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To: Board Members **Date:** August 26, 2016
From: Board Sunset Committee **Telephone:** (916) 575-7170
Executive Officer
Subject: Agenda Item 11 – Update on the Board’s 2016 Sunset Report

During the May 2016 Board meeting, staff provided an overview of the sunset review process for the Board. At that time, the Board voted to create a Sunset Committee consisting of the President and Vice-President to assist staff with report writing, review, recommendations, and presentation to Legislature.

On July 8, 2016, the Senate Committee on Business, Professions and Economic Development sent a memo to all Boards subject to Sunset (Attachment 1). Included was the Sunset Template Boards are to use (Attachment 2) and Guide for Completing Tables (Attachment 3).

On July 12, 2016, the Department of Consumer Affairs (DCA) held its First Annual Sunset Review Meeting with staff from all impacted Boards. During that meeting, DCA provided Board staff an overview of the process, general process timeline (Attachment 4), guidance on completing each section, and main DCA points of contact for assistance.

One recommendation provided at the meeting was to hold monthly Board teleconferences to review the report and provide input. Between teleconferences, an established Sunset Committee would provide more in depth assistance to staff and review drafts prior to submitting to the Board. Since the report is from the Board, it is imperative Board Members provide significant review and input.

Staff has provided a first rough draft to the Sunset Committee for review and feedback. After this preliminary review, the Sunset Committee and staff would like to submit the draft to the Board for consideration during a September teleconference. Monthly teleconferences would then be held until the November 4, 2016 Board meeting, where the Board would provide final approval of the report.

Sieferman, Jessica@DCA

From: Mason, Sarah <Sarah.Mason@SEN.CA.GOV>
Sent: Friday, July 08, 2016 4:26 PM
Subject: Report Request - Sunset Oversight Review 2016-2017
Attachments: BPED Oversight Report Form 2016.doc; Guide for Completing Tables.doc

M e m o r a n d u m

To: Boards Subject to Sunset Oversight Review by the Legislature in 2016-2017

From: Senate Committee on Business, Professions and Economic Development

Date: July 8, 2016

Subject: Request for Information and Issues to be Addressed for 2016-2017 Sunset Oversight Review

This is to inform you that Sunset Oversight Review will begin in the Fall of 2016. The comprehensive process allows the Legislature to review the laws and regulations pertaining to a board and evaluate its programs and policies; determine whether the board operates and enforces its regulatory responsibilities and is carrying out its statutory duties; and examine fiscal management practices and financial relationships with other agencies. Through Sunset Oversight Review, boards are also evaluated on key performance measures and targets related to the timeliness of action, enforcement and other necessary efforts to serve the needs of California consumers while promoting regulatory efficiency and effectiveness.

Each entity within the DCA (boards, bureaus, programs, commissions, committees) is subject to Sunset Oversight Review at least once every four years, and more often as needed. The following are subject to Sunset Oversight Review for 2016-2017:

Board of Chiropractic Examiners
 State Board of Guide Dogs for the Blind
 Medical Board of California
 California Board of Occupational Therapy
 State Board of Optometry
 Osteopathic Medical Board of California
 Naturopathic Medicine Committee
 Physical Therapy Board of California
 Respiratory Care Board of California
 Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
 *Board of Registered Nursing (two-year extension pursuant to SB 466 [Hill, Chapter 489, Statutes of 2015]; separate oversight report form provided)
 *Board of Vocational Nursing and Psychiatric Technicians (two-year extension pursuant to AB 179 [Bonilla, Chapter 510, Statutes of 2015; separate oversight report form to be provided)

Attached to this email is the "BPED Oversight Report Form" (Report) that should be completed by **December 1, 2016**. This Report provides a snapshot and substantive information about who the board is, who the board licenses, and how the board performs its regulatory functions.

The first sections of the Report provide an overview of the board's current regulatory program, and contain pre-formatted tables and charts to be completed by the board. The latter sections focus on responses by the board to particular issues raised by the individual board or raised during prior Sunset Oversight Review.

Please respond to all questions in the Report, including the tables, charts and appropriate statistical information for the fiscal years indicated. In the event that some information may not pertain to your particular board, please note it on your response, but be sure to include information that is relevant to your activities and programs.

In completing your Report, please note the following:

Section 10 – Board Action and Response to Prior Sunset Issues. This should reflect the board's response to each individual issue and recommendation that was raised during the prior Sunset Oversight Review.

Section 11 – New Issues. This is the board's opportunity to raise new issues and make recommendations. These can reflect statutory or regulatory changes, administrative improvements and efforts or respond to issues impacting the practice or board. The Sunset Oversight Review process allows the board to work collaboratively with the Legislature on all issues impacting the board and profession(s).

Along with the Report Form, you are also being sent a *Guide for Completing Tables in the Oversight Review Questionnaire*. Most of the tables may be completed from data in standard reports that the board already receives. If your board does not use the Department of Consumer Affairs' report and data processes, please report information using the definitions given in the Guide.

Please plan to submit 4 hard copies of the board's final Report. Please also plan to submit an electronic copy (you may submit a PDF version, but we also request a Microsoft Word copy).

Your Report serves as the basis for the Background Paper staff will prepare. Recommendations in the Background Paper may include necessary statutory changes, necessary regulatory changes, administrative and operational changes, budget changes and other reforms.

We will announce the dates for the Sunset Oversight Review hearings in early 2017. Once the hearing dates are set, we request that the board notify its interested parties list of organizations, groups or individuals regarding these public hearings.

If you have any questions about the attached documents or the Sunset Oversight Review process, please contact Sarah Mason of the Senate Committee on Business, Professions and Economic Development at (916) 651-4104.

Sarah Mason

Consultant

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[BOARD NAME]
BACKGROUND INFORMATION AND OVERVIEW OF THE CURRENT REGULATORY PROGRAM
As of [date]

Section 1
Background and Description of the Board and Regulated Profession

Provide a short explanation of the history and function of the board.¹ Describe the occupations/profession that are licensed and/or regulated by the board (Practice Acts vs. Title Acts).

1. Describe the make-up and functions of each of the board’s committees (cf., Section 12, Attachment B).

Table 1a. Attendance			
[Enter board member name]			
Date Appointed:	[Enter date appointed]		
Meeting Type	Meeting Date	Meeting Location	Attended?
Meeting 1	[Enter Date]	[Enter Location]	[Y/N]
Meeting 2	[Enter Date]	[Enter Location]	[Y/N]
Meeting 3	[Enter Date]	[Enter Location]	[Y/N]
Meeting 4	[Enter Date]	[Enter Location]	[Y/N]

Table 1b. Board/Committee Member Roster					
Member Name (Include Vacancies)	Date First Appointed	Date Re-appointed	Date Term Expires	Appointing Authority	Type (public or professional)

2. In the past four years, was the board unable to hold any meetings due to lack of quorum? If so, please describe. Why? When? How did it impact operations?

¹ The term “board” in this document refers to a board, bureau, commission, committee, department, division, program, or agency, as applicable. Please change the term “board” throughout this document to appropriately refer to the entity being reviewed.

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15. Describe Budget Change Proposals (BCPs) submitted by the board in the past four fiscal years.

Table 5. Budget Change Proposals (BCPs)								
BCP ID #	Fiscal Year	Description of Purpose of BCP	Personnel Services				OE&E	
			# Staff Requested (include classification)	# Staff Approved (include classification)	\$ Requested	\$ Approved	\$ Requested	\$ Approved

Staffing Issues

16. Describe any board staffing issues/challenges, i.e., vacancy rates, efforts to reclassify positions, staff turnover, recruitment and retention efforts, succession planning.

17. Describe the board’s staff development efforts and how much is spent annually on staff development (cf., Section 12, Attachment D).

**Section 4
Licensing Program**

18. What are the board’s performance targets/expectations for its licensing² program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

19. Describe any increase or decrease in the board’s average time to process applications, administer exams and/or issue licenses. Have pending applications grown at a rate that exceeds completed applications? If so, what has been done by the board to address them? What are the performance barriers and what improvement plans are in place? What has the board done and what is the board going to do to address any performance issues, i.e., process efficiencies, regulations, BCP, legislation?

20. How many licenses or registrations does the board issue each year? How many renewals does the board issue each year?

Table 6. Licensee Population					
		FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16
[Enter License Type]	Active				
	Out-of-State				
	Out-of-Country				

² The term “license” in this document includes a license certificate or registration.

	Delinquent				
[Enter License Type]	Active				
	Out-of-State				
	Out-of-Country				
	Delinquent				
[Enter License Type]	Active				
	Out-of-State				
	Out-of-Country				
	Delinquent				
[Enter License Type]	Active				
	Out-of-State				
	Out-of-Country				
	Delinquent				

Table 7a. Licensing Data by Type

Application Type	Received	Approved	Closed	Issued	Pending Applications			Cycle Times		
					Total (Close of FY)	Outside Board control*	Within Board control*	Complete Apps	Incomplete Apps	combined, IF unable to separate out
FY 2013/14	(Exam)				-	-	-	-	-	-
	(License)				-	-	-	-	-	-
	(Renewal)			n/a	-	-	-	-	-	-
FY 2014/15	(Exam)									
	(License)									
	(Renewal)			n/a						
FY 2015/16	(Exam)									
	(License)									
	(Renewal)			n/a						

* Optional. List if tracked by the board.

Table 7b. Total Licensing Data

	FY 2013/14	FY 2014/15	FY 2015/16
Initial Licensing Data:			
Initial License/Initial Exam Applications Received			
Initial License/Initial Exam Applications Approved			
Initial License/Initial Exam Applications Closed			
License Issued			
Initial License/Initial Exam Pending Application Data:			
Pending Applications (total at close of FY)			
Pending Applications (outside of board control)*			
Pending Applications (within the board control)*			

Initial License/Initial Exam Cycle Time Data (WEIGHTED AVERAGE):			
Average Days to Application Approval (All - Complete/Incomplete)			
Average Days to Application Approval (incomplete applications)*			
Average Days to Application Approval (complete applications)*			
License Renewal Data:			
License Renewed			
* Optional. List if tracked by the board.			

21. How does the board verify information provided by the applicant?
 - a. What process does the board use to check prior criminal history information, prior disciplinary actions, or other unlawful acts of the applicant?
 - b. Does the board fingerprint all applicants?
 - c. Have all current licensees been fingerprinted? If not, explain.
 - d. Is there a national databank relating to disciplinary actions? Does the board check the national databank prior to issuing a license? Renewing a license?
 - e. Does the board require primary source documentation?
22. Describe the board’s legal requirement and process for out-of-state and out-of-country applicants to obtain licensure.
23. Describe the board’s process, if any, for considering military education, training, and experience for purposes of licensing or credentialing requirements, including college credit equivalency.
 - a. Does the board identify or track applicants who are veterans? If not, when does the board expect to be compliant with BPC § 114.5?
 - b. How many applicants offered military education, training or experience towards meeting licensing or credentialing requirements, and how many applicants had such education, training or experience accepted by the board?
 - c. What regulatory changes has the board made to bring it into conformance with BPC § 35?
 - d. How many licensees has the board waived fees or requirements for pursuant to BPC § 114.3, and what has the impact been on board revenues?
 - e. How many applications has the board expedited pursuant to BPC § 115.5?
24. Does the board send No Longer Interested notifications to DOJ on a regular and ongoing basis? Is this done electronically? Is there a backlog? If so, describe the extent and efforts to address the backlog.

Examinations

Table 8. Examination Data			
California Examination (include multiple language) if any:			
	License Type		
	Exam Title		
FY 2012/13	# of 1 st Time Candidates		
	Pass %		
FY 2013/14	# of 1 st Time Candidates		
	Pass %		
FY 2014/15	# of 1 st Time Candidates		
	Pass %		
FY 2015/16	# of 1 st time Candidates		
	Pass %		

Date of Last OA				
Name of OA Developer				
Target OA Date				
National Examination (include multiple language) if any:				
License Type				
Exam Title				
FY 2012/13	# of 1 st Time Candidates			
	Pass %			
FY 2013/14	# of 1 st Time Candidates			
	Pass %			
FY 2014/15	# of 1 st Time Candidates			
	Pass %			
FY 2015/16	# of 1 st time Candidates			
	Pass %			
Date of Last OA				
Name of OA Developer				
Target OA Date				

- 25. Describe the examinations required for licensure. Is a national examination used? Is a California specific examination required? Are examinations offered in a language other than English?
- 26. What are pass rates for first time vs. retakes in the past 4 fiscal years? (*Refer to Table 8: Examination Data*) Are pass rates collected for examinations offered in a language other than English?
- 27. Is the board using computer based testing? If so, for which tests? Describe how it works. Where is it available? How often are tests administered?
- 28. Are there existing statutes that hinder the efficient and effective processing of applications and/or examinations? If so, please describe.

School approvals

- 29. Describe legal requirements regarding school approval. Who approves your schools? What role does BPPE have in approving schools? How does the board work with BPPE in the school approval process?
- 30. How many schools are approved by the board? How often are approved schools reviewed? Can the board remove its approval of a school?
- 31. What are the board’s legal requirements regarding approval of international schools?

Continuing Education/Competency Requirements

- 32. Describe the board’s continuing education/competency requirements, if any. Describe any changes made by the board since the last review.
 - a. How does the board verify CE or other competency requirements?

- b. Does the board conduct CE audits of licensees? Describe the board’s policy on CE audits.
- c. What are consequences for failing a CE audit?
- d. How many CE audits were conducted in the past four fiscal years? How many fails? What is the percentage of CE failure?
- e. What is the board’s course approval policy?
- f. Who approves CE providers? Who approves CE courses? If the board approves them, what is the board application review process?
- g. How many applications for CE providers and CE courses were received? How many were approved?
- h. Does the board audit CE providers? If so, describe the board’s policy and process.
- i. Describe the board’s effort, if any, to review its CE policy for purpose of moving toward performance based assessments of the licensee’s continuing competence.

**Section 5
Enforcement Program**

- 33. What are the board’s performance targets/expectations for its enforcement program? Is the board meeting those expectations? If not, what is the board doing to improve performance?
- 34. Explain trends in enforcement data and the board’s efforts to address any increase in volume, timeframes, ratio of closure to pending cases, or other challenges. What are the performance barriers? What improvement plans are in place? What has the board done and what is the board going to do to address these issues, i.e., process efficiencies, regulations, BCP, legislation?

Table 9a. Enforcement Statistics			
	FY 2013/14	FY 2014/15	FY 2015/16
COMPLAINT			
Intake			
Received			
Closed			
Referred to INV			
Average Time to Close			
Pending (close of FY)			
Source of Complaint			
Public			
Licensee/Professional Groups			
Governmental Agencies			
Other			
Conviction / Arrest			
CONV Received			
CONV Closed			
Average Time to Close			
CONV Pending (close of FY)			
LICENSE DENIAL			

License Applications Denied			
SOIs Filed			
SOIs Withdrawn			
SOIs Dismissed			
SOIs Declined			
Average Days SOI			
ACCUSATION			
Accusations Filed			
Accusations Withdrawn			
Accusations Dismissed			
Accusations Declined			
Average Days Accusations			
Pending (close of FY)			

Table 9b. Enforcement Statistics (continued)			
	FY 2013/14	FY 2014/15	FY 2015/16
DISCIPLINE			
Disciplinary Actions			
Proposed/Default Decisions			
Stipulations			
Average Days to Complete			
AG Cases Initiated			
AG Cases Pending (close of FY)			
Disciplinary Outcomes			
Revocation			
Voluntary Surrender			
Suspension			
Probation with Suspension			
Probation			
Probationary License Issued			
Other			
PROBATION			
New Probationers			
Probations Successfully Completed			
Probationers (close of FY)			
Petitions to Revoke Probation			
Probations Revoked			
Probations Modified			
Probations Extended			
Probationers Subject to Drug Testing			
Drug Tests Ordered			
Positive Drug Tests			
Petition for Reinstatement Granted			
DIVERSION			
New Participants			
Successful Completions			
Participants (close of FY)			
Terminations			
Terminations for Public Threat			

Drug Tests Ordered			
Positive Drug Tests			

Table 9c. Enforcement Statistics (continued)			
	FY 2013/14	FY 2014/15	FY 2015/16
INVESTIGATION			
All Investigations			
First Assigned			
Closed			
Average days to close			
Pending (close of FY)			
Desk Investigations			
Closed			
Average days to close			
Pending (close of FY)			
Non-Sworn Investigation			
Closed			
Average days to close			
Pending (close of FY)			
Sworn Investigation			
Closed			
Average days to close			
Pending (close of FY)			
COMPLIANCE ACTION			
ISO & TRO Issued			
PC 23 Orders Requested			
Other Suspension Orders			
Public Letter of Reprimand			
Cease & Desist/Warning			
Referred for Diversion			
Compel Examination			
CITATION AND FINE			
Citations Issued			
Average Days to Complete			
Amount of Fines Assessed			
Reduced, Withdrawn, Dismissed			
Amount Collected			
CRIMINAL ACTION			
Referred for Criminal Prosecution			

Table 10. Enforcement Aging						
	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	Cases Closed	Average %
Attorney General Cases (Average %)						
Closed Within:						
1 Year						
2 Years						
3 Years						
4 Years						
Over 4 Years						
Total Cases Closed						
Investigations (Average %)						
Closed Within:						
90 Days						
180 Days						
1 Year						
2 Years						
3 Years						
Over 3 Years						
Total Cases Closed						

35. What do overall statistics show as to increases or decreases in disciplinary action since last review?
36. How are cases prioritized? What is the board's compliant prioritization policy? Is it different from DCA's *Complaint Prioritization Guidelines for Health Care Agencies* (August 31, 2009)? If so, explain why.
37. Are there mandatory reporting requirements? For example, requiring local officials or organizations, or other professionals to report violations, or for civil courts to report to the board actions taken against a licensee. Are there problems with the board receiving the required reports? If so, what could be done to correct the problems?
 - a. What is the dollar threshold for settlement reports received by the board?
 - b. What is the average dollar amount of settlements reported to the board?
38. Describe settlements the board, and Office of the Attorney General on behalf of the board, enter into with licensees.
 - a. What is the number of cases, pre-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?
 - b. What is the number of cases, post-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?
 - c. What is the overall percentage of cases for the past four years that have been settled rather than resulted in a hearing?
39. Does the board operate with a statute of limitations? If so, please describe and provide citation. If so, how many cases have been lost due to statute of limitations? If not, what is the board's policy on statute of limitations?

40. Describe the board’s efforts to address unlicensed activity and the underground economy.

Cite and Fine

- 41. Discuss the extent to which the board has used its cite and fine authority. Discuss any changes from last review and describe the last time regulations were updated and any changes that were made. Has the board increased its maximum fines to the \$5,000 statutory limit?
- 42. How is cite and fine used? What types of violations are the basis for citation and fine?
- 43. How many informal office conferences, Disciplinary Review Committees reviews and/or Administrative Procedure Act appeals of a citation or fine in the last 4 fiscal years?
- 44. What are the 5 most common violations for which citations are issued?
- 45. What is average fine pre- and post- appeal?
- 46. Describe the board’s use of Franchise Tax Board intercepts to collect outstanding fines.

Cost Recovery and Restitution

- 47. Describe the board’s efforts to obtain cost recovery. Discuss any changes from the last review.
- 48. How many and how much is ordered by the board for revocations, surrenders and probationers? How much do you believe is uncollectable? Explain.
- 49. Are there cases for which the board does not seek cost recovery? Why?
- 50. Describe the board’s use of Franchise Tax Board intercepts to collect cost recovery.
- 51. Describe the board’s efforts to obtain restitution for individual consumers, any formal or informal board restitution policy, and the types of restitution that the board attempts to collect, i.e., monetary, services, etc. Describe the situation in which the board may seek restitution from the licensee to a harmed consumer.

Table 11. Cost Recovery (list dollars in thousands)				
	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16
Total Enforcement Expenditures				
Potential Cases for Recovery *				
Cases Recovery Ordered				
Amount of Cost Recovery Ordered				
Amount Collected				
* “Potential Cases for Recovery” are those cases in which disciplinary action has been taken based on violation of the license practice act.				

Table 12. Restitution (list dollars in thousands)				
	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16
Amount Ordered				
Amount Collected				

Public Information Policies

52. How does the board use the internet to keep the public informed of board activities? Does the board post board meeting materials online? When are they posted? How long do they remain on the board's website? When are draft meeting minutes posted online? When does the board post final meeting minutes? How long do meeting minutes remain available online?
53. Does the board webcast its meetings? What is the board's plan to webcast future board and committee meetings? How long to webcast meetings remain available online?
54. Does the board establish an annual meeting calendar, and post it on the board's web site?
55. Is the board's complaint disclosure policy consistent with DCA's *Recommended Minimum Standards for Consumer Complaint Disclosure*? Does the board post accusations and disciplinary actions consistent with DCA's *Web Site Posting of Accusations and Disciplinary Actions* (May 21, 2010)?
56. What information does the board provide to the public regarding its licensees (i.e., education completed, awards, certificates, certification, specialty areas, disciplinary action, etc.)?
57. What methods are used by the board to provide consumer outreach and education?

Section 7

Online Practice Issues

58. Discuss the prevalence of online practice and whether there are issues with unlicensed activity. How does the board regulate online practice? Does the board have any plans to regulate internet business practices or believe there is a need to do so?

Section 8

Workforce Development and Job Creation

59. What actions has the board taken in terms of workforce development?
60. Describe any assessment the board has conducted on the impact of licensing delays.
61. Describe the board's efforts to work with schools to inform potential licensees of the licensing requirements and licensing process.
62. Describe any barriers to licensure and/or employment the board believes exist.
63. Provide any workforce development data collected by the board, such as:
 - a. Workforce shortages
 - b. Successful training programs.

Section 9

Current Issues

64. What is the status of the board's implementation of the Uniform Standards for Substance Abusing Licensees?
65. What is the status of the board's implementation of the Consumer Protection Enforcement Initiative (CPEI) regulations?
66. Describe how the board is participating in development of BreEZe and any other secondary IT issues affecting the board.
 - a. Is the board utilizing BreEZe? What Release was the board included in? What is the status of the board's change requests?
 - b. If the board is not utilizing BreEZe, what is the board's plan for future IT needs? What discussions has the board had with DCA about IT needs and options? What is the board's understanding of Release 3 boards? Is the board currently using a bridge or workaround system?

Section 10 Board Action and Response to Prior Sunset Issues

Include the following:

1. Background information concerning the issue as it pertains to the board.
2. Short discussion of recommendations made by the Committees during prior sunset review.
3. What action the board took in response to the recommendation or findings made under prior sunset review.
4. Any recommendations the board has for dealing with the issue, if appropriate.

Section 11 New Issues

This is the opportunity for the board to inform the Committees of solutions to issues identified by the board and by the Committees. Provide a short discussion of each of the outstanding issues, and the board's recommendation for action that could be taken by the board, by DCA or by the Legislature to resolve these issues (i.e., policy direction, budget changes, legislative changes) for each of the following:

1. Issues that were raised under prior Sunset Review that have not been addressed.
2. New issues that are identified by the board in this report.
3. New issues not previously discussed in this report.
4. New issues raised by the Committees.

Section 12 Attachments

Please provide the following attachments:

- A. Board's administrative manual.
- B. Current organizational chart showing relationship of committees to the board and membership of each committee (cf., Section 1, Question 1).
- C. Major studies, if any (cf., Section 1, Question 4).
- D. Year-end organization charts for last four fiscal years. Each chart should include number of staff by classifications assigned to each major program area (licensing, enforcement, administration, etc.) (cf., Section 3, Question 15).

Section 13 Board Specific Issues

THIS SECTION ONLY APPLIES TO SPECIFIC BOARDS, AS INDICATED BELOW.

Diversion

Discuss the board's diversion program, the extent to which it is used, the outcomes of those who participate and the overall costs of the program compared with its successes.

Diversion Evaluation Committees (DEC) (for BRN and Osteo only)

1. DCA contracts with a vendor to perform probation monitoring services for licensees with substance abuse problems, why does the board use DEC? What is the value of a DEC?
2. What is the membership/makeup composition?
3. Did the board have any difficulties with scheduling DEC meetings? If so, describe why and how the difficulties were addressed.
4. Does the DEC comply with the Open Meetings Act?
5. How many meetings held in each of the last three fiscal years?
6. Who appoints the members?
7. How many cases (average) at each meeting?
8. How many pending? Are there backlogs?

9. What is the cost per meeting? Annual cost?
10. How is DEC used? What types of cases are seen by the DEC?
11. How many DEC recommendations have been rejected by the board in the past four fiscal years (broken down by year)?

Guide for Completing Tables in BP&ED Oversight Review Questionnaire

Table 1a. Attendance

To complete *Table 1a. Attendance*, include the information for each board¹ member who served on the board since the board's last sunset review.

Table 1b. Board/Committee Member Roster

Table 1b. Board/Committee Member Roster, should be completed for each board/committee meeting in the last four complete fiscal years. Each meeting date, location, member name, and meeting type should be noted. Indicate attendance at the meeting with a "yes", absence with a "no", and if they were not a member at the time of the meeting note that with "n/a."

Table 2. Fund Condition

For projected fiscal year revenues and budget authority, please use the numbers included in the most recent Governor's proposed budget. When determining projections for expenditures in future fiscal years, assume reversions based on the percentage reverted in the prior three full fiscal years. When determining months in reserve, one month's expenditure is one-twelfth of the budget authority for the next fiscal year based on the Governor's proposed budget.

Table 3. Expenditure by Program Component

The DCA Budget Office can prepare this table.

Table 4. Fee Schedule and Revenue Table

Include all fees charged by the board. Revenue totals can be obtained from Month 13 Calstars reports. Please report the percentage of revenue based on the most recent full fiscal year results.

Table 6. License² Population

These data elements can be obtained from the Month 13 Calstars report.

Tables 7a. Licensing Data by Type and 7b. Total Licensing Data

¹ "Board" refers to a board, bureau, commission, committee, department, division, program or agency, as applicable.

² "License" includes a license certificate or registration.

Licensing data elements can be obtained from the Licensing for Job Creation (LJC) reports generated by the Department. Boards that self-report the LJC data should use the definitions below when compiling this table.

Table 7a requires initial license and initial exam data input. Each data element has been defined below. It is important to remember that this table only asks for "Initial (first time)" licensure and exam information.

Definitions for Licensing Data (Tables 7a, 7b)	
Application Type	License or Exam application name plus designate if data is for an exam or license (example: ARB (Exam) or ARB (Lic))
Closed	Applicant withdrew application, application was abandoned, or application was denied during the reporting period.
Issued	Represents the number of licenses issued during the reporting period. The term "License" means initial licensure, temporary permits, interim licenses, registrations, and certificates.
Pending Applications (Total as of the close of the fiscal year)	Initial License/Initial Exam applications that have not been approved, issued, or closed. This number should include both applications for which the board is waiting on material from the applicant (incomplete applications) AND applications that the board has not reviewed yet.
Pending Applications outside of the board control: Incomplete)	A subset of "Pending Applications" – This is all applications that do not, upon initial submission, contain all necessary documents for examination eligibility and/or initial license and the board has advised the applicant. This entry is optional, and should be listed if tracked by the board.
Pending Applications within the board control: Complete)	A subset of "Pending Applications" – This is all applications that the board is working on which are not incomplete (missing information from the applicant). This entry is optional, and should be listed if tracked by the board.
Cycle Time/Processing Time (complete app)	Total days to process complete initial license/initial exam applications (applicant submitted all paperwork required). This is the timeframe from when the board received the application for initial exam and/or initial licensure to the time the application was approved for exam eligibility or license issuance.

Definitions for Licensing Data (Tables 7a, 7b)	
Cycle Time/Processing Time (incomplete app)	Total days to process incomplete initial license/initial exam applications (applicant still owes the board documentation/information to complete the application). This means the application was deficient at some point during the approval process. This is the timeframe from when the board received the application for initial exam and/or initial licensure to the time the application was approved for exam eligibility or license issuance.
Cycle Time/Processing Time (Combined: Complete/Incomplete)	This is a weighted average of days to process applications (Combined initial license/initial exam applications). If the board is unable to separate the processing time, then a combined time for all applications should be entered. This is the timeframe from when the board received the application for initial exam and/or initial licensure to the time the application was approved for exam eligibility or license issuance.

Table 8. Examination Data

This data is generated internally by each board.

Tables 9a, 9b, 9c. Enforcement Statistics

The following CAS reports will provide most of the enforcement data needed to complete Tables 9a, 9b, and 9c: EM 10, 091, 096 and 095. However, additional reports may be needed.

Boards that do not use the CAS enforcement modules, please use the “Definitions for Enforcement Data” below

Definitions for Enforcement Data (Tables 9a, 9b, 9c)	
COMPLAINTS	Cases that are generated by consumer complaints, internal complaints and referrals from other agencies.
Received	Total count of complaints received by the board.
Closed	Total count of complaints closed, and NOT referred for investigation, by the board.

Referred to Investigation	Total count of complaints referred to Investigation (either Desk Investigation, Non-Sworn Investigation, or Sworn Investigation).
Average Time to Close	Cycle time; from complaint received to complaint closed OR referred to investigation. Calculated in days.
Pending (close of FY)	Total count of complaints which have been received by the board, but have not yet been closed or referred to investigation.
CONVICTIONS/ARRESTS	Cases generated by criminal history reports.
CONV Received	Total count of convictions received by the board.
CONV Closed	Total count of convictions closed by the board or referred for investigation.
Average Time to Close	Cycle time; from convictions received to complaint closed OR referred to investigation. Calculated in days.
CONV Pending (close of FY)	Total count of convictions which have been received by the board, but have not yet been closed or referred to investigation.
ALL INVESTIGATIONS	When a case is assigned to investigation.
First Assigned	Total number of initial assignments to investigation (Desk, Non-Sworn, or Sworn).
Closed	Total number of Investigations (Desk, Non-Sworn and/or Sworn) which are closed.
Average days to close	Cycle time; from when the case was received as a complaint, to when it is closed at the Desk, Non-Sworn, or Sworn investigation level.
Pending (close of FY)	Total count of Investigations which have been received by the board, but have not yet been closed or referred to further investigation.
Desk Investigations	When a case is assigned to an analyst for desk review.
Closed	Total count of Desk Investigations closed by the board.

Average Time to Close	Cycle time; from the dated when the Desk Investigation was received as a complaint, to the dated when it is closed OR referred to further investigation. Calculated in days.
Pending (close of FY)	Total count of Desk Investigations which have been received by the board, but have not yet been closed or referred to further investigation.
Non-Sworn Investigation	When a case is assigned for field investigation by an investigator who is NOT a sworn peace officer.
Closed	Total count of Non-Sworn Investigations closed by the board.
Average Days to Close	Cycle time; from the date when the Non-Sworn Investigations was received as a complaint, to the date when it is closed OR referred to further investigation. Calculated in days.
Pending (close of FY)	Total count of Non-Sworn Investigations which have been received by the board, but have not yet been closed or referred to further investigation.
Sworn Investigation	When a case is assigned for field investigation by an investigator who IS a sworn peace officer.
Closed	Total count of Sworn Investigations closed by the board.
Average days to close	Cycle time; from the date when the Sworn Investigation was received as a complaint, to the date when it is closed OR referred to further investigation. Calculated in days.
Pending (close of FY)	Total count of Sworn Investigations which have been received by the board, but have not yet been closed or referred to further investigation.
LICENSE DENIALS	
License Applications Denied	Number of License Denials Issued
SOIs	Statement Of Issues
SOIs Filed	Total count of SOIs filed.
SOIs Withdrawn	Total count of SOIs withdrawn.

SOIs Dismissed	Total count of SOIs dismissed.
SOIs Declined	Total count of SOIs declined.
Average Days SOI	Cycle time; from the date the case was received as a complaint to the date when the SOI was issued. Calculated in days.
ACCUSATIONS	
Accusations Filed	Total count of Accusations filed.
Accusations Withdrawn	Total count of Accusations withdrawn.
Accusations Dismissed	Total count of Accusations dismissed.
Accusations Declined	Total count of Accusations declined.
Average Days Accusations	Cycle time; from the date the case was received as a complaint to the date when the Accusation was issued. Calculated in days.
DISCIPLINE	
Disciplinary Actions	
Proposed/Default Decisions	Total count of Proposed/Default Decisions filed.
Stipulations	Total count of Stipulations filed.
Average Days to Complete	Cycle time; from the date the case was received as a complaint to the date when the Disciplinary Order was issued. Calculated in days.
AG Cases Initiated	Total count of cases referred to the Attorney General.
AG Cases Pending (close of FY)	Total count of cases pending at the AG.
ISO	Total count of Interim Suspension Orders (ISOs) issued.
Disciplinary Outcomes	

Revocation	Total count of Disciplinary Orders to revoke a license.
Voluntary Surrender	Total count of Disciplinary Orders to surrender a license.
Suspension	Total count of Disciplinary Orders requiring only the Suspension of a license.
Probation with Suspension	Total count of Disciplinary Orders requiring both Suspension of a License and Probation.
Probation	Total count of Disciplinary Orders requiring only the Probation of a license.
Probationary License Issued	Total count of Probationary Licenses issued.
Compliance Actions	
ISO & TRO Issued	Total count of Interim Suspension Orders & Temporary Restraining Orders issued.
PC 23 Orders Requested	Total count of Cease Practice Orders sought per Penal Code Section 23.
Public Letter of Reprimand	Total count of Public Letters of Reprimand issued.
Cease & Desist/Warning	Total count of Cease & Desist or Warning Letters issued.
Referred for Diversion	Total count of individuals referred to the board's Diversion Program.
Compel Examination	Total count of orders compelling a Physical or Mental Examination.
CITATIONS & FINES	
Citations Issued	Total count of Citations issued.
Average Days to Complete	Cycle time; from the date the case was received as a complaint to the date when the citation was issued. Calculated in days.
Amount of Fines Assessed	Total amount of fines assessed.

Reduced, Withdrawn, Dismissed	Total count of fines reduced and citations withdrawn or dismissed.
Amount Collected	Total amount of revenue generated by collection of fines.
PROBATION	
New Probationers	Total count of individuals beginning probation.
Probations Successfully Completed	Total count of individuals who successfully completed probation.
Probationers (close of FY)	Total count of probationers as of the close of the fiscal year.
Petitions to Revoke Probation	Total count of petitions filed to revoke a probation order.
Probations Revoked	Total count of individuals whose licenses were revoked due to probation violations.
Probations Extended	Total count of individuals whose probations were extended.
Probationers Subject to Drug Testing	Total count of probationers required to be tested for drugs.
Drug Tests Ordered	Total count of drug tests ordered.
Positive Drug Tests	Total count of positive drug tests.
Petition for Reinstatement Granted	Total count of those probationers that have been granted reinstatement in the fiscal year.

Table 11. Cost Recovery

This data is generated internally by each board.

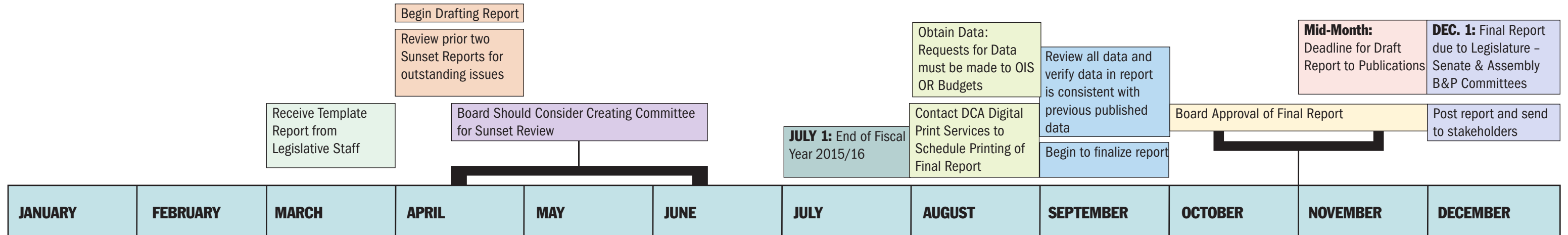
Table 12. Restitution

This data is generated internally by each board.



SUNSET REVIEW PROCESS

2016



2017

