

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 Office of the Attorney General (OAG) 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 OAG 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 This measure does not include declined, withdrawn or dismissed cases.*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 2012-13		FY 2013-14	
		Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)
1100	California Board of Accountancy	10	3,280	3	3,260	4
1105	California Architects Board	7	296	3	294	2
1105	Landscape Architects Technical Committee	7	27	2	32	2
1110	State Athletic Commission	NA	NA	NA	NA	NA
1115	Board of Behavioral Sciences	5	2,067	4	1,976	10
1120	Board of Chiropractic Examiners	7	389	9	612	5
1125	Board of Barbering and Cosmetology	10	4,600	4	4,878	6
1130	Contractors' State License Board	3	18,140	2	18,147	2
1135	Dental Board of California	10	3,979	7	3,670	7
1140	Dental Hygiene Committee	30	185	1	168	4
1145	State Board of Guide Dogs for the Blind	0	4	5	1	5
1150	Medical Board of California	9	7,437	10	8,392	11
1155	Acupuncture Board	10	282	115	180	8
1160	Physical Therapy Board	5	1,538	7	1,308	15
1165	Physician Assistant Board	10	281	11	362	11
1170	California Board of Podiatric Medicine	9	138	9	123	12
1175	Board of Psychology	9	709	4	773	54
1180	Respiratory Care Board	7	862	3	808	2
1185	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	5	167	1	161	2
1190	California Board of Occupational Therapy	2	557	1	749	1
1195	State Board of Optometry	7	255	6	240	3
1200	Osteopathic Medical Board of California	30	381	23	368	12

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1205	Naturopathic Medicine Committee	10	55	3	*	*
1210	California State Board of Pharmacy	20	3,882	22	3,276	23
1215	Board for Professional Engineers and Land Surveyors and Geologists	10	300	10	319	10
1220	Board of Registered Nursing	15	8,375	12	*	*
1225	Court Reporters Board of California	5	133	1	106	1
1230	Structural Pest Control Board	10	564	18	588	13
1235	Veterinary Medical Board	10	546	58	635	113
1240	Board of Vocational Nursing and Psychiatric Technicians of the State of California	30	5,154	16	5,771	7

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

Program		Target	FY 2012-13		FY 2013-14	
		Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)
1405	Bureau of Security and Investigative Services	10	22,808	34	1,952	3
1410	Bureau for Private Postsecondary Education	3	883	3	772	3
1415	Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation	10	1,886	8	2,915	6
1420	Bureau of Automotive Repair	7	17,108	4	17,817	3
1430	Telephone Medical Advice Services Bureau	10	11	9	17	20
1435	Cemetery and Funeral Bureau	7	665	6	715	3
1440	Bureau of Real Estate Appraisers	10	NA	NA	338	4
1445	Bureau of Real Estate	10	NA	NA	3,375	19
1450	Professional Fiduciaries Bureau	5	100	8	103	4

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 OAG.

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Program		Target	FY 2012-13		FY 2013-14	
		Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)
1100	California Board of Accountancy	180	2,867	73	2,595	62
1105	California Architects Board	270	279	91	228	126

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1105	Landscape Architects Technical Committee	270	23	346	40	285
1110	State Athletic Commission	NA	NA	NA	NA	NA
1115	Board of Behavioral Sciences	180	1,904	111	1,370	118
1120	Board of Chiropractic Examiners	120	311	131	518	102
1125	Board of Barbering and Cosmetology	120	4,624	72	4,560	50
1130	Contractors' State License Board	180	10,936	75	11,213	76
1135	Dental Board of California	270	3,590	144	3,623	175
1140	Dental Hygiene Committee	120	185	51	136	43
1145	State Board of Guide Dogs for the Blind	125	0	0	0	0
1150	Medical Board of California	125	6,897	109	*	*
1155	Acupuncture Board	200	129	216	209	374
1160	Physical Therapy Board	90	1,486	177	1,285	103
1165	Physician Assistant Board	150	248	87	221	88
1170	California Board of Podiatric Medicine	125	136	115	76	137
1175	Board of Psychology	80	583	65	464	53
1180	Respiratory Care Board	210	741	103	765	108
1185	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	90	171	320	154	344
1190	California Board of Occupational Therapy	270	473	70	619	97
1195	State Board of Optometry	90	262	182	251	177
1200	Osteopathic Medical Board of California	360	254	282	185	235
1205	Naturopathic Medicine Committee	90	56	30	*	*
1210	California State Board of Pharmacy	210	3,552	282	3,168	243
1215	Board for Professional Engineers and Land Surveyors and Geologists	360	340	359	394	376
1220	Board of Registered Nursing	100	6,734	143	*	*
1225	Court Reporters Board of California	60	139	75	82	62
1230	Structural Pest Control Board	180	466	112	481	119
1235	Veterinary Medical Board	365	700	414	664	370
1240	Board of Vocational Nursing and Psychiatric Technicians of the State of California	360	5,273	247	5,507	185

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Program		Target	FY 2012-13		FY 2013-14	
		Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)
1405	Bureau of Security and Investigative Services	200	16,052	115	1,482	106

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1410	Bureau for Private Postsecondary Education	180	503	179	552	266
1415	Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation	180	1,885	64	2,828	38
1420	Bureau of Automotive Repair	60	17,378	46	17,345	38
1430	Telephone Medical Advice Services Bureau**	NA	NA	NA	NA	NA
1435	Cemetery and Funeral Bureau	120	574	46	659	49
1440	Bureau of Real Estate Appraisers	360	NA	NA	288	136
1445	Bureau of Real Estate	360	NA	NA	3,173	264
1450	Professional Fiduciaries Bureau	365	112	161	91	93

3. Formal Discipline Cycle Time

The following represent the formal discipline cases closed by the OAG 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 OAG. 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 OAG.

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Program		Target	FY 2012-13		FY 2013-14	
		Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)
1100	California Board of Accountancy	540	54	795	34	813
1105	California Architects Board	540	2	217	0	0
1105	Landscape Architects Technical Committee	540	0	0	0	0
1110	State Athletic Commission	NA	NA	NA	NA	NA
1115	Board of Behavioral Sciences	540	106	853	92	811
1120	Board of Chiropractic Examiners	540	63	1,255	45	1,289
1125	Board of Barbering and Cosmetology	540	76	579	54	702
1130	Contractors' State License Board	540	1,044	789	1,175	823
1135	Dental Board of California	540	107	857	105	1,190
1140	Dental Hygiene Committee	540	6	581	18	457
1145	State Board of Guide Dogs for the Blind	540	0	0	0	0
1150	Medical Board of California	540	341	775	*	*
1155	Acupuncture Board	540	11	988	10	1,004
1160	Physical Therapy Board	540	35	742	42	779
1165	Physician Assistant Board	540	15	701	34	526
1170	California Board of Podiatric Medicine	540	5	944	6	540
1175	Board of Psychology	540	25	928	25	922

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1180	Respiratory Care Board	540	75	558	67	569
1185	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	540	9	923	13	664
1190	California Board of Occupational Therapy	540	8	271	20	626
1195	State Board of Optometry	540	10	718	21	655
1200	Osteopathic Medical Board of California	540	11	766	27	710
1205	Naturopathic Medicine Committee	540	0	0	*	*
1210	California State Board of Pharmacy	540	208	887	351***	817
1215	Board for Professional Engineers and Land Surveyors and Geologists	540	25	1,528	37	1,509
1220	Board of Registered Nursing	540	998	738	*	*
1225	Court Reporters Board of California	540	6	420	13	580
1230	Structural Pest Control Board	540	58	682	51	784
1235	Veterinary Medical Board	540	16	1,132	29	940
1240	Board of Vocational Nursing and Psychiatric Technicians of the State of California	540	357	1,233	272	1,107

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Program		Target	FY 2012-13		FY 2013-14	
		Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)	# of Cases	Avg. Cycle Time (Days)
1405	Bureau of Security and Investigative Services	540	1,538	484	1,165	191
1410	Bureau for Private Postsecondary Education	540	0	0	3	544
1415	Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation	540	7	793	3	775
1420	Bureau of Automotive Repair	540	216	540	230	654
1430	Telephone Medical Advice Services Bureau**	NA	NA	NA	NA	NA
1435	Cemetery and Funeral Bureau	540	14	710	21	401
1440	Bureau of Real Estate Appraisers	540	NA	NA	112	546
1445	Bureau of Real Estate	540	NA	NA	791	269
1450	Professional Fiduciaries Bureau	540	1	253	1	150

** This information is unavailable pending a system patch*

***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*

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*** Cases have multiple respondents

NA – program does not track this measure

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

Licensing Performance Measures

The DCA is currently reevaluating the criteria by which licensing performance is measured. The DCA anticipates that it will display licensing performance targets in the 2016-17 Governor's Budget followed by actual licensing performance data in the 2017-18 Governor's Budget. To evaluate cycle times for licensure, the measure will be divided into two categories: 1) Incomplete Applications and 2) Complete Applications.

- 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.