



Dora
Department of Regulatory Agencies

STRATEGIC PLAN

FY 2011-12



3.2 EXECUTIVE LETTER



Dora
Department of Regulatory Agencies

Executive Director's Office

Barbara J. Kelley
Executive Director

Bill Ritter, Jr.
Governor

August 31, 2009

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

- 1) **Consumer Outreach** – In the current economic climate it is more important than ever to share information and educate consumers about their rights. We do this because smart consumers are good for business. Smart consumers are more confident and show their confidence by actively engaging in the marketplace. It is also the time to educate professionals as to their responsibility to consumers and the market, and to educate regulatory violators as to how they can comply with the standards required by their professions.
- 2) **Professional Outreach** – DORA's outreach efforts will also concentrate on improving communications with the professionals we regulate to educate them of their responsibilities and consumers' rights. Every time DORA is called upon to regulate a new profession, great effort must go into contacting professionals and explaining the steps to comply with their licensure or registration.
- 3) **Complaint Resolution** – DORA continues to work on improving its complaint resolution process in every division and shares best practices across divisions in order to achieve greater customer service. DORA is now using the data from the types of complaints we receive to drive our outreach efforts to both professionals and consumers.

- 4) **Timely Access** – DORA offers a valuable service 24/7 to all professionals needing to renew licenses with 100% of renewal applications made available online. Also, most of DORA’s divisions allow complaints to be filed online. DORA continues to seek ways to be more accessible to consumers and professionals, including modifying our website and encouraging citizens to utilize its services. DORA has also initiated outreach and translated web pages for Spanish speakers.
- 5) **Qualified Professionals** – Through an agency-wide training program focusing on managerial, supervisory, and technical job-related training sessions as well as mandatory orientation sessions for all new employees, DORA aims to accomplish its goal of its employees having the knowledge, skills, and abilities to effectively and fairly regulate Colorado professionals and industries. Through DORA’s commitment to training, Colorado consumers can be certain they are working with knowledgeable, respectful and qualified employees who are working to protect them.
- 6) **Economic Environment** – DORA understands its role in the current economic environment as encouraging business expansion and greater economic development. By protecting consumers without erecting unnecessary barriers and costs to businesses and professionals, DORA positively impacts consumer confidence, which will, in turn, increase activity in Colorado’s marketplace. Through fair standards and consistent regulatory oversight, DORA fosters a competitive business environment.

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

Sincerely,



Barbara J. Kelley
Executive Director

3.3 INTRODUCTION

The mission of the Colorado Department of Regulatory Agencies (DORA) is consumer protection, and DORA seeks to preserve marketplace integrity in which consumers and businesses can thrive. The Department carries out regulatory programs that license, establish standards, approve rates, investigate complaints, and conduct enforcement across numerous professions, occupations, and institutions. The Department includes 10 separate divisions with over 40 boards, commissions, or advisory committees and 596 professional regulatory staff, including program administrators, professional examiners, inspectors, financial analysts, and administrative staff. DORA's programs are organized in the general appropriations act ('Long Bill') as follows:

Executive Director's Office
Division of Banking
Division of Civil Rights
Office of Consumer Counsel
Division of Financial Services

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

The Department is primarily cash funded by regulated entities through fees and assessments flowing to cash funds set based on appropriations made by the General Assembly. Additionally, two key areas involve the state General Fund: the Division of Civil Rights, which is partially funded by the General Fund, and the Division of Insurance, which is supported by a combination of license fees and insurance premium tax revenues that would otherwise be credited to the General Fund. However, effective in FY 2009-10 and beyond, General Fund impact in the Division of Insurance has been curtailed via the increase of fees charged to licensees in that division.

The number of people living and working in Colorado and the amount of legal services required by the Department's various agencies are the two largest factors driving DORA's budget. Population affects the number of professional and occupational licenses issued, as well as the number of complaints filed by consumers against licensed businesses and individuals. Additionally, DORA is unique in its

demand for legal services, which under the Oregon Plan are obtained centrally from the Colorado Department of Law under the State Attorney General. DORA accounts for approximately 35.2 percent of all legal hours appropriated to state agencies, a fact that is driven by the nature of regulatory oversight and enforcement.

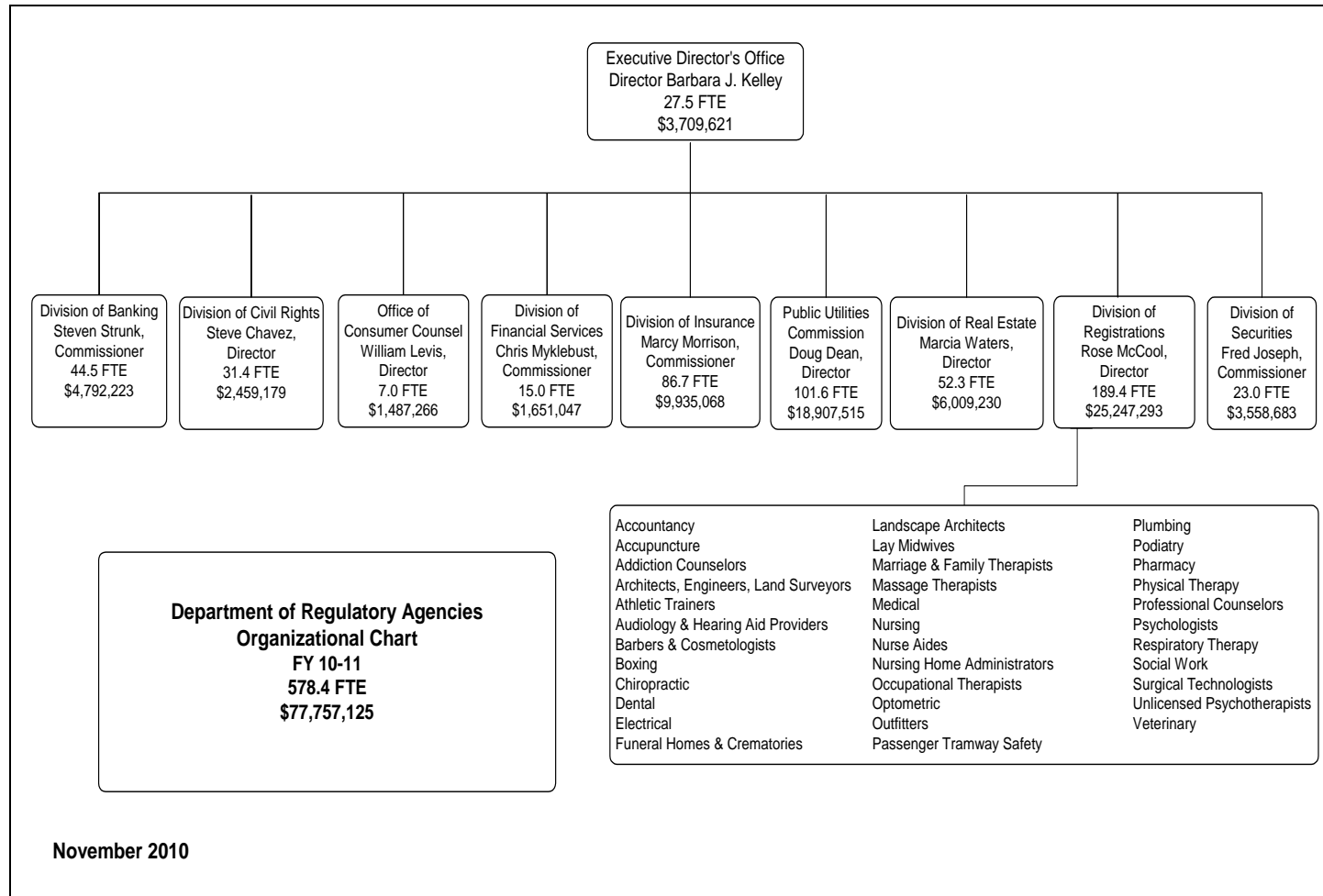
In addition to ongoing statutory duties, during FY 2010-11 the Department will focus on new regulatory programs and activities including:

- Implementation of a centralized Call Center as a single point of contact for DORA and its agencies;
- New regulated occupations including Surgical Technologists, the HOA Information and Resource program, and Mortgage Companies, as well as a new Mortgage Loan Originators Board;
- Medical Board activities related to Medical Marijuana licensure in the Department of Public Health and Environment;
- New and stronger standards for the Board of Medical Examiners, Skolnick Medical Transparency Act, the Conservation Easement Tax Credit (which is now capped annually), as well as changed standards of competency for Architects.
- New renewable energy targets and a new emphasis on cleaner-burning fuels accomplished by HB 10-1001 and HB 10-1365.

3.4 STATUTORY AUTHORITY

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

3.5 ORGANIZATIONAL CHART



3.6 MISSION STATEMENT

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

3.7 A NARRATIVE ON THE DEPARTMENT'S VISION

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

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

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

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

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

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

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

This mission must be supported by viable budget initiatives. Particularly in the context of the challenges presented by the state budget, the Department's budget is focused on the most productive, sustainable utilization of base resources. The Department understands the imperative dictated by statewide budget constraints, as well as the practical limitations of the economic pressures on consumers and in the marketplace.

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

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

3.8 CORE OBJECTIVES & 3.9 PERFORMANCE MEASURES

DEPARTMENT OF REGULATORY AGENCIES

1. Consumer Outreach.

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

Performance Measure #1	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
10% increase in number of web hits.	Benchmark		+10%	+10%	+10%
	Hits	+9.31% 123,993,673	+43.5% 177,498,380	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

FY 2010-11 performance significantly exceeded the Department’s goal at over 4 times the benchmark. This measure was adopted in the FY 2009-10 Strategic Plan and has continued relevance into the future because it shows consumers valuing the Department’s educational outreach and helpful information as provided through its website. DORA’s outreach efforts began in February 2009.

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

	Actual	Actual	Actual
	FY 07-08	FY 08-09	FY 09-10
Total Web Hits	113,431,184	123,993,673	177,498,380

DEPARTMENT OF REGULATORY AGENCIES

2. Professional Outreach.

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

Performance Measure #2	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
50% of all active licensed professionals are available on listservs.	Benchmark			50%	60%
	Actual	20%	39%	Unknown	Unknown

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

Evaluation of Prior Year Performance: In FY 2009-10, performance under this measure was improved by 100% from 20% to 39%, increasing listserve participation from 131,000 licensees to 261,000 licensees. However, it is worth noting that some license types do not have an associated listserve. Further, the average rate for those that do is 57%. This measure aligns with Department priorities, because it directly and specifically illustrates the ability to receive timely information from DORA and this demonstrates the Department’s effectiveness in consumer protection by communicating with and educating professionals and businesses about their responsibilities.

Key Workload Indicators:

	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Percent of Total Licensees	20%	39%	50%	50%
Number of Listserve Subscriptions	131,083	260,541	333,000	333,000

DEPARTMENT OF REGULATORY AGENCIES

3. Complaint Resolution.

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

Performance Measure #3	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
75% of all complaints are resolved within 180 days.	Benchmark	75%	75%	75%	75%
	Actual	92.3%	96.3%	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

The Department continues excellent performance on this measure. The applicable average across Divisions in resolving complaints within 180 days during FY 2009-10 was 96.3%, which exceeds the benchmark level of 75%. This measure is expected to have continued relevance because it illustrates to consumers how efficient the Department’s complaint resolution process is.

Key Workload Indicators: The overall number of complaints for the Department is included below:

	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Complaints	13,575	13,836	14,000	14,000

DEPARTMENT OF REGULATORY AGENCIES

4. Timely Access.

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

Performance Measure #4	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
100% of Divisions meet their respective timely licensing measures.	Benchmark		100%	100%	100%
	Actual		100%	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

Previously, this measure was “75% licensed within 30 days”. Although performance under this measure was believed to be excellent, the required technical functionality to verify this measure is not available. Instead, the measure is now reported as the percentage of Divisions meeting their individual licensing measures where applicable. In this case, both Divisions (Real Estate and Registrations) showed substantive compliance with their licensing measures, and so performance is reported here as 100%. However, it should be noted that Real Estate is seeking to improve performance by moving from 100% within 5 days to 75% within 3 days during FY 10-11. This measure is expected to have continued relevance because it illustrates a meaningful number to professionals and shows how the Department’s performance ties in with consumer protection by efficiently licensing businesses and professions.

Key Workload Indicators: The overall numbers of new and renewal licenses across the Department are included below:

	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
New Licenses	133,734	110,953	146,000	115,000
Renewal Licenses	317,607	379,930	320,000	380,000

DEPARTMENT OF REGULATORY AGENCIES

5. Qualified Professionals.

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

Performance Measure #5	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
% employees who received job-specific training.	Benchmark		85%	90%	90%
	Actual	89%	94%	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

In FY 2009-10, performance under the new measure was 94%. This measure is expected to have continued relevance in future years because it illustrates that DORA employees receive job-specific training which in turn affects the Department’s performance.

Key Workload Indicators: 94% of DORA employees participated in the training program. 139 sessions of 35 different classes were offered, and 94% of DORA's workforce (505 of 538 employees) participated in at least one session.

DEPARTMENT OF REGULATORY AGENCIES

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

Performance Measure #6	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
Amount of savings and return on investment achieved through regulation, settlements and rate reviews.	Benchmark		100%	100%	100%
	Actual	338.2%	164.7%	Unknown	Unknown

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

Evaluation of Prior Year Performance: The FY 2009-10 benchmark for this measure was a target of 100%, and the actual performance was 164.7%. Comparing DORA’s cost to estimated savings as a performance measure is intended to assess the extent to which DORA is meeting its objective to play an active part in improving Colorado’s economic environment. Last year the Department reported an overall savings figure of \$290.8 million for FY 2008-09 based on estimated savings rates for rate cases, rate approvals, miscellaneous enforcement, and penalties, which reflected a 338.2% return on investment compared to a baseline appropriation of \$66.4 million. For FY 2009-10, the savings figure is \$183.9 million, which compares to a baseline appropriation of \$69.5 million and translates to a 164.7% return on investment. Baseline appropriations include costs to operate the Department and its programs, without including pass-through funding that does not represent a DORA cost. Savings are estimated and fluctuate by year based on the timing and significance of matters before DORA entities. The Department’s benchmark conservatively targets that savings exceed costs each year. However, annualized savings figures involving rates that remain in place since the date of the original action can recur until further rate action, and accumulated savings has a positive influence on estimated annual savings.

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

	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Total Savings (in millions)	\$290.8	\$183.9	\$134.6	\$134.6
Baseline Appropriation* (in millions)	\$66.4	\$69.5	\$67.3	\$67.3
Total Return (in millions)	\$224.4	\$114.4	\$67.3	\$67.3
Percent Return	338.2%	164.7%	100.0%	100.0%

*Baseline appropriations include costs to operate the Department, but do not include pass-through moneys spent in other agencies.

EXECUTIVE DIRECTOR’S OFFICE

1. Commitment to Mission.

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

Performance Measure #1	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
100% of new employees complete orientation within 30 days of beginning work.	Benchmark		100%	100%	100%
	Actual	83%	100%	Unknown	Unknown

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

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan. In FY 2009-10, performance under the new measure was 100%. There were 68 employees hired during FY 09-10. 68 of the 68 employees completed the orientation within 30 days of being hired.

This measure was adopted in FY 2009-10 and has continued relevance into the future because it quantifies the Department’s commitment to educating employees on the shared mission, which directly facilitates the performance and effectiveness of Department employees.

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

	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Number of new appointments	119	145	130	130

EXECUTIVE DIRECTOR’S OFFICE

2. Public Access.

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

Performance Measure #2	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
100% of DORA's license and registration renewal functions are available on the internet.	Benchmark		100%	100%	100%
	Actual	100%	100%	Unknown	Unknown

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

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan. In FY 2009-10, performance under the new measure was 100%. This includes current programs as well as brand new programs that are immediately migrated onto online licensing systems. This measure is expected to have continued relevance because it quantifies electronic public accessibility to DORA’s licensing systems, and also ensures that licensing related to new programs or functions added to DORA’s regulatory authority will be reported here if they are not electronically available.

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

	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Number of Licensing and Registration Systems	2	2	2	2

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

EXECUTIVE DIRECTOR’S OFFICE

3. Qualified Professionals.

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

Performance Measure #3	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
% of employees who receive job specific training	Benchmark	85%	85%	85%	90%
	Actual	89%	87%	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan. In FY 2009-10, performance under the measure was 87%. This measure was adopted in FY 2008-09 and has continued relevance into the future because it illustrates the Department’s performance can be maximized by proper employee training.

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

	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Number of Department Employees	577.6	596.9	578.4	580.5

Note: this data includes the Department’s actual FTE use through FY 2009-10, and the total appropriation for FY 2010-11 and beyond.

EXECUTIVE DIRECTOR’S OFFICE

4. DORA is a Trusted Resource.

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

Performance Measure #4	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
80% of DORA's recommendations are adopted by the Legislature.	Benchmark		80%	80%	80%
	Actual	>90%	>90%	Unknown	Unknown

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

Evaluation of Prior Year Performance: This measure was established as a new measure for the FY 2009-10 Strategic Plan. In FY 2009-10, performance under the new measure was good. Information provided from sunset recommendations is estimated to have led to an 88.3% adoption rate, and fiscal note analysis was accepted with very minimal substantive disagreement; as such the Department is therefore reporting here that performance was >90%. The Department believes this signifies that information being provided is honest, accurate, and viewed as such by the General Assembly. This measure has continued relevance into the future because it emphasizes the importance of trust in the Department as a resource.

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

	Actual	Actual	Estimate	Estimate
Number of:	FY 08-09	FY 09-10	FY 10-11	FY 10-11
Sunrise Reviews	5	3	5	5
Sunset Reviews	19	16	20	20
Fiscal Note Assessments	158	194	200	200

EXECUTIVE DIRECTOR’S OFFICE

5. Fair Standards.

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

Performance Measure #5	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
85% of evaluators rate the procurement process as having been understandable and fair.	Benchmark	85%	85%	85%	85%
	Actual	100%	100%	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

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

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

	Actual	Estimate	Estimate	Estimate
Number of:	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Contracts	57	70	70	70
Purchase Orders	563	519	520	520

EXECUTIVE DIRECTOR’S OFFICE

6. Consumer outreach.

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

Performance Measure #6	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
% increase in web hits to DORA's website.	Benchmark	+10%	+10%	+10%	+10%
	Actual	+9.31% 123,993,673	+43.5% 177,498,380	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

DORA continues to educate consumers and regulated professionals on consumers’ rights and professionals’ responsibilities. This ongoing effort has paid off as the number of web hits to DORA’s website has increased by 43.5%.

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

	Actual	Actual	Actual	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Number of hits to DORA’s website	113,431,184	123,993,673	177,498,380	195,248,218

DIVISION OF BANKING

1. Professional Outreach.

Objective: Bankers are aware of statutory and regulatory requirements.

Performance Measure #1	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
Division annually conveys key regulatory issues and guidelines to 80% of state chartered banks.	Benchmark		80%	80%	80%
	Actual	N/A	80%	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

In FY 2009-10, performance under the new measure was good. Division staff attended and participated in regulatory update seminars hosted by the FRB, training sessions by the FDIC, roundtable discussion by industry trade groups and bank visitations. Division staff also attended examination exit conferences, and bank board meeting to discuss examination findings. Commissioner Strunk attended the Conference of State Bank Supervisors (CSBS) May 2010 Board meeting, and at that time Commissioner Strunk was appointed to the Board of Directors of the CSBS. This measure has continued relevance into the future because it shows how the Division’s performance translates to the education of financial institutions.

Key Workload Indicators:

Relevant workload indicators to this measure include:

DIVISION OF BANKING	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
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		

* The Division measures its performance in two ways: (1) From the day a written complaint about a financial services institution chartered or licensed by the Division is received by the Division to the date it sends out its letter regarding the complaint to the subject financial services institution, and (2) To measure the number of days from the beginning of the process until the complaint is closed.

DIVISION OF BANKING

2. Complaint Resolution.

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

Performance Measure #2	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
100% of Consumer complaints are resolved within 30 days.	Benchmark	100% within 20 days	100% within 20 days	100% within 30 days	100% within 30 days
	Actual	52%	14%	Unknown	Unknown

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

Evaluation of Prior Year Performance: Based on a realistic assessment of possible performance, this measure is being changed to target the resolution and closing of consumer complaints within 30 calendar days.

During FY 2009-10, the Division closed 58 consumer complaints with an average processing time of 39 days. The average did not meet the goal, as nearly 86 % of the complaints took longer than 20 to close, which was the standard for FY 2009-10 but is being revised for FY 11-12 as explained below. Of those exceeding 20 days, the longest processing time was 105 days due to the complexity of the issues. It should be noted that the complaint processing goal for national banks regulated by the Office of the Comptroller of the Currency (OCC) is 60 days. Complaints settled in favor of the consumer amounted to \$30,366. In addition to the formal complaints, the Division’s consumer complaints specialist fielded numerous general inquiry calls and concerns that did not rise to the level of a formal complaint, and/or were referred on to the appropriate regulatory agency for resolution.

Based on a realistic assessment of possible performance, this measure is being changed to target the resolution and closing of consumer complaints within 30 calendar days. Based on recent actual performance, this is a much more appropriate performance goal and it is ½ the standard of federal counterpart bodies such as the OCC. Initial consumer response will be made within 48 hours. Frequently, the Division of Banking must contact the bank against which the consumer complaint has been lodged and provide the bank with 7 to 10 days to research its files to provide the requested information. As such it is not a realistic goal to resolve and close consumer complaints within 20 days.

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

	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 10-11
Number of consumer complaints	61	58	60	60
Average Processing Time	22 days	39 days	30 days	30 days

DIVISION OF BANKING

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

Performance Measure #3	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
An increase of 10% in the number of state-chartered banks that offer products targeted to the needs of under-served consumers.	Benchmark		+10%	+10%	+10%
	Actual	N/A	See Comment	Unknown	Unknown

Strategy: Colorado’s low income and under-banked consumers will have better access to diverse products to meet their need. This shall be accomplished through the creation of an Alliance for Economic Inclusion (“AEI”) within the State of Colorado. The AEI will be modeled after the FDIC AEI Program, which is the FDIC’s national initiative to bring the unbanked and underserved populations into the financial mainstream. The Colorado AEI will be created in FY 2010-11 and issue a report in FY 2011-12 that reflects accomplishments in providing Colorado’s low income and under-banked consumers better access to meet their financial needs.

Evaluation of Prior Year Performance: Recent years have been a time of great transition in financial services and more specifically the banking community, both in Colorado and nationally. In the current environment, banks are struggling to fund loans to good borrowers, minimize loan losses and preserve capital. However, the revised strategy outlined above will provide better information as to the needs of the under-served in Colorado and how to achieve this measure.

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

DIVISION OF BANKING

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

Performance Measure #4	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
78% of Colorado banks are state-chartered & 75% of new charters are state-chartered.	Benchmark	>78% of Colorado Banks >95% of new charters	>78% of Colorado Banks >95% of new charters	>78% of Colorado Banks & >75% of new charters	>78% of Colorado Banks >75%of new charters
	Actual	>78% of Colorado Banks 100% of new charters	No new charters; 79.85% of commercial banks are state chartered	Unknown	Unknown

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

Evaluation of Prior Year Performance: During FY 2009-10 performance under the new measure was good. While no new bank charters were granted during FY 2009-10, one De Novo State Charter for a Non Depository Trust Company (Lincoln Trust Company, Denver, Colorado) was issued on December 1, 2009. During the prior year, two new bank charters were granted during this review period, and both were state-chartered banks. This measure was adopted in FY 2008-09 and has continued relevance into the future because a desire to be state-chartered illustrates the ability of state government to influence banking policy.

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

DIVISION OF BANKING (* FirstBank combined from 25 banks to 1)	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*	81
Trust Companies	7	8	7	7
Money Order/Transmitter Licensees	40	46	48	48
Foreign Capital Depositories	0	0	0	0
Total Assets and other funds under supervision (000s omitted)				
Target	\$151,074,000	\$193,383,696	\$203,052,880	\$213,205,524
Actual	\$102,700,000	53% increase	5% increase	5% increase

Division of Banking

5. Economic Environment.

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

Performance Measure #5	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
New Measure: Complete 100% of Mandated Bank Exams	Benchmark	N/A	N/A	100%	100%
	Actual	N/A	N/A	Unknown	Unknown

Performance Measure #5	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
Old Measure: Fewer than 7% of state-chartered banks are adversely rated in the fiscal year	Benchmark	<7%	<7%	New Measure	New Measure
	Actual	22%	35.24% of state chartered commercial banks are adversely rated as CAMELS 3, 4, 5	New Measure	New Measure

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

Evaluation of Prior Year Performance: The Division of Banking fulfilled its mandate during FY 2009-10 and completed all required examinations, which were required by Colorado Banking Laws and by the Banking Board. The Division continued to accurately assess the actual condition and operating performance of its client banks through working closely with the FDIC and the Federal Reserve Bank to leverage limited personnel resources. The Division of Banking does not manage the banks that it regulates. Therefore, the division does not have direct management control, which makes the previously established goal inconsistent with the purpose of a bank regulatory agency and inherently places the division in a conflict of interest in fulfilling its mission. Instead the Division is revising the measure to be as follows: *Complete 100% of the Mandated Bank Examinations.*

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

	Actual FY 08-09	Actual FY 09-10
Percentage of Required Examinations Completed	104.9%	100.0%
Additional Discretionary Examinations Performed	2	2

CIVIL RIGHTS DIVISION

1. Consumer complaint intake.

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

Performance Measure #1	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
80% of fully completed intake packets received will result in the drafting of a formal complaint or dismissal within 20 days.	Benchmark	80%	80%	80%	80%
	Actual	50%	75%	Unknown	Unknown

Strategy: In addition to expeditiously processing intake packets, the Division reorganized the intake unit to more closely align it with the work the investigatory units complete. Cross training of intake staff has been initiated to more efficiently meet stakeholder needs.

Evaluation of Prior Year Performance: The Division has met with numerous budget and hiring challenges in the most recent fiscal year, which has effected its ability to meet certain performance goals. Despite this fact the Division was still able to improve customer service through a more rapid response at the complaint intake stage, and this enabled an improvement in performance of this measure from 50% to 75%. Had the Division been able to fully staff all vacant positions, the Division believes the goal would have been met.

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

	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Number of mediations/conciliations	184	200	200	200

CIVIL RIGHTS DIVISION

2. Consumer complaint intake.

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

Performance Measure #2	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
95% of charges filed are served on the Respondent within 10 days of filing of compliant	Benchmark	100%	100%	95%	95%
	Actual	77%	90%	Unknown	Unknown

Strategy:

Similar to the previous measure, in addition to expeditiously processing intake packets the Division reorganized the intake unit to more closely align it with the work the investigatory units complete. Cross training of intake staff has been initiated to more efficiently meet stakeholder needs.

Evaluation of Prior Year Performance: Performance in FY 2009-10 was significantly improved at 90%, just short of the goal. The existence of this measure greatly improves the quality and timeliness of investigations. Due to the loss of several staff members in the intake units this fiscal year, the Division did not meet this challenging measure, but was very close to reaching it and will do so when fully staffed.

This measure was adopted in FY 2009-10 and has continued relevance into the future because the Division’s performance under this measure helps show the preservation of consumer rights and efficiency of response.

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

	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 10-11
Number of new cases opened	887	734	800	800

CIVIL RIGHTS DIVISION

3. Enforcement of consumer civil rights.

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

Performance Measure #3	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
Complete 80% of investigations within 270 days of charge filing. Complete 80% of mediations within 30 days.	Benchmark	80%	80%	80%	80%
	Actual	87% investigations 70% mediations	81% Investigations 73% Mediations	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

This measure continues from FY 2009-10. For the benefit of the parties in an investigation, over the past several years the Division has been able to decrease the number of cases that exceeded the 270 day time limit. In Alternative Dispute Resolution (ADR) this year, the unit had only one staff person to conduct all mediations/conciliations and several mediations required more than 30 days, but resulted in more cases settled.

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

	Actual	Actual	Estimate	Estimate
	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Number of cases closed	781	845	850	850
Number of mediations/conciliations	184	200	200	200

CIVIL RIGHTS DIVISION

4. Consumer education.

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

Performance Measure #4	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
100% of outreach efforts convey at least one of the Division's identified key messages.	Benchmark	100%	100%	100%	100%
	Actual	100%	100%	Unknown	Unknown

Strategy: The Division has a formal training and outreach schedule on its website. In addition, Division staff and the Director conduct education and outreach activities as requested from communities of interest and the business community. The Director speaks frequently at conferences and before trade organizations and at continuing legal education events. The Division has created brochures to inform the public about the addition of sexual orientation as a basis to housing and public accommodation statutes, as well as other issues, that will be of assistance in future education efforts.

Evaluation of Prior Year Performance: Promoting the key messages regarding predatory lending and the new sexual orientation basis has been important in bringing awareness to the public. Through the Division's formal trainings, outreach, education, meetings, written materials, and the website, the Division has reached this goal.

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

	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Number of Training/education sessions and presentations conducted by staff	82	112	90	90
Number of Persons Trained	3,450	3,849	2,500	2,500

Estimates are conservative based on a planned decrease in fair housing foreclosure prevention events

CIVIL RIGHTS DIVISION

5. Outreach, intake and conflict diffusion.

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

Performance Measure #5	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
30% of the Division's activities where a partner was involved.	Benchmark	30%	30%	30%	30%
	Actual	53%	58%	Unknown	Unknown

Strategy:

The Director continues to establish many positive working relationships with community groups. The Division seeks out opportunities to partner with other state agencies, including the Divisions of Housing in DOLA, DORA's Divisions of Real Estate, and DORA's Division of Financial Services to educate housing consumers about their rights and services available to them.

Evaluation of Prior Year Performance:

Performance during FY 2009-10 was good. Except for in-house training courses and training related to settlements, the Division has developed a network of organizations who are dedicated to the same civil rights mission and with whom the Division partners in order to provide outreach in Colorado, including numerous government agencies, educational institutions, non-profit organizations, and businesses. This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows the Division's outreach efforts and the affect on community conflicts.

Key Workload Indicators:

	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 10-11
Number of Training/education sessions and presentations conducted by staff	82	112	90	90

OFFICE OF CONSUMER COUNSEL

1. Consumer Savings.

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

Performance Measure #1	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
Maintain a positive “Return on Investment” representing consumer savings of \$30 for every \$1 spent, based on a 4-year rolling average.	Benchmark	\$30 savings for each \$1 spent	\$30 savings for each \$1 spent	\$30 savings for each \$1 spent	\$30 savings for each \$1 spent
	Actual	\$40	\$31	Unknown	Unknown

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

Evaluation of Prior Year Performance: For FY 2009-10, the majority of consumer savings is the result of the OCC's involvement and participation in two major energy rate cases. In each proceeding, the OCC achieved sole and shared savings. Additionally, OCC accomplished substantial savings in the resolution of a gas price volatility mitigation case. The OCC was also successful achieving savings to consumers in a telecommunications case involving basic local rates and an electric DSM case. This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division’s performance brings savings to the Consumer.

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

Office of Consumer Counsel	Actual	Actual
Savings to Consumer	FY 08-09	FY 09-10
Solely Responsible (in millions)	\$28.92	\$18.57
Primarily Responsible (in millions)	\$7.14	\$0
Jointly Responsible (in millions)		
Actual	\$22.44	\$27.96

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

OFFICE OF CONSUMER COUNSEL

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

Performance Measure #2	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
Review utilities' rate filings within 10 days to determine whether to participate in dockets affecting consumers' rates and/or quality of service.	Benchmark	10 days	10 days	10 days	10 days
	Actual	10 days	10 days	Unknown	Unknown

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

Evaluation of Prior Year Performance: The OCC continues to utilize the effective protocol indicated in the strategy and carefully vets all consumer rate impact filings to ensure that consumers receive high quality and reliable services at fair and reasonable rates. The OCC has implemented the internal use of Sharepoint to communicate and retain important shared documents with the OCC AG's office. The OCC's Access database is still used as a tool to monitor all cases filed before the PUC.

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

Office of Consumer Counsel	Actual FY 08-09	Actual FY 09-10
Utility Filings Reviewed	758	644
Case Interventions/Active Cases	65	82
Filings Resolved/No intervention	32	24
Lack of Services/No intervention	0	2

Note: The OCC does not estimate target numbers, as it cannot anticipate the filings or cases that may be brought before the PUC in any given year.

OFFICE OF CONSUMER COUNSEL

3. Education/Outreach.

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

Performance Measure #3	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
100% of outreach efforts convey the OCC’s key messages of mission, statutory mandate, and consumer protection.	Benchmark	100%	100%	100%	100%
	Actual	100%	100%	Unknown	Unknown

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

Evaluation of Prior Year Performance: The OCC continues to reach out to consumers by posting educational information, announcements and updates to its website. It provided an op-ed that ran in the Denver Business Journal on electric rates. The office also has increased conference attendance to provide presentations about Colorado’s experience with Smart Grid and other issues of concern to the OCC. Additionally, increased meetings with constituents have all contributed to the OCC’s mission, scope and consumer protection efforts.

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

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

Office of Consumer Counsel	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Outreach Program				
Presentations, develop a speakers bureau	8	8	8	8
	12	12	8	8

DIVISION OF FINANCIAL SERVICES

1. Complaint Resolution.

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

Performance Measure #1	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
100% of consumer complaints will be resolved within 45 days.	Benchmark	100%	100%	100%	100%
	Actual	98%	100%	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

100% of consumer complaints were recorded and resolved within Division policy. This measure is expected to have continued relevance because it illustrates how the Division’s performance translates to consumer protection through complaint resolution.

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

	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Number of complaints resolved	54	81	75	75

DIVISION OF FINANCIAL SERVICES

2. Outreach.

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

Performance Measure #2	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
90% of communication the Division has with the public will address consumer protection, and the Division's identified key messages: having faith in financial institutions, information on contractual relationships, and educational resources.	Benchmark	90%	90%	90%	90%
	Actual	100%	100%	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

Quarterly web-based newsletters and consumer alerts were published during FY 09-10, and employee surveys reveal that examiners acknowledge and convey that consumer protection is DORA's mission. The Division has conveyed the focused messages through various media such as Television, in written communications and via the World Wide Web. It has also been communicated throughout the examination and supervision activities. The Division has served as an educational resource for industry and consumers. Consumers have found the Division to be an advocate in protecting them from fraudulent and unethical treatment.

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

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

DIVISION OF FINANCIAL SERVICES

3. Government Efficiency.

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

Performance Measure #3	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
The average cost of regulation for state-chartered credit unions is at least 10% less than those of federally-chartered credit unions	Benchmark	>10%	>10%	>10%	>10%
	Actual	>33%	>10%	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

The Division maintained an assessment that was less than the federal assessment with variations from between -13% and -19%, and performance of the goal of >10% was met. This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division’s performance creates increased government efficiencies.

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

	Actual	Actual	Estimate	Estimate
Cost of regulation (cents per \$1,000)	FY 08-09	FY 09-10	FY 10-11	FY 11-12
State Chartered	15.28	15.28	15.28	15.28
Federally Chartered	22.84	22.14	unknown	unknown

DIVISION OF FINANCIAL SERVICES

4. Access to Capital.

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

Performance Measure #4	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
1 additional credit union each year is designated as a community development provider.	Benchmark	+1	+1	+1	+1
	Actual	2	1	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

The Commissioner was unable to attend the two specified events, and economic conditions have a negative effect on available opportunities in this regard. Even so, the goal of approving one new community development institution was achieved. This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division’s performance translates to increased community development.

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

	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Number of community development provider credit unions	2	3	4	5

DIVISION OF FINANCIAL SERVICES

5. Economic Environment.

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

Performance Measure #5	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
New Measure: Complete 100% of Mandated Exams	Benchmark	N/A	N/A	100%	100%
	Actual	N/A	N/A	Unknown	Unknown

Performance Measure #5	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
Old Measure: Fewer than 10% of regulated institutions will experience a reduction in rating during any fiscal year.	Benchmark	<10%	<10%	<10%	<10%
	Actual	7.7%	<10%	Unknown	Unknown

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

Evaluation of Prior Year Performance: A watch list was maintained and used to provide ongoing indicators in directing the mobilization of field examiners. Off site monitoring in combination with a robust on-site examination program ensured proactive measures necessary to improve the financial strength of the industry. By the numbers, more than 10% of institutions received a downgrade in CAMEL but due to consolidation in the industry, the net change for institutions rated a 1 or 2 only decreased by 3.92% and those moving to the bottom of the scale with a 4 or 5 rating only increased by 4.45%. A proactive regulatory regime created the net effect of achieving this goal. This measure is expected to have continued relevance because it illustrates how the Division’s performance translates to increased consumer confidence.

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

	Actual	Actual	Estimate	Estimate
Number of institutions	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Regulated	52	50	47	45

DIVISION OF INSURANCE

1. Complaint Resolution.

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

Performance Measure #1	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
85% of consumer complaints will be resolved within 90 days.	Benchmark	85%	85%	85%	85%
	Actual	89.2%	84.60%	Unknown	Unknown

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

Evaluation of Prior Year Performance: For FY 2009-10, the Division's performance fell just shy of the benchmark due to higher than normal volume of premium complaints, particularly for health products. These complaints ultimately resulted in multiple rate review examinations, most of which have not been completed.

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

DIVISION OF INSURANCE	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Consumer Affairs				
Complaint Files Opened				
Target	4,000	4,000	4,000	4,000
Actual	2,880	3,401		
Auto Protests Received				
Target	1,200	1,100	1,200	1,200
Actual	1,544	1,415		
Closed Cases				
Target	5,200	4,800	4,800	4,800
Actual	4,170	4,680		

DIVISION OF INSURANCE	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Consumer Complaints/Average Days Open				
Target	90	80	80	80
Actual	60	79		
Protests/Average Days Open				
Target	22	35	60	60
Actual	55	50		
Incoming Telephone Calls				
Target	28,500	25,000	25,000	25,000
Actual	24,093	22,950		
Walk-Ins				
Target	200	150	150	150
Actual	141	198		
Spanish Speaking Consumers (Walk-in and Phone Inquiries)				
Target	100	200	150	150
Actual	173	122		
Consumer Complaints Customer Survey Cards Returned				
Target	1,000	1,200	1,200	1,200
Actual	1,024	997		
Consumer Complaints Survey Results: Excellent or Satisfactory				
Target	90%	90%	90%	90%
Actual	86%	85%		
Dollars Saved Consumers				
Target	8,000,000	8,000,000	8,000,000	8,000,000
Actual	12,941,776	12,526,643		
E-mail Contacts				
Target	1,200	1,200	3,000	3,000
Actual	1,260	3,586		
Provider Complaints (started tracking 04-05)				
Target	400	400	400	400
Actual	244	179		

DIVISION OF INSURANCE

2. Carrier Stability.

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

Performance Measure #2	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
100% of examinations, analyses, and processes comply with national financial and market regulation standards and statutory requirements.	Benchmark	100%	100%	100%	100%
	Actual	100%	100%	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

During FY 2009-10, performance under the new measure was good, and the goal of 100% was met. Staff monitor any changes in national standards and adapted our methods accordingly. This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division’s performance translates to insurance carrier stability.

Key Workload Indicators:

Relevant workload indicators to this measure include:

DIVISION OF INSURANCE	Actual	Actual	Estimate	Estimate
Producer Licensing	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Examinations Given Target – All License Types	18,000	18,000	18,000	18,000
Examinations Given Actual – All License Types	17,800	15,484		
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		
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		

DIVISION OF INSURANCE

3. Consumer Outreach and Education.

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

Performance Measure #3	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
New Measure: 10% increase in the number of consumers reached through speaking engagements	Benchmark	N/A	N/A	10%	10%
	Actual	N/A	N/A	Unknown	Unknown

Performance Measure #3	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
100% of outreach conveys key messages	Benchmark	100%	100%	N/A	N/A
	Actual	90%	100%	N/A	N/A

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

Evaluation of Prior Year Performance: For FY 2009-10 performance was good and the 100% benchmark was met. During the year the Division wanted to revise its key messages, emphasize their importance and track data on how many times they were used at speaking engagements. The Division succeeded in strengthening messages and delivered them at every public presentation as well as included them in other outreach materials. However, the Division is changing this measure so that it has continued relevance into the future. The new measure will be as follows: *10% increase in the number of consumers reached through speaking engagements.*

Key Workload Indicators: During FY 2009-10, the Division conducted 53 presentations and 4,767 attendees, of which 23 were consumer presentations reaching 1,329 consumers.

DIVISION OF INSURANCE

4. Business Education.

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

Performance Measure #4	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
In 2010, 100% of all required filings are done electronically.	Benchmark	100%	100%	100%	100%
	Actual	97%	97%	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

In FY 2009-10, the Division substantively met this requirement by requiring companies to file their financial statements electronically. In FY 2009-10, DOI received 14,478 filings and 14,050 were electronic. Also, DOI passed two new regulations that require bailbondsmen to file electronically. These filings requirements begin in July and November 2011 and represent the final group to comply. Filings required for bail bonds regulation will be added into the measure next year. This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division’s performance provides insurance providers and companies timely access to the regulatory process.

Key Workload Indicators: Several different workload indicators to this measure are currently collected and tracked, ranging from insurance rate filings to premium tax filings to financial statements. Additionally, recent legislation such as X has specified certain new filings that must be sent to the Division electronically. Key workload statistics were stated above.

PUBLIC UTILITIES COMMISSION

1. Dispute Resolution.

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

Performance Measure #1	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
95% of informal consumer complaints resolved in 15 business days.	Benchmark	95%	95%	95%	95%
	Actual	94%	92%	Unknown	Unknown

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

Evaluation of Prior Year Performance: Performance during FY 2009-10 was just shy of the benchmark at 92%. However, this occurred despite a staffing vacancy, and it is also worth noting that complaint resolutions saved consumers \$492,749 through PUC intervention with regulated entities.

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

Public Utilities Commission	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Fixed Utilities				
Complaints Close	2,882	2,053	3,000	3,000
Transportation				
Complaints Closed	413	361	300	300
Investigations Closed	326	236	325	325

PUBLIC UTILITIES COMMISSION

2. Economic Oversight.

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

Performance Measure #2	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
Measured over a 5-year period, the savings the PUC secures for consumers outweighs the cost of the agency.	Benchmark			5 year net savings	5 year net savings
	Actual	\$106.1 million (\$6.36 in savings for every \$1 expended)	\$84.1 million (\$6.91 in savings for every \$1 expended)	Unknown	Unknown

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

Evaluation of Prior Year Performance: In FY 2009-10, performance under the new measure was good. The accounting for savings in utility rate regulation is complex because rates are often in effect over periods spanning several fiscal years. The Commission ruled on 4 rate cases (2 electric and 2 gas) in the past fiscal year approving \$242,340,083 as compared to the \$358,966,659 requested. The savings in FY 2009-10 for the rate cases decided was \$58,313,288 (additional savings will occur in subsequent years). There was continuing rate savings of \$24,938,456 from prior years. The Commission also authorized refunds totaling \$802,219 to customers for quality of service issues and complaint resolution. In total Commission decisions in effect over the past fiscal year resulted in \$84,053,963 in savings to customers. The total budget for the PUC for FY 2009-2010 was \$12,057,000 (it should be noted that previous performance measure reports included pass-through revenues that are not applicable). The result was \$6.91 in customer saving for every \$1.00 expended.

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

	Actual	Actual
	FY 08-09	FY 09-10
Savings (in millions)	\$106.1	\$84.1
Costs (in millions)*	\$16.7	\$12.1

*Pass-through funding is no longer included in this measure as it is not an applicable PUC cost.

PUBLIC UTILITIES COMMISSION

3. Outreach.

Objective:

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

Performance Measure #3	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
100% of outreach is consistent with the key messages of consumer protection, education and public participation.	Benchmark	100%	100%	100%	100%
	Actual	100%	100%	Unknown	Unknown

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

Evaluation of Prior Year Performance: In FY 2009-10, performance under the new measure was good. The PUC held 8 public hearings, 6 Commission Information meetings, and published or revised 7 Consumer FYI publications during the fiscal year. Public comment was invited at every weekly meeting. This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division’s performance translates to consumer protection through education of consumer and utility responsibilities.

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

PUBLIC UTILITIES COMMISSION

4. Safety and Compliance.

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

Performance Measure #4	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
100% score from the Office of Pipeline Safety annual review.	Benchmark	100%	100%	100%	100%
	Actual	100%	99.5%	Unknown	Unknown

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

Evaluation of Prior Year Performance: During FY 2009-10, performance under the new measure was good, although slightly under the 100% target. Federal-State safety certification requirements and program guidelines require minimum inspection time and qualified inspectors to perform pipeline safety inspections of intrastate pipeline operators. Procedures and qualifications are reviewed and observed during actual field work involving welding, pipe fitting, repairs, and incident investigation. Similarly, transportation safety and rail safety inspectors follow appropriate federal and state laws and procedures in conducting inspections and safety audits. The federal audit and grant allocation review of these activities resulted in a 99.5 point score.

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

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

PUBLIC UTILITIES COMMISSION

5. Motor Carrier Permits.

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

Performance Measure #5	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
Process 100% of completed applications within 5 business days of receipt.	Benchmark		100%	100%	100%
	Actual	N/A	100%	Unknown	Unknown

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

Evaluation of Prior Year Performance: In FY 2009-10, performance under the new measure was good. Receipt of proof of insurance is the lynchpin to this process. Upon receipt of such proof, 90% of over-the-counter applications were processed the same day or the following day. 100% were processed within 5 business days. Including the lag between receipt of application and proof of insurance, the average processing time for all over-the-counter applications was six days. This measures how the Division’s timely performance ensures consumer protection through verification of motor carrier permits.

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

Public Utilities Commission	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Transportation Authority Applications Processed – Intrastate Regulated Carriers	145	128	135	135
Permits, Registrations and Stamps Processed/Issued	21,415	12,099	12,000	12,000

Division of Real Estate

1. Enforcement.

Objective: Coloradans are protected by vigorous and consistent enforcement of applicable laws, thereby creating a level and equitable playing field for the consumer and regulated professions.

Performance Measure #1	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
60% of all complaints closed within 180 days. Any complaints not closed within 180 days are considered "backlog."	Benchmark	75% within 180 days	75% within 180 days	60% within 180 days	60% within 180 days
	Actual	75% Real Estate 97% Mortgage Brokers 93% Appraisers	79% Real Estate 91% Mortgage Brokers 67% Appraisers	Unknown	Unknown

Strategy: The Division of Real Estate intends to meet this performance measure through streamlining the complaint process across all programs. At the intake phase, acknowledgement of the complaint will be made within five business days. The program manager will then review and assign the complaint to an investigator within five business days and the complainant will be notified. Investigations will be completed within six months of intake. After the investigation is complete, the program manager will review the investigation and determine how to handle it and what recommendations will be made to the commission, board or director within five business days of completion. Fining matrices will be created and published for all three programs housed within the Division to ensure recommendations and final results are consistent and properly tracked. Cases will be presented to the commission, board or director at a maximum of 30 days after the investigation is complete. 60% of all complaints will be completed, from case investigation through full disciplinary resolution, within 180 days. Because processes regarding the disciplinary process beyond case investigation are outside of the purview of the Division of Real Estate as they are subject to OAC timelines and scheduling, a 60% target is thought to be the optimal measure that accounts for Division performance. Final disposition of cases may take up to a year after the investigation is complete if a case goes to hearing or is referred to another regulatory agency.

Evaluation of Prior Year Performance:

The benchmark for this measure is being changed to 60% to account for disciplinary processes outside of the Division’s control, and the language of the measure is being adjusted to “complaints closed” in order to bring the measure more closely in line with data that will be tracked. During FY 2009-10, performance of investigations was good and is expected to be at a level that will enable 60% of

cases to be closed within 180 days. During FY 2009-10, 91% of mortgage loan originator complaints were investigated within 6 months; 79% of real estate broker complaints were investigated within 6 months; and 64% of appraiser cases were investigated within 6 months. Additional resources were recently dedicated to this program to address its backlog. Cases are resolved by the Expedited Settlement Program within 3 months. This measure is expected to have continued relevance because it illustrates how the Division’s performance translates to consumer protection through enforcing compliance of applicable laws.

Key Workload Indicators:

Closed cases will be the most important indicator for this measure and will be reported in future years. Presently collected workload indicators thought to be relevant to this measure include:

DIVISION OF REAL ESTATE	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Complaints in Progress	1,287	609	705	705
Complaints Received (respondents)	1,931	1,571	1,700	1,700
Completed Investigations (respondents)	1,599	1,200	1,395	1,395

DIVISION OF REAL ESTATE

2. Outreach.

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

Performance Measure #2	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
New Measure: Increase number of web hits by consumers by 10%.	Benchmark			10%	10%
	Actual	N/A	N/A	New Measure	New Measure

Performance Measure #2	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
Old Measure: Ensure that 25% of licensees sign up to receive e-mail notices regarding jurisdiction.	Benchmark		25%	N/A	N/A
	Actual	N/A	80%	N/A	N/A

Strategy:

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

Evaluation of Prior Year Performance:

During FY 2009-10, performance under the new measure was excellent, as 80% of all licensees receive e-mail notices and updates from the Division of Real Estate. One of the ways the Division met this measure was by participating in the Help Centers sponsored by Channel 4. Staff regularly communicates DORA's mission and jurisdiction at public speaking engagements. This measure shows how the Division's performance in providing education, which increases regulated community understanding of their rights and responsibilities. Since the Division has already achieved this measure it is replacing it with a new measure as follows: *Increase the number of webhits by consumers by 10%.*

Key Workload Indicators: During FY 2009-10 the average number of webhits by consumers to the Division website was 772 per month.

DIVISION OF REAL ESTATE

3. Proactive Regulation.

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

Performance Measure #3	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
New Measure: Staff for the Board of Mortgage Loan Originators and the Board of Real Estate Appraisers will each conduct two annual training sessions for the industry and consumers to address the regulatory changes created by the enactment of the Dodd-Frank Act.	Benchmark	N/A	N/A	2	2
	Actual	N/A	N/A	2	2

Performance Measure #3	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
Old Measure: Create a DRE Advisory Council of licensees and consumers to provide feedback regarding recommended regulatory changes and hold quarterly meetings.	Benchmark	Create Council	Maintain Council	New Measure	New Measure
	Actual	Council Created	Council Created	New Measure	New Measure

Strategy: Advisory counsel was created, but the Division is changing this measure as follows: Staff for the Board of Mortgage Loan Originators and the Board of Real Estate Appraisers will each conduct two annual training sessions for the industry and consumers to address the regulatory changes created by the enactment of the Dodd-Frank Act. It is expected that this measure will provide a better and more meaningful illustration of Division efforts to involve and conduct outreach that helps inform regulation.

Evaluation of Prior Year Performance: While an Advisory Council was created and the first meeting was held on March 18, 2009, most of the efforts of this body occurred during FY 2008-09. As stated above, the Division believes the measure should be changed as follows: *Staff for the Board of Mortgage Loan Originators and the Board of Real Estate Appraisers will each conduct two annual training sessions for the industry and consumers to address the regulatory changes created by the enactment of the Dodd-Frank Act.*

Key Workload Indicators: The number of training sessions will be tracked to show performance under the new measure.

DIVISION OF REAL ESTATE

4. Timely Access.

Objective: All license applications and renewals are efficiently processed.

Performance Measure #4	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
Applicable license applications are processed within 3 business days of receipt of completed application.	Benchmark	100% within 5 days	75% within 3 days	75% within 3 days	75% within 3 days
	Actual	100%	100% within 5 days	Unknown	Unknown

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

Evaluation of Prior Year Performance: Completed applications and renewals are processed within 5 business days. The Division believes it can narrow processing times to 3 days during FY 2010-11 and will track this information closely in future years. Specific licenses can often take longer to process than 3 days, and so this measure is modified to include only applicable licenses. Appraiser licenses and certified credentials require a work experience review which can require an extended review period. Subdivision licenses are statutorily required to be issued in 60 days and typically take that long to process. Conservation easement certifications are reviewed at quarterly advisory commission meetings. However, real estate brokers and mortgage brokers are expected to fall into the scope of this measure.

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

DIVISION OF REAL ESTATE	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 10-11
New Broker Licenses Issued	1,930	1,988	2,000	2,000
New Corporations/Partnerships	555	376	350	350

DIVISION OF REAL ESTATE	Actual	Actual	Estimate	Estimate
	FY 08-09	FY 09-10	FY 10-11	FY 10-11
Broker License Renewals	11,820	10,662	10,750	10,750
New Subdivisions	8	7	10	10
Subdivision Renewals	155	121	125	120
New Appraisers—Certified General	75	60	60	60
New Appraisers—Certified Residential	56	215	100	100
New Appraisers—Licensed	18	30	30	30
New Appraisers—Registered	58	58	60	60
Appraisal Renewals	1,116	1,172	1,100	1,100

DIVISION OF REAL ESTATE

5. Complaint Processing.

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

Performance Measure #5	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
Complaints are investigated and referred to the Real Estate Board, Commission or Division Director for action or dismissal within 180 days of receipt of the complaint. Any complaints not completed within 180 days are considered "backlog."	Benchmark	100%	100%	100%	100%
	Actual	100%	80%	Unknown	Unknown

Strategy:

The Division of Real Estate intends to meet this performance measure through streamlining the complaint process across all programs. At the intake phase acknowledgement of the complaint will be made within five business days. The project manager will then review and assign the complaint to an investigator within five business days and the complainant will be notified. Investigations will be completed within six months of intake. After the investigation is complete the program manager will review the investigation and determine how to handle it and what recommendations will be made to the commission, board or director within five business days. Fining matrices will be created and published for all three programs housed within the division to ensure recommendations and final results are consistent and properly tracked. Cases will be presented to the commission, board or director at a maximum of 30 days after the investigation is complete. The resolution of cases will be complete within five days and may

include referral to the Office of the Attorney General or sending out a settlement agreement to the respondent. Final disposition of cases may take up to three months after the investigation is complete if a case goes to hearing or is referred to another regulatory agency. Payment policies for efficient compliance will be established for the final disposition stage and respondents will be notified of non-compliance within five business days.

Evaluation of Prior Year Performance:

During FY 2009-10, performance under the new measure was 80%, which is short of the target of 100%. Using the strategy above the Division intends to meet this measure during FY 2010-11.

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

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

DIVISION OF REAL ESTATE	Actual FY 08-09	Estimate FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Complaints in Progress	1,287	609	705	705
Complaints Received (respondents)	1,931	1,571	1,700	1,700
Completed Investigations (respondents)	1,599	1,200	1,395	1,395

DIVISION OF REGISTRATIONS

1. Complaint Resolution.

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

Performance Measure #1	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
In the Office of Investigations, 95% of High Priority cases will be investigated within 90 days and 90% of Standard cases will be investigated within 180 days.	Benchmark	95% / 90%	95% / 90%	95% / 90%	95% / 90%
	Actual	100% / 82.6%	100% / 95%	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

In FY 2009-10, the Office of Investigations, in spite of receiving 69 more cases than in FY 2008-09, met the targets, completing 100% of priority cases within 90 days, and 95% of routine cases within 180 days. In the years to come, this measure is expected to have continued relevance because it illustrates how the Division’s performance translates to timely resolution of consumer complaints in an effort toward consumer protection.

Key Workload Indicators:

Two relevant workload indicators to this measure include:

Complaints Received and Handled	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11	Request FY 10-11

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

Complaints Received and Handled				
	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11	Request FY 10-11
Electrical				
Estimate	150	200	200	200
Actual	188	178		
Funeral Homes / Crematories				
Estimate	N/A	25	20	20
Actual	N/A	6		
Hearing Aid Providers/Audiologists				
Estimate	24	32	30	30
Actual	27	28		
Landscape Architects				
Estimate	10	5	5	5
Actual	5	3		
Lay Midwives				
Estimate	10	8	6	6
Actual	6	7		
Massage Therapists				
Estimate	195	120	50	50
Actual	10	35		
Mental Health – Licensed Professional Counselors				
Estimate	84	74	110	110
Actual	67	108		
Mental Health – Marriage and Family Therapists				
Estimate	17	14	20	20
Actual	12	17		
Mental Health – Psychology				
Estimate	66	60	100	100
Actual	52	97		
Mental Health – Social Work				
Estimate	88	77	90	90
Actual	52	88		

Complaints Received and Handled				
	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11	Request FY 10-11
Mental Health – Grievance/Unlicensed Psychotherapists				
Estimate	85	79	120	120
Actual	76	117		
Medical				
Estimate	1,116	1,050	1,100	1,100
Actual	1,012	1,182		
Nursing				
Estimate	650	650	650	650
Actual	584	542		
Nurse Aides				
Estimate	300	300	315	315
Actual	253	295		
Nursing Home Administrators				
Estimate	32	35	35	35
Actual	31	31		
Occupational Therapists				
Estimate	40	25	15	15
Actual	5	7		
Optometric				
Estimate	21	20	20	20
Actual	15	20		
Outfitters				
Estimate	50	40	45	50
Actual	32	39		
Passenger Tramway				
Estimate	6	6	6	6
Actual	2	5		
Pharmacy				
Estimate	180	250	425	425
Actual	458	433		

Complaints Received and Handled				
	Actual FY 08-09	Estimate FY 09-10	Request FY 10-11	Request FY 10-11
Physical Therapy				
Estimate	26	41	25	25
Actual	37	15		
Plumbers				
Estimate	100	120	140	140
Actual	119	144		
Podiatry				
Estimate	20	20	20	20
Actual	16	16		
Respiratory Therapy				
Estimate	15	27	20	20
Actual	24	13		
Surgical Technicians				
Estimate	N/A	N/A	18	18
Actual	N/A	N/A		
Veterinarians				
Estimate	93	93	100	100
Actual	86	121		
TOTAL DIVISION OF REGISTRATIONS				
Total Estimate	4,635	4,912	5,577	5,657
Total Actual	4,574	5,422		

FY 10 Complaints Investigated					
Chart 8					
As of June 30, 2010					
Board or Program	Received	Investigated	Under investigation	Over 8 months old	Pending Hearing
Accountancy	6	4	4	0	8
Acupuncturists	3	7	0	0	2

FY 10 Complaints Investigated					
Chart 8					
As of June 30, 2010					
Board or Program	Received	Investigated	Under investigation	Over 8 months old	Pending Hearing
Architects/Engineers/Land Surveyors	3	1	2	0	10
Athlete Agents - Legislatively Ended 7/1/10	0	0	0	0	0
Athletic Trainers	0	0	0	0	0
Barber/Cosmetology	4	4	0	0	7
Boxing	0	0	0	0	0
Chiropractic	7	15	2	0	12
Dental	84	65	36	0	36
Electrical	34	33	4	0	15
Funeral Homes and Crematories	2	1	1	0	0
Hearing Aid Providers/Audiologists	8	12	0	0	0
Landscape Architects	0	0	0	0	1
Lay Midwives	3	4	1	0	2
Massage Therapists	20	14	6	0	6
Mental Health					
Addiction Counselors	30	24	13	0	13
Licensed Professional Counselors	21	18	6	0	11
Marriage and Family Therapists	2	1	1	0	0
Psychology	10	9	3	0	7
Social Work	12	6	7	0	5
Grievance	31	28	10	0	8
Medical	52	52	23	4	75
Nursing	173	163	76	0	53
Nurse Aides	83	74	39	0	21
Nursing Home Administrators	2	5	0	0	0
Occupational Therapists	0	0	0	0	0
Optometric	5	5	1	0	0
Outfitters	5	1	4	0	4

FY 10 Complaints Investigated					
Chart 8					
As of June 30, 2010					
Board or Program	Received	Investigated	Under investigation	Over 8 months old	Pending Hearing
Passenger Tramway	0	0	0	0	0
Pharmacy	0	0	0	0	30
Physical Therapy	3	8	0	0	4
Plumbers	4	2	3	0	16
Podiatry	2	2	1	0	0
Respiratory Therapists	3	6	0	0	4
Veterinarians	14	11	8	0	8
TOTAL DIVISION OF REGISTRATIONS	626	575	251	4	358
FY 08-09 Actual	557	564	200	4	408
FY 07-08 Actual	500	464	207	5	413

DIVISION OF REGISTRATIONS

2. Consumer Education.

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

Performance Measure #2	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
100% of Boards and Programs will conduct outreach to consumer groups on DORA's mission, filing a complaint and ALISON.	Benchmark	100%	100%	100%	100%
	Actual	100%	100%	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

The measure is still a relatively new measure for the Division. In FY 2009-10, performance under the new measure was very good. The measure aligns with the Division’s communication efforts and focuses on key messages to educate consumers. During FY 2009-10, the measure to conduct outreach to consumer groups on DORA’s mission, Filing a complaint and ALISON was met by the Division through individual Board and Program presentations to consumer groups, participation in various media events and issuance of press releases. The measure continues to have relevance into the future as it demonstrates how the Division’s performance translates to consumer awareness and the usage of services provided by the Division.

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

DIVISION OF REGISTRATIONS

3. Fair Standards.

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

Performance Measure #3	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
20% increase in the number of programs that will evaluate complaints and develop targeted outreach to licensees and consumers.	Benchmark	+20%	+20%	+20%	+20%
	Actual	600% increase	33% increase	Unknown	Unknown

Strategy: The Division will continue with the current strategy. The eight Boards that met the measure in FY10 will continue providing targeted outreach. Additional Boards and Programs will evaluate complaints and determine and provide the best type of outreach for their respective professional organizations and licensees.

Evaluation of Prior Year Performance:

The measure was revised for FY 2009-10 such that the Division analyzed "complaints" versus "complaint trends." Nine of the Division's Boards and Programs completed the evaluation, developed and provided targeted outreach. However, one program was removed after analysis of the data that could not identify a consistency of complaint violations. Each Board determined the best type of outreach for their respective professional organizations and licensees considering the size of the profession, staff and board time needed for each mode of outreach, cost of the outreach and effectiveness of the type of outreach for the profession. The Division continued to use a standard message of consumer protection in PowerPoint presentations and brochures for the outreach. This measure has continued relevance into the future because it shows how the Division's performance ensures the public's best interests through regulation.

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

DIVISION OF REGISTRATIONS

4. Timely Access.

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

Performance Measure #4	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
90% of qualified applicants are licensed or approved for exam within 14 days of receipt of an application that includes all required documentation.	Benchmark	90%	90%	90%	90%
	Actual	96%	92%*	Unknown	Unknown

*Based on reporting limitations of the current licensing system, 92% is based on a small statistical sample using available information as noted below

Strategy:

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

Evaluation of Prior Year Performance:

Although the measure was met in FY 2009-10, this 92% is based on data for just 2,336 applications which is only 7% out of over 33,000 total licenses issued. Due to the reporting limitations of the current licensing system and the need for manual entry of data to track "complete applications" it is difficult to provide better data until the new licensing system is functional. However, it should not be concluded that this means that over 30,000 applications were incomplete since the licensing process differs for some applicants. The Division made progress on the strategy by entering into a contract for a new licensing system and beginning the work on this project. However, the Division continues to get new licensure and registration boards and programs each year. During FY 2009-10 the Division implemented legislative bills for athletic trainers, funeral homes and crematories that resulted in additional applications to process.

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

New Licenses				
	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 10-12
Accountancy				
Estimate	1,050	958	971	980
Actual	943	961		
Acupuncturists				
Estimate	103	105	101	110
Actual	102	99		
Addiction Counselors				

New Licenses				
	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 10-12
Estimate	395	363	498	505
Actual	367	731		
Architects/Engineers/Land Surveyors				
Estimate	2,048	2,289	2,373	2,380
Actual	2,855	2,245		
Athletic Agents - Legislatively Ended 7/1/10				
Estimate	130	1	0	0
Actual	2	2		
Athlete Trainers				
Estimate	N/A	700	50	50
Actual	N/A	404		
Barber/Cosmetology				
Estimate	3,259	3,000	3,019	3,025
Actual	2,943	2,855		
Boxing				
Estimate	800	850	1,028	1,050
Actual	1,091	1,200		
Chiropractic				
Estimate	176	150	160	162
Actual	145	165		
Dental				
Estimate	554	500	495	498
Actual	492	491		
Electrical				
Estimate	3,353	2,800	2,652	2,675
Actual	2,625	2,078		
Funeral Homes / Crematories				
Estimate	N/A	349	25	25
Actual	N/A	241		
Hearing Aid Providers/Audiologists				

New Licenses				
	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 10-12
Estimate	87	78	77	79
Actual	75	74		
Landscape Architects				
Estimate	100	75	60	62
Actual	249	56		
Lay Midwives				
Estimate	9	8	5	7
Actual	7	11		
Massage Therapists				
Estimate	6,500	400	1,600	1,600
Actual	7,536	2,599		
Mental Health – Licensed Professional Counselors				
Estimate	350	350	385	400
Actual	381	444		
Mental Health – Marriage and Family Therapists				
Estimate	55	18	44	48
Actual	45	37		
Mental Health – Psychology				
Estimate	125	115	140	143
Actual	121	136		
Mental Health – Social Work				
Estimate	432	300	400	450
Actual	365	502		
Mental Health – Grievance/Unlicensed Psychotherapists				
Estimate	765	800	877	900
Actual	800	1,170		
Medical				
Estimate	1,584	1,600	1,700	1,750
Actual	1,711	1,778		
Nursing				

New Licenses				
	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 10-12
Estimate	6,046	5,500	5,629	5,675
Actual	5,558	5,537		
Nurse Aides				
Estimate	5,065	5,000	6,000	6,100
Actual	5,225	6,229		
Nursing Home Administrators				
Estimate	37	43	38	40
Actual	42	38		
Occupational Therapists				
Estimate	2,040	140	285	290
Actual	2,182	283		
Optometric				
Estimate	86	75	60	65
Actual	73	55		
Outfitters				
Estimate	59	64	70	72
Actual	62	69		
Passenger Tramway				
Estimate	13	15	8	10
Actual	11	4		
Pharmacy				
Estimate	987	950	1,000	1,025
Actual	975	1,033		
Physical Therapy				
Estimate	446	350	400	405
Actual	378	404		
Plumbers				
Estimate	1,500	1,100	1,000	1,100
Actual	1,085	786		
Podiatry				

New Licenses				
	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Request FY 10-12
Estimate	9	7	9	10
Actual	6	11		
Respiratory Therapy				
Estimate	275	200	210	215
Actual	193	211		
Surgical Technicians				
Estimate	N/A	N/A	1,760	44
Actual	N/A	N/A		
Veterinarians				
Estimate	240	280	255	260
Actual	255	255		
TOTAL DIVISION OF REGISTRATIONS				
Total Estimate	38,678	29,533	33,385	32,210
Total Actual	38,900	33,194		

DIVISION OF REGISTRATIONS

5. Efficient Government.

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

Performance Measure #5	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
50% increase in the number of Boards-Programs that use electronic means for distribution of agenda packets.	Benchmark	+50%	+50%	+50%	+50%
	Actual	400%	200%	Unknown	Unknown

Strategy:

The Division will continue with the current strategy, and dedicate staffing resources to allow our Boards and Programs to conduct business electronically. The eight programs that met the measure in FY 2009-10 will continue holding paperless meetings. At least six additional Boards and Programs will implement electronic means for distribution of agenda packets in FY 2010-11.

Evaluation of Prior Year Performance:

Performance on this measure was good in FY 2009-10, with approximately 150 individuals (Division staff, Board members, and state legal counsel) now using paperless agenda packets. The Division amended the information technology services contract and renewed the contract for an additional year with the vendor to provide the software product along with consulting, training, online and offline access, system upgrades, security and support. This measure has continuing relevance into the future because it illustrates how the Division's successful use of technology can increase efficiency, improve the security of sensitive information, and protect consumers.

Key Workload Indicators: During FY 2009-10 there were 8 programs holding paperless board meetings, with an additional 6 expected during FY 2010-11. There were approximately 150 individuals using paperless agenda packets for these meetings.

DIVISION OF SECURITIES

1. Licensing.

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

Performance Measure #1	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
Contact for additional information all broker-dealers who have special review applications pending for stockbrokers within one week of receipt of the application by the Division.	Benchmark	125	125	125	125
	Actual	509	600	Unknown	Unknown

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

Evaluation of Prior Year Performance:

In FY 2009-10, performance under the new measure was excellent. The monitoring system tracked 600 special review applications for securities licenses. Of the 600 applications, 313 applications, or 52%, resulted in no license being granted. Of the 600 special review applications, 17 licenses were issued to individuals who are subject to special conditions for their activities in Colorado.

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

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

DIVISION OF SECURITIES	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Broker-Dealer and Investment Adviser Licensing (SEC = Securities and Exchange Commission)				

DIVISION OF SECURITIES	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
SEC Broker-Dealer Applications	176	158	175	175
Investment Adviser Applications	242	247	300	300
SEC Broker-Dealer Renewals	2,288	2,240	2,300	2,300
Investment Adviser Renewals	2,062	2,087	2,000	2,000
Non-SEC Broker-Dealer Applications	2	1	5	5
Non-SEC Broker-Dealer Renewals	6	7	10	10
Sales Representative and Investment Adviser Representative Licensing				
(FINRA = Financial Industry Regulatory Authority)				
FINRA Sales Representative Applications	39,521	35,065	36,500	36,500
FINRA Sales Representative Renewals	145,347	145,504	144,000	146,000
FINRA Disciplinary Withdrawals	263	341	300	300
Non- FINRA Sales Representative Applications	2	1	5	5
Non- FINRA Sales Representative Renewals	7	7	10	10
Investment Adviser Representative Applications	2,321	2,058	2,100	2,100
Investment Adviser Representative Renewals	8,913	9,231	9,000	9,000

DIVISION OF SECURITIES

2. Examinations.

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

Performance Measure #2	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
Annually examine 145 licensed Investment Advisor Representatives and brokerage firms in Colorado.	Benchmark	125	125	145	145
	Actual	50	66	Unknown	Unknown

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

Evaluation of Prior Year Performance: In FY 2009-10, the Division performed 66 examinations, or 53% of its goal for the year. Given the current vacancy on the exam staff, the Division will achieve 70-75% of its measure of 125 examinations for next fiscal year. In addition, the Division has submitted a decision item for additional examiners related to an increase of 100 in the number of investment advisory firms due to the Dodd-Frank Act, and has therefore increased the benchmark by 20 to signify a 5-year examination cycle. When the examiners are approved and hired, the Division will be on track to meet its goal.

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

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

DIVISION OF SECURITIES	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Field Examinations	50	66	145	145

DIVISION OF SECURITIES

3. Enforcement.

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

Performance Measure #4	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
Upon receipt of a complaint, within 15 days make a determination as to whether justification exists to open an active investigative case.	Benchmark		100%	100%	100%
	Actual	98%	94%	Unknown	Unknown

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

Evaluation of Prior Year Performance: In FY 2009-10, performance under the new measure was good, and the Division achieved 94% of the complaints received, just shy of the 100%.

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

DIVISION OF SECURITIES	Actual FY 08-09	Actual FY 09-10	Estimate FY 10-11	Estimate FY 11-12
Enforcement Statistics and Projections				
Total Caseload	355	294	348	348
New Cases	139	129	156	156
Files Closed	140	93	132	132
Total Legal Actions	175	160	175	180

DIVISION OF SECURITIES**4. Investor Education.**

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

Performance Measure #5	Outcome	FY 08-09 Actual	FY 09-10 Actual	FY 10-11 Approp.	FY 11-12 Request
Increase website use and use of the Division's interactive web games which improve investor awareness skills by 10%	Benchmark		+10%	+10%	+10%
	Actual	N/A	61%	Unknown	Unknown

Strategy:

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

Evaluation of Prior Year Performance:

This measure was established as a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. In FY 2008-09, performance under the new measure is not yet fully known. In FY 09-10, the Division's website had a total number of hits of 1,284,971 for an average of 107,080 per month. This number was an actual increase of 61% over FY 08-09. The Department expects this trend to continue as education efforts grow. This measure was adopted in FY 2009-10 and has continued relevance into the future because it shows how the Division's performance ensures investor protection through education.

Key Workload Indicators: Recent actual data includes a website decrease of 25% between FY 07-08 and FY 08-09 (794,421 hits), but an increase of 61% in FY 09-10 (1,284,971 hits).

3.11 EVALUATION OF SUCCESS IN MEETING BENCHMARKS

In general, the Department fared well in meeting both existing and new measures. First, at the Department level, outreach is a very important element central to consumer protection, and web hits to the Department's site increased by 54 million, significantly above the Department's 10% increase target at 43.5%. Similarly, Divisions uniformly report meeting outreach targets. Public awareness and education about DORA and its programs helps DORA protect consumers.

Additionally, the amount of savings and return on investment achieved through regulation, settlements, and rate reviews continues to be strong at well over the Department's 100% target. DORA's appropriation and its ultimate cost to fee-payers and tax-payers is easily reported, and similarly, the amount of savings being achieved by DORA divisions is also tracked. Comparing DORA's cost to estimated savings as a performance measure is intended to assess the extent to which DORA is meeting its objective to play an active part in improving Colorado's economic environment. Last year the Department reported an overall savings figure of \$290.8 million for FY 2008-09 based on estimated savings rates for rate cases, rate approvals, miscellaneous enforcement, and penalties, which reflected a 338.2% return on investment compared to a baseline appropriation of \$66.4 million. For FY 2009-10, the savings figure is \$183.9 million, which compares to a baseline appropriation of \$69.5 million and translates to a 164.7% return on investment. Savings are estimated and will fluctuate by year based on the timing and significance of matters before DORA entities – therefore, the Department's benchmark conservatively targets that savings exceed costs each year. Where applicable, annualized savings figures involving rates that remain in place since the date of the original action can recur until further rate action. This occurs in both PUC and the Division of Insurance, and accumulated savings has a positive influence on estimated annual savings. The Department's ability to report on this indicates that it continues to play an active part in improving Colorado's economic environment, and it signifies that regulated entities and consumers are receiving excellent value for the investment in DORA.

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

