7	8	7
Actual	6	8	7		
Outfitters					
Estimate	20	30	30	35	35
Actual	25	35	32		
Passenger Tramway					
Estimate	0	0	0	0	0
Actual	0	0	0		
Pharmacy					
Estimate	50	28	50	70	50
Actual	54	73	44		
Physical Therapy					
Estimate	40	80	50	75	60
Actual	55	72	59		
Plumbers					
Estimate	150	70	150	65	175
Actual	144	62	188		
Podiatry					
Estimate	2	2	1	1	1
Actual	1	0	0		
Respiratory Therapy					
Estimate	20	30	25	35	30
Actual	32	39	26		
Surgical Technicians					
Estimate	N/A	N/A	N/A	N/A	0
Actual	N/A	N/A	N/A		
Veterinarians					
Estimate	40	110	35	55	35
Actual	37	54	36		

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	4,947	4,657	5,608	5,072	5,273
Total Actual	5,137	5,741	5,001		
Active Licenses Chart 4					
Pertinent Workload Statistics Active Licensees (1)					
	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 10-12
Accountancy					
Estimate	17,181	17,475	18,144	19,786	20,819
Actual (Active, Inactive, Retired)	18,062	17,701	18,844		
Acupuncturists					
Estimate	1,056	1,003	1,072	1,126	1,236
Actual (Active, Inactive)	935	1,046	1,026		
Addiction Counselors					
Estimate	3,069	2,904	3,157	3,400	3,600
Actual	2,815	3,080	3,293		
Architects/Engineers/Land Surveyors					
Estimate	30,245	29,498	30,481	32,243	32,846
Actual (Active, Inactive, Retired)	29,578	29,738	30,601		
Athlete Agents - Legislatively Ended 7/1/10					
Estimate	N/A	130	2	0	0
Actual	N/A	2	4		
Athlete Trainers					
Estimate	N/A	N/A	700	454	504
Actual	N/A	N/A	404		
Barber/Cosmetology					
Estimate	51,504	49,028	51,424	52,044	55,294

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Actual	47,815	50,170	49,044		
Boxing					
Estimate	900	1,100	1,224	1,300	1,400
Actual	1,014	1,194	1,272		
Chiropractic					
Estimate	2,716	2,501	2,721	2,637	2,797
Actual (Active, Inactive)	2,488	2,655	2,477		
Dental					
Estimate	8,919	8,535	9,176	9,193	9,718
Actual (Active, Inactive, Retired)	8,374	8,952	8,693		
Electrical					
Estimate	18,451	20,380	19,791	23,211	25,761
Actual	20,102	19,308	20,711		
Funeral Homes / Crematories					
Estimate	N/A	N/A	349	266	291
Actual	N/A	N/A	241		
Hearing Aid Providers/Audiologists					
Estimate	566	532	566	602	654
Actual	513	552	532		
Landscape Architects					
Estimate	750	569	698	779	800
Actual	469	681	719		
Lay Midwives					
Estimate	56	60	55	70	72
Actual	58	54	65		
Massage Therapists					
Estimate	N/A	6,500	7,716	11,621	13,121
Actual	N/A	7,528	10,121		
Mental Health – Licensed Professional Counselors					
Estimate	4,199	4,280	4,535	4,900	5,000
Actual	4,029	4,424	4,570		
Mental Health – Marriage and Family Therapists					
Estimate	635	619	667	684	701
Actual	600	651	628		

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Mental Health – Psychology					
Estimate	2,423	2,372	2,524	2,587	2,561
Actual	2,326	2,462	2,457		
Mental Health – Social Work					
Estimate	4,258	4,238	4,532	4,900	5,100
Actual	4,074	4,421	4,538		
Mental Health – Grievance/Unlicensed Psychotherapists					
Estimate	2,294	2,192	2,774	3,908	4,710
Actual	2,059	2,706	3,098		
Medical					
Estimate	22,627	21,848	23,305	24,082	24,889
Actual (Active, Inactive)	21,360	22,737	22,382		
Nursing					
Estimate	69,902	68,314	69,305	73,241	75,814
Actual (Active, Inactive, Retired)	67,245	67,615	70,296		
Nurse Aides					
Estimate	33,248	27,276	32,598	36,518	40,150
Actual	26,033	31,803	31,485		
Nursing Home Administrators					
Estimate	450	416	459	494	507
Actual	437	448	454		
Occupational Therapists					
Estimate	N/A	2,040	2,214	2,605	2,755
Actual	N/A	2,160	2,465		
Optometric					
Estimate	1,100	1,177	1,173	1,264	1,329
Actual (Active, Inactive)	1,167	1,144	1,204		
Outfitters					
Estimate	777	721	756	810	850
Actual	732	738	765		
Passenger Tramway					
Estimate	358	370	374	367	371
Actual	367	365	363		
Pharmacy					

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Estimate	9,242	9,178	9,873	10,120	10,373
Actual (Active, Inactive)	8,937	9,632	9,839		
Physical Therapy					
Estimate	5,325	5,883	5,675	6,401	6,807
Actual	5,689	5,537	6,001		
Plumbers					
Estimate	8,995	8,840	9,314	8,731	8,957
Actual	8,382	9,087	8,591		
Podiatry					
Estimate	201	200	203	208	213
Actual (Active, Inactive)	201	198	200		
Respiratory Therapy					
Estimate	2,273	2,633	2,419	2,779	2,941
Actual	2,481	2,360	2,594		
Surgical Technicians					
Estimate	N/A	N/A	N/A	1,760	1,804
Actual	N/A	N/A	N/A		
Veterinarians					
Estimate	3,883	4,314	4,098	4,460	4,875
Actual (Active, Inactive)	4,242	3,998	4,294		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	307,603	307,126	324,075	349,551	369,620
Total Actual	292,584	315,147	324,271		
<p>(1) "Active" Licenses = number of active licenses on June 30, 2010. This includes the renewable license statuses of Active, Inactive and Retired. Electrical and Plumbing apprentices and Engineer/Land Surveyor interns are not included since they do not renew. Additional authorities to practice are not included.</p>					
<p>Complaints Received and Handled Chart 5</p>					
<p>Pertinent Workload Statistics</p>					

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Complaints Received and Handled (1)	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11	Request FY 10-11
Accountancy					
Estimate	110	130	135	250	275
Actual	63	121	220		
Acupuncturists					
Estimate	15	13	16	17	17
Actual	11	15	19		
Addiction Counselors					
Estimate	75	78	110	175	175
Actual	84	108	155		
Architects/Engineers/Land Surveyors					
Estimate	125	125	180	200	225
Actual	105	178	226		
Athlete Agents - Legislatively Ended 7/1/10					
Estimate	N/A	6	5	N/A	N/A
Actual	N/A	0	0		
Athlete Trainers					
Estimate	N/A	N/A	40	20	20
Actual	N/A	N/A	0		
Barber/Cosmetology					
Estimate	500	500	620	775	800
Actual	487	600	758		
Boxing					
Estimate	20	25	10	5	5
Actual	14	8	2		
Chiropractic					
Estimate	75	85	110	100	100
Actual	117	99	93		
Dental					
Estimate	325	295	315	350	350
Actual	301	291	402		
Electrical					

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Estimate	150	150	200	200	200
Actual	124	188	178		
Funeral Homes / Crematories					
Estimate	N/A	N/A	25	20	20
Actual	N/A	N/A	6		
Hearing Aid Providers/Audiologists					
Estimate	25	24	32	30	30
Actual	22	27	28		
Landscape Architects					
Estimate	10	10	5	5	5
Actual	1	5	3		
Lay Midwives					
Estimate	10	10	8	6	6
Actual	7	6	7		
Massage Therapists					
Estimate	N/A	195	120	50	50
Actual	N/A	10	35		
Mental Health – Licensed Professional Counselors					
Estimate	90	84	74	110	110
Actual	101	67	108		
Mental Health – Marriage and Family Therapists					
Estimate	20	17	14	20	20
Actual	19	12	17		
Mental Health – Psychology					
Estimate	75	66	60	100	100
Actual	74	52	97		
Mental Health – Social Work					
Estimate	100	88	77	90	90
Actual	95	52	88		
Mental Health – Grievance/Unlicensed Psychotherapists					
Estimate	80	85	79	120	120
Actual	87	76	117		
Medical					
Estimate	1,050	1,116	1,050	1,100	1,100

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Actual	1,133	1,012	1,182		
Nursing					
Estimate	650	650	650	650	650
Actual	585	584	542		
Nurse Aides					
Estimate	200	300	300	315	315
Actual	249	253	295		
Nursing Home Administrators					
Estimate	32	32	35	35	35
Actual	23	31	31		
Occupational Therapists					
Estimate	N/A	40	25	15	15
Actual	N/A	5	7		
Optometric					
Estimate	18	21	20	20	20
Actual	30	15	20		
Outfitters					
Estimate	50	50	40	45	50
Actual	30	32	39		
Passenger Tramway					
Estimate	6	6	6	6	6
Actual	5	2	5		
Pharmacy					
Estimate	170	180	250	425	425
Actual	283	458	433		
Physical Therapy					
Estimate	30	26	41	25	25
Actual	32	37	15		
Plumbers					
Estimate	100	100	120	140	140
Actual	85	119	144		
Podiatry					
Estimate	20	20	20	20	20
Actual	16	16	16		

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Respiratory Therapy					
Estimate	15	15	27	20	20
Actual	25	24	13		
Surgical Technicians					
Estimate	N/A	N/A	N/A	18	18
Actual	N/A	N/A	N/A		
Veterinarians					
Estimate	115	93	93	100	100
Actual	61	86	121		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	4,261	4,635	4,912	5,577	5,657
Total Actual	4,269	4,574	5,422		
 (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.					
 FY10 Inspections					
Chart 6					
 Pertinent Workload Statistics					
Inspection Data by Board Staff					
	Actual FY 07-08	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11	Request FY 10-11
Barber/Cosmetology					
Estimate	375	500	300	275	300
Actual	301	264	264		
Electrical					
Estimate	51,000	52,500	45,000	50,000	50,000
Actual	51,230	42,715	49,408		
Nursing					

Division of Registrations	Actual FY 07-08	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 11-12
Estimate	8	8	7	18	18
Actual	12	6	15		
Nurse Aides					
Estimate	70	65	70	80	80
Actual	65	44	67		
Passenger Tramway					
Estimate	758	758	750	768	772
Actual	752	747	760		
Pharmacy					
Estimate	1,200	1,400	900	1,400	1,400
Actual	1,428	1,277	1,051		
Plumbers					
Estimate	12,000	13,000	11,000	14,000	14,000
Actual	11,550	11,149	14,007		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	65,411	68,231	58,027	66,541	66,570
Total Actual	65,338	56,202	65,572		

FY 10 Board or Program Actions Chart 7						
Board or Program	Revocations	Suspensions (2)	Stipulations (3)	Letters of Admonition	Other Actions (4)	Dismissals
Accountancy	4	8	63	1	6	48
Acupuncturists	0	0	2	2	0	15
Addiction Counselors	11	6	53	8	1	71
Architects/Engineers/Land Surveyors	0	0	30	33	9	156
Athlete Agents - Legislatively Ended 7/1/10	0	0	0	0	0	0
Athletic Trainers	0	0	0	0	0	0

DEPARTMENT DESCRIPTION

FY 2011-12 BUDGET REQUEST

Barber/Cosmetology	9	0	335	60	81	170
Boxing	0	0	0	0	0	1
Chiropractic	1	0	2	14	3	69
Dental	2	10	27	21	7	256
Electrical	0	1	54	10	54	70
Funeral Homes & Crematories	0	0	1	1	2	0
Hearing Aid Providers/Audiologists	4	0	3	4	3	20
Landscape Architects	0	0	0	0	0	2
Lay Midwives	0	1	0	0	0	0
Massage Therapists	1	2	3	0	2	8
Mental Health						
- Licensed Professional Counselors	0	2	4	8	0	85
- Marriage and Family Therapists	1	0	2	1	0	11
- Psychology	2	2	6	3	1	75
- Social Work	5	4	5	7	0	59
- Unlicensed Psychotherapists	3	2	11	17	1	41
Medical	8	29	34	63	5	582
Nursing	54	85	47	106	1	305
Nurse Aides	74	16	0	62	1	119
Nursing Home Administrators	2	2	2	0	0	21
Occupational Therapists	0	0	2	0	0	3
Optometric	0	0	0	3	1	20
Outfitters	2	0	7	2	6	13
Passenger Tramway	0	0	4	1	0	0
Pharmacy	14	21	92	19	12	243
Physical Therapy	0	0	2	1	0	15
Plumbers	3	0	26	3	19	67
Podiatry	0	0	1	1	0	22
Respiratory Therapy	3	0	5	1	2	4
Veterinarians	0	5	15	18	8	49
TOTAL DIVISION OF REGISTRATIONS	203	196	838	470	225	2,620
FY 08-09 Actual	175	168	826	367	339	2,294
FY 07-08 Actual	224	140	735	310	130	2,351

- (1) Revocations include voluntary surrender of license.
- (2) Suspensions are those actively served. Includes summary suspensions, agreements to cease practice in lieu of suspension, and interim cessations of practice.
- (3) "Stipulations" replaces the previous category of "Probations." Stipulations may or may not include probation. Includes Barber/Cosmetology citations.
- (4) Other Actions include but are not limited to Revocations held in abeyance or stayed, Suspensions held in abeyance or suspended, cease and desist orders and Electrical & Plumbing citations.

**FY 10 Complaints Investigated
Chart 8**

Board or Program	July 1,2009-June30, 2010			As of June 30, 2010		
	Carried over from FY09	Received	Investigated	Under investigation	Over 8 months old	Pending Hearing
Accountancy	2	6	4	4	0	8
Acupuncturists	4	3	7	0	0	2
Architects/Engineers/Land Surveyors	0	3	1	2	0	10
Athlete Agents - Legislatively Ended 7/1/10	0	0	0	0	0	0
Athletic Trainers	0	0	0	0	0	0
Barber/Cosmetology	0	4	4	0	0	7
Boxing	0	0	0	0	0	0
Chiropractic	10	7	15	2	0	12
Dental	17	84	65	36	0	36
Electrical	3	34	33	4	0	15
Funeral Homes and Crematories	0	2	1	1	0	0
Hearing Aid Providers/Audiologists	4	8	12	0	0	0
Landscape Architects	0	0	0	0	0	1
Lay Midwives	2	3	4	1	0	2
Massage Therapists	0	20	14	6	0	6
Mental Health						
Addiction Counselors	7	30	24	13	0	13
Licensed Professional Counselors	3	21	18	6	0	11
Marriage and Family Therapists	0	2	1	1	0	0
Psychology	2	10	9	3	0	7

Social Work	1	12	6	7	0	5
Grievance	7	31	28	10	0	8
Medical	23	52	52	23	4	75
Nursing	66	173	163	76	0	53
Nurse Aides	30	83	74	39	0	21
Nursing Home Administrators	3	2	5	0	0	0
Occupational Therapists	0	0	0	0	0	0
Optometric	1	5	5	1	0	0
Outfitters	0	5	1	4	0	4
Passenger Tramway	0	0	0	0	0	0
Pharmacy	0	0	0	0	0	30
Physical Therapy	5	3	8	0	0	4
Plumbers	1	4	2	3	0	16
Podiatry	1	2	2	1	0	0
Respiratory Therapists	3	3	6	0	0	4
Veterinarians	5	14	11	8	0	8
TOTAL DIVISION OF REGISTRATIONS	200	626	575	251	4	358
FY 08-09 Actual	207	557	564	200	4	408
FY 07-08 Actual	171	500	464	207	5	413

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

**FY 10 Expedited Settlement
Chart 9**

Board or Program	Carried over from 2009	July 1, 2009-June 30, 2010			As of June 30, 2010		
		Received	Completed	Settled	Not Settled	Currently Open	Over 90 days old
Accountancy	9	100	82	78	4	27	16
Acupuncturists	0	4	3	3	0	1	0
Architects/Engineers/Land Surveyors	5	32	36	29	7	1	0

DEPARTMENT DESCRIPTION

FY 2011-12 BUDGET REQUEST

Athlete Agents - Legislatively Ended 7/1/10	0	0	0	0	0	0	0
Athletic Trainers	0	0	0	0	0	0	0
Barber/Cosmetology	33	208	192	190	2	50	0
Boxing	1	0	1	0	1	0	0
Chiropractic	4	10	11	3	8	3	1
Dental	2	73	40	31	9	36	22
Electrical	5	67	62	53	9	10	0
Funeral Homes and Crematories	0	1	1	1	0	0	0
Hearing Aid Providers/Audiologists	0	7	6	6	0	1	0
Landscape Architects	0	1	1	1	0	0	0
Lay Midwives	0	3	3	2	1	0	0
Massage Therapists	0	9	7	5	2	2	1
Mental Health							
Addiction Counselors	4	61	61	55	6	3	0
Licensed Professional Counselors	6	10	14	5	9	2	1
Marriage and Family Therapists	0	1	1	1	0	0	0
Psychology	0	4	3	3	0	1	0
Social Work	0	6	6	5	1	0	0
Grievance	2	17	18	13	5	2	0
Medical	4	39	36	20	16	3	3
Nursing	17	61	68	61	7	17	1
Nurse Aides	0	15	3	0	3	7	1
Nursing Home Administrators	1	1	2	1	1	0	0
Occupational Therapists	0	3	2	2	0	1	0
Optometric	0	0	0	0	0	0	0
Outfitters	0	16	14	13	1	2	1
Passenger Tramway	1	4	5	5	0	0	0
Pharmacy	11	127	108	99	9	30	2
Physical Therapy	0	4	4	2	2	0	0
Plumbers	6	22	21	19	2	7	0
Podiatry	0	1	1	0	1	0	0
Respiratory Therapists	0	9	8	7	1	1	1
Veterinarians	0	19	15	13	2	4	2
TOTAL DIVISION OF REGISTRATIONS	111	935	835	726	109	211	52

DEPARTMENT DESCRIPTION

FY 2011-12 BUDGET REQUEST

FY 08-09 Actual	142	767	798	631	167	111	1
FY 07-08 Actual	140	752	779	618	161	161	14

DIVISION OF SECURITIES	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Enforcement Section				
Enforcement Statistics and Projections				
Total Caseload				
Target	408	360	348	348
Actual	355	294		
Target	320	290	252	250
Actual	268	224		
Licensed Respondents (included in total above)				
Target	120	100	96	90
Actual	87	70		
File Carryover				
Target	235	220	204	192
Actual	215	201		
Target	204	180	144	138
Actual	170	154		
Licensed Respondents (included in total above)				
Target	96	55	60	54
Actual	45	47		
New Cases				
Target	132	145	156	156
Actual	139	129		
Target	108	108	108	108
Actual	99	102		
Licensed Respondents (included in total above)				
Target	60	50	50	54
Actual	40	27		
Files Closed				
Target	144	144	132	132
Actual	140	93		

DIVISION OF SECURITIES	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Target	120	110	84	78
Actual	98	70		
Licensed Respondents (included in total above)				
Target	72	50	48	54
Actual	42	23		
Total Legal Actions				
Target	168	170	175	180
Actual	175	160		
Administrative Legal Actions				
Total Administrative Legal Actions				
Target	96	85	84	84
Actual	76	43		
Referrals				
Target	24	20	18	24
Actual	8	12		
Consent Orders				
Target	24	50	48	48
Actual	51	24		
Stop Orders				
Target	1	1	1	1
Actual	1	0		
Broker-Dealer/Cease & Desist Actions Filed				
Target	24	20	22	22
Actual	5	5		
Hearings Held				
Target	4	4	4	4
Actual	1	4		
Orders/Hearings				
Target	4	4	4	4
Actual	1	8		

DIVISION OF SECURITIES	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Judicial Review and Appeal				
Target	1	1	1	1
Actual	1	0		
Summary Suspensions				
Target	5	5	5	6
Actual	3	0		
Summary Revocations				
Target	5	4	5	5
Actual	4	7		
Other				
Target	12	12	9	9
Actual	7	0		
Civil Legal Actions				
Total Civil Legal Actions				
Target	60	70	75	75
Actual	79	79		
Referrals to Attorney General's Office				
Target	15	16	18	18
Actual	14	19		
Subpoena Enforcement Actions				
Target	6	6	6	6
Actual	6	9		
Complaints Filed				
Target	7	8	10	12
Actual	11	11		
Subpoena Enforcement Orders				
Target	4	5	6	6
Actual	8	11		
TRO's Obtained				
Target	2	2	2	2
Actual	2	2		
Preliminary Injunctions				
Target	3	3	3	3

DIVISION OF SECURITIES	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Actual	3	1		
Permanent Injunctions				
Target	16	20	24	24
Actual	32	12		
Bankruptcy Actions				
Target	1	2	2	2
Actual	3	1		
Appeals				
Target	2	2	2	2
Actual	1	0		
Other				
Target	15	10	12	12
Actual	3	2		
Criminal Legal Actions				
Total Criminal Legal Actions				
Target	35	35	36	42
Actual	20			
Referrals to Prosecutor				
Target	7	7	9	9
Actual	5			
Grand Jury Proceeding				
Target	5	5	6	6
Actual	3			
Indictments				
Target	6	5	6	6
Actual	3			
Complaints/Information				
Target	3	3	3	3
Actual	2			
Convictions				
Target	10	10	12	12
Actual	6			
Appeals				

DIVISION OF SECURITIES	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Target	1	1	1	0
Actual	0			
Assistance				
Target	3	3	3	3
Actual	2			
Other				
Target	8	6	6	6
Actual	2			
Examination Section				
As of June 30, 2010, there were:				
· 2,340 broker-dealers licensed in Colorado.				
Securities Registration				
Registration by Coordination				
Target	90	60	51	52
Actual	45			
Registration by Qualification				
Target	5	4	4	4
Actual	4			
Limited Offering Registration per 11-51-304(6)				
Target	3	1	1	1
Actual	0			
Local Government Trust Registrations				
Target	0	0		
Actual				
Local Government Trust Ann. Renewal				
Target	3	2	2	2
Actual	2	2		

DIVISION OF SECURITIES	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Colorado Municipal Bond Registrations				
Target	0	0	0	0
Actual				
Colorado Municipal Bond Exemptions				
Target	135	120	120	120
Actual	100			
Claim of Exemption				
Target	2,000	2,000	1,700	1,700
Actual	1616			
Investment Companies				
Target	2,200	2,300	2,300	2,300
Actual	2475			
Broker-Dealer and Investment Adviser Licensing				
(SEC = Securities and Exchange Commission)				
SEC Broker-Dealer Applications				
Target	160	175	175	175
Actual	176			
Investment Adviser Applications				
Target	300	254	300	300
Actual	242			
SEC Broker-Dealer Renewals				
Target	2,300	2,300	2,300	2,300
Actual	2,288			
Investment Adviser Renewals				
Target	1,950	2,000	2,000	2,000
Actual	2,062			
Non-SEC Broker-Dealer Applications				
Target	1	1	4	4
Actual	2			
Non-SEC Broker-Dealer Renewals				
Target	10	10	10	10
Actual	6			

DIVISION OF SECURITIES	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
FINRA Sales Representative Applications				
Target	42,500	37,000	36,500	36,500
Actual	39,521			
FINRA Sales Representative Renewals				
Target	143,800	143,800	144,000	146,000
Actual	145,347			
FINRA Disciplinary Withdrawals				
Target	275	275	300	300
Actual	263			
Non-FINRA Sales Representative Applications				
Target	5	5	5	5
Actual	2			
Non-FINRA Sales Representative Renewals				
Target	11	10	10	10
Actual	7			
Investment Adviser Representative Applications				
Target	2,700	2,400	2,100	2,100
Actual	2,321			
Investment Adviser Representative Renewals				
Target	8,500	8,500	9,000	9,000
Actual	8,913			
Investment Adviser Representative Withdrawals				
Target	NA	NA	NA	
Actual	NA			
Field Examinations				
Units				
Target	48	50	120	120
Actual	50			