

1110 Department of Consumer Affairs Regulatory Boards

Department of Consumer Affairs Performance Based Budgeting

The Department of Consumer Affairs (DCA) oversees a wide variety of autonomous Boards and Bureaus that certify, register, and license individuals and entities that provide goods and/or services in the state. The overall purpose of the DCA is to promote a fair and competitive marketplace in which consumers are protected. The DCA provides consumers and licensees with valuable information and training and processes and mediates complaints. When appropriate, cases are referred to the Attorney General's office or law enforcement authorities for administrative action, civil and/or criminal prosecution.

Background

Executive Order B-13-11 requires the Department of Finance (DOF) to work in conjunction with various departments to utilize performance-based budgeting to increase efficiency and focus on accomplishing program goals. As a result, the DCA has identified a variety of ways to measure enforcement efforts for all Boards and Bureaus. Performance-based budgeting provides the DCA the flexibility to manage its resources based on fluctuating program demand.

Enforcement Performance Measures

To ensure stakeholders can review the progress of DCA's Boards and Bureaus in meeting their enforcement goals and targets, DCA has developed a transparent system of performance measurements. These measures are critical, particularly during the current climate of budget constraints, for demonstrating that DCA is making and will continue to make the most efficient and effective use possible of its resources. These measures are posted publicly to the Department website on a quarterly basis.

The DCA will assess enforcement needs based on the following criteria:

- Intake Cycle Time - *Average number of days from receipt of the complaint to the date the complaint was assigned for investigation.*
- Investigation Cases - *Average number of days from receipt of the complaint to closure of the investigation process. Does not include cases resulting in formal discipline.*
- Formal Discipline Cases - *Average cycle time to complete the entire enforcement process for those cases closed by the Attorney General's office after referral by the program. This measure does not include declined, withdrawn or dismissed cases.*

Information for this special display was compiled using a variety of sources. The Consumer Affairs System (CAS) was the primary source for collecting program data, however some Boards and Bureaus do not utilize CAS because of their size or reporting requirements, so data for these programs was obtained through non-standardized reporting systems. The Bureau of Real Estate and the Bureau of Real Estate Appraisers do not utilize CAS and are unable to provide or display reporting data that is consistent with other Boards and Bureaus. Further, target numbers shown in this display are based on the Quarterly Performance Measures Report and each Board and Bureau has mandates and functions which can be significantly different. Using this data to compare the cycle time of Boards and Bureaus may not accurately capture unique aspects of individual programs. Additionally, the data identified in this display may not match the performance data in the DCA Annual Report or

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the Quarterly Performance Measures Report based on the method in which the data was collected.

The following budget display represents a snapshot of existing enforcement efforts of the Boards and Bureaus within the DCA. This information will act as a baseline of enforcement performance and will allow for the tracking of future performance.

1. Intake Cycle Time

The following represents the total number of cases assigned for investigation and the average number of days (cycle time) from receipt of a complaint to the date the complaint was assigned for investigation. This data assists DCA and the program in measuring the efficiency of the program's internal complaint intake process.

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Program		Target	FY 2011-12		FY 2012-13	
		Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)
3	California Board of Accountancy	10	1,920	4	3,280	3
6	California Architects Board	7	211	3	296	3
6	Landscape Architects Technical Committee	7	28	2	27	2
9	State Athletic Commission	NA	NA	NA	NA	NA
18	Board of Behavioral Sciences	5	1,915	4	2,067	4
19	Board of Chiropractic Examiners	NA	NA	NA	NA	NA
22	Board of Barbering and Cosmetology	10	5,470	3	4,600	4
30	Contractors' State License Board	3	20,365	2	18,140	2
36	Dental Board of California	10	3,550	9	3,979	7
47	Dental Hygiene Committee	30	221	4	185	1
54	State Board of Guide Dogs for the Blind	0	0	0	4	5
55	Medical Board of California	9	7,042	12	7,437	10
56	Acupuncture Board	10	107	8	282	115
58	Physical Therapy Board	5	1,819	5	1,538	7
59	Physician Assistant Board	10	276	12	281	11
61	California Board of Podiatric Medicine	9	135	12	138	9
62	Board of Psychology	9	747	5	709	4
64	Respiratory Care Board	7	875	2	862	3
65	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	5	197	5	167	1
67	California Board of Occupational Therapy	2	541	3	557	1
69	State Board of Optometry	7	351	75	255	6
70	Osteopathic Medical Board of California	30	362	9	381	23
71	Naturopathic Medicine Committee	10	88	1	55	3

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72	California State Board of Pharmacy	20	3,963	25	3,882	22
75	Board of Professional Engineers and Land Surveyors	10	334	10	300	10
78	Board of Registered Nursing	15	8,084	15	8,375	12
81	Court Reporters Board of California	5	119	1	133	1
85	Structural Pest Control Board	NA	NA	NA	NA	NA
90	Veterinary Medical Board	10	732	26	546	58
91	Board of Vocational Nursing and Psychiatric Technicians of the State of California	30	5,561	16	5,154	16

1111 - Department of Consumer Affairs Bureaus, Programs, and Divisions

Program		Target	FY 2011-12		FY 2012-13	
		Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)
25	Bureau of Security and Investigative Services	10	22,560	5	22,808	34
27	Bureau for Private Postsecondary Education	3	980	3	883	3
28	Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation	10	1,912	8	1,886	8
31	Bureau of Automotive Repair	7	19,083	4	17,108	4
37	Telephone Medical Advice Services Bureau	10	25	9	11	9
38	Cemetery and Funeral Bureau	7	738	3	665	6
41	Bureau of Real Estate Appraisers	NA	NA	NA	NA	NA
42	Bureau of Real Estate	NA	NA	NA	NA	NA
89	Professional Fiduciaries Bureau	5	102	12	100	8

2. Intake and Investigation Cycle Time

The following represent the total number of cases investigated and the average number of days (cycle time) from receipt of a complaint to the closure of the investigation. This data assists DCA and the program in measuring how efficient a program is in addressing a violation of the Board's statutes and regulations. This measure does not include cases referred to the Attorney General's office.

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Program		Target	FY 2011-12		FY 2012-13	
		Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)
3	California Board of Accountancy	180	1,473	73	2,867	73
6	California Architects Board	270	278	148	279	91
6	Landscape Architects Technical Committee	270	59	516	23	346
9	State Athletic Commission	NA	NA	NA	NA	NA

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18	Board of Behavioral Sciences	180	1,967	142	1,904	111
19	Board of Chiropractic Examiners	NA	NA	NA	NA	NA
22	Board of Barbering and Cosmetology	120	5,598	71	4,624	72
30	Contractors' State License Board	180	20,365	138	10,936	75
36	Dental Board of California	270	3,291	156	3,590	144
47	Dental Hygiene Committee	120	218	45	185	51
54	State Board of Guide Dogs for the Blind	125	0	0	0	0
55	Medical Board of California	125	6,665	126	6,897	109
56	Acupuncture Board	200	131	164	129	216
58	Physical Therapy Board	90	1,638	55	1,486	177
59	Physician Assistant Board	150	226	100	248	87
61	California Board of Podiatric Medicine	125	114	142	136	115
62	Board of Psychology	80	590	71	583	65
64	Respiratory Care Board	210	753	90	741	103
65	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	90	147	277	171	320
67	California Board of Occupational Therapy	270	554	79	476	70
69	State Board of Optometry	90	233	184	262	182
70	Osteopathic Medical Board of California	360	403	234	254	282
71	Naturopathic Medicine Committee	90	84	1	56	30
72	California State Board of Pharmacy	210	2,964	222	3,552	282
75	Board of Professional Engineers, and Land Surveyors	360	334	337	340	359
78	Board of Registered Nursing	100	4,946	122	6,734	143
81	Court Reporters Board of California	60	121	74	139	75
85	Structural Pest Control Board	NA	NA	NA	NA	NA
90	Veterinary Medical Board	365	566	311	700	414
91	Board of Vocational Nursing and Psychiatric Technicians of the State of California	360	5,202	275	5,273	247

1111 - Department of Consumer Affairs Bureaus, Programs, and Divisions

Program	Target	FY 2011-12		FY 2012-13		
	Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)	
25	Bureau of Security and Investigative Services	200	18,150	103	16,052	115
27	Bureau for Private Postsecondary Education	180	510	122	503	179
28	Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation	180	1,870	67	1,885	64
31	Bureau of Automotive Repair	60	17,797	45	17,378	46

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37	Telephone Medical Advice Services Bureau*	NA	NA	NA	NA	NA
38	Cemetery and Funeral Bureau	120	727	46	574	46
41	Bureau of Real Estate Appraisers	NA	NA	NA	NA	NA
42	Bureau of Real Estate	NA	NA	NA	NA	NA
89	Professional Fiduciaries Bureau	365	92	126	112	161

3. Formal Discipline Cycle Time

The following represent the formal discipline cases closed by the Attorney General's office after referral by the program. The cycle time in this measure includes intake and investigation by the program, and review and possible prosecution by the Attorney General's office. This measure does not include declined, withdrawn or dismissed cases. This data assists DCA in measuring the efficiency of the program's investigation process, and the effectiveness of their partnership with the AG's office.

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Program		Target	FY 2011-12		FY 2012-13	
		Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)
3	California Board of Accountancy	540	28	787	54	795
6	California Architects Board	540	2	514	2	217
6	Landscape Architects Technical Committee	540	0	0	0	0
9	State Athletic Commission	NA	NA	NA	NA	NA
18	Board of Behavioral Sciences	540	84	872	106	853
19	Board of Chiropractic Examiners	NA	NA	NA	NA	NA
22	Board of Barbering and Cosmetology	540	109	469	76	579
30	Contractors' State License Board	540	1,744	786	1,044	789
36	Dental Board of California	540	124	928	107	857
47	Dental Hygiene Committee	540	3	576	6	581
54	State Board of Guide Dogs for the Blind	540	0	0	0	0
55	Medical Board of California	540	315	853	341	775
56	Acupuncture Board	540	20	582	11	988
58	Physical Therapy Board	540	44	654	35	742
59	Physician Assistant Board	540	21	524	15	701
61	California Board of Podiatric Medicine	540	7	1,065	5	944
62	Board of Psychology	540	29	894	25	928
64	Respiratory Care Board	540	77	625	75	558
65	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	540	16	1,055	9	923
67	California Board of Occupational Therapy	540	20	594	8	271
69	State Board of Optometry	540	7	879	10	718
70	Osteopathic Medical Board of California	540	17	884	11	766

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71	Naturopathic Medicine Committee	540	0	0	0	0
72	California State Board of Pharmacy	540	264	932	208	887
75	Board of Professional Engineers and Land Surveyors	540	42	1,607	25	1,528
78	Board of Registered Nursing	540	728	677	998	738
81	Court Reporters Board of California	540	5	499	6	420
85	Structural Pest Control Board	NA	NA	NA	NA	NA
90	Veterinary Medical Board	540	28	978	16	1,132
91	Board of Vocational Nursing and Psychiatric Technicians of the State of California	540	250	1,107	357	1,233

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Program		Target	FY 2011-12		FY 2012-13	
		Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)
25	Bureau of Security and Investigative Services	540	1,081	397	1,538	484
27	Bureau for Private Postsecondary Education	540	2	268	0	0
28	Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation	540	8	1,076	7	793
31	Bureau of Automotive Repair	540	714	680	216	540
37	Telephone Medical Advice Services Bureau*	NA	NA	NA	NA	NA
38	Cemetery and Funeral Bureau	540	17	544	14	710
41	Bureau of Real Estate Appraisers	NA	NA	NA	NA	NA
42	Bureau of Real Estate	NA	NA	NA	NA	NA
89	Professional Fiduciaries Bureau	540	3	606	1	253

**Telephone Medical Advice Services Bureau does not conduct any in-house investigations or formal discipline. After intake, complaints requiring further investigation are forwarded outside the Bureau to other regulatory agencies for investigation, such as the Board of Registered Nursing.*

(The Landscape Architects Technical Committee has its own cases, cycle times and targets. It is under the same program as California Architects Board, but works independently of the Board).

Licensing Performance Measures

In evaluating the licensing process, it was determined that the largest obstacle to efficient application processing for all DCA programs is the receipt of incomplete applications. Their deficiencies may include sections of the form not completed or missing documentation, such as proof of education or residency. To more accurately evaluate cycle times for licensure, the measure was divided into two categories: 1) Incomplete Applications and 2) Complete Applications.

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- Average Days to Application Approval (**incomplete application**): This is the timeframe from when the board/bureau received the application for exam and/or licensure to the time the application was approved for exam eligibility or license issuance. In this instance, all applications were incomplete and/or needed additional information/documentation from the applicant.
- Average Days to Application Approval (**complete application**): This is the timeframe from when the board/bureau received the application for exam and/or licensure to the time the application was approved for exam eligibility or license issuance. In this instance, all applications were complete and did not need additional information/documentation from the applicant.

The DCA will display licensing targets next year in the 2015-16 Governor's Budget. At present, the DCA is currently unable to uniformly track and report licensing data for its Boards and Bureaus. However, DCA's licensing and enforcement information technology system, BreEZe, will be utilized to uniformly track licensing data of the Boards and Bureaus. BreEZe is scheduled to be fully implemented in December, 2015, which will allow the DCA to display 2015-16 actual licensing data in the 2017-18 Governor's Budget.