

Ken Lawson, Secretary

Rick Scott, Governor

LONG RANGE PROGRAM PLAN

Department of Business and Professional Regulation

Tallahassee

September 28, 2012

Jerry L. McDaniel, Director
Office of Policy and Budget
Executive Office of the Governor
1701 Capitol
Tallahassee, Florida 32399-0001

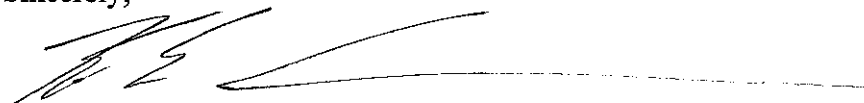
JoAnne Leznoff, Staff Director
House Appropriations Committee
221 Capitol
Tallahassee, Florida 32399-1300

Terry Rhodes, Staff Director
Senate Budget Committee
201 Capitol
Tallahassee, FL 32399-1300

Dear Directors:

Pursuant to Chapter 216, Florida Statutes, our Long Range Program Plan (LRPP) for the Department of Business and Professional Regulation is submitted in the format prescribed in the budget instructions. The information provided electronically and contained herein is a true and accurate presentation of our mission, goals, objectives and measures for the Fiscal Year 2013-14 through Fiscal Year 2017-18. The internet website address that provides the link to the LRPP located on the Florida Fiscal Portal is <http://www.myfloridalicense.com/dbpr/os/OpenGovernment/index.html>. This submission has been approved by Ken Lawson, Secretary.

Sincerely,



Ken Lawson
Secretary

Florida Department of
**Business
Professional
Regulation**

Rick Scott, Governor · Ken Lawson, Secretary

Long Range Program Plan

**Fiscal Year 2013-2014
through 2017-2018**



Fort Jefferson lighthouse - Garden Key, Florida
Dale M McDonald Collection - www.floridamemory.com



Agency Mission and Goals

Mission and Goals

Agency Mission:

License Efficiently. Regulate Fairly.

Agency Goals:

1. Streamline government.
2. Remove barriers to business - Enhance Florida's pro-business climate.
3. Protect the health and safety of Floridians.
4. Reduce operating expenses and increase productivity.



Agency Objectives

Agency Objectives

- 1) Faster approval of licenses to join a profession or open a business.
- 2) Continuously improve and streamline business processes.
- 3) Provide quality assistance to our customers.
- 4) Reduce the difficulty and complexity of applications.
- 5) Reduce the time required to complete investigations.
- 6) Hold licensees and regulated entities accountable.
- 7) Streamline alcoholic beverage and tobacco sales reporting process.
- 8) Reduce costs associated with revenue collection.



Agency Service Outcomes and Performance Projection Tables

Service Outcomes and Performance Projection Tables

Goal 1: Streamline government

Objectives:

1-1: Faster approval of licenses to join a profession or open a business

Outcome: Average time to process an application for licensure from receipt to initial review.

Service: Service Operations – Central Intake Unit

Baseline FY 2009-10	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
10 days	6 days	5 days	5 days	5 days	5 days

Service: Hotels and Restaurants

Baseline FY 2010-11	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
18 days	10 days	10 days	10 days	10 days	10 days

Service: Alcoholic Beverages and Tobacco

Baseline FY 2010-11	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
10 days	7 days	7 days	7 days	7 days	7 days

Service: Pari-Mutuel and Slot machine occupational licensing

Baseline FY 2010-11	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
15 days	9 days	9 days	9 days	9 days	9 days

Service: Bureau of Education and Testing

Baseline FY 2010-11	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
30 days	15 days	15 days	10 days	10 days	10 Days

Service: Florida Boxing Commission

Baseline FY 2010-11	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
10 days	10 days	10 days	10 days	10 days	10 days

Service: Condominiums, Timeshares, and Mobile Homes

Baseline FY 2010-11	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
75 days	45 days	45 days	45 days	45 days	45 days

Service: Yacht and Ship Broker

Baseline FY 2010-11	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
45 day	15 days	15 days	15 days	15 days	15 days

Service: Drugs, Devices, and Cosmetics

Baseline FY 2010-11	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
30 days	25 days	24 days	23 days	22 days	21 days

1-2: Continuously improve and streamline business processes

Outcome: Percentage of initial applications available online

Service: Department-wide

Baseline FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
29%	35%	39%	41%	41%	43%

Outcome: Percentage of renewals available online.

Service: Department-wide

Baseline FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
76%	78%	80%	82%	84%	86%

Goal 2: Remove barriers to business - Enhance Florida's pro-business climate

Objectives:

2-1: Provide quality assistance to our customers

Outcome: Percentage of calls transferred to a call agent that are answered before the call is abandoned (answer rate)

Service: Service Operations – Customer Contact Center

Baseline FY 2006-07	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
72%	80%	90%	90%	90%	90%

Outcome: Percent of satisfied customers (based on customer satisfaction survey)

Service: Service Operations – Customer Contact Center

Baseline FY 2006-07	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
85%	90%	90%	95%	95%	95%

Outcome: Percentage of phone calls answered with an average hold time of less than five minutes.

Service: Service Operations – Customer Contact Center

Baseline FY 2006-07	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
70%	90%	90%	90%	90%	90%

Outcome: Percentage of calls resolved on first contact with the Customer Contact Center.

Service: Service Operations – Customer Contact Center

Baseline FY 2010-11	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
90%	90%	90%	90%	92%	92%

Outcome: Average time to respond to customer emails
 Service: Service Operations – Customer Contact Center

Baseline FY 2010-11	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
5 days	5 days	3 days	3 days	3 days	3 days

2-2: Reduce the difficulty and complexity of applications

Outcome: Percentage of licensure applications found to be deficient when submitted
 Service: Service Operations – Central Intake Unit

Baseline FY 2006-07	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
72%	56%	52%	45%	40%	35%

Goal 3: Protect the health and safety of Floridians

Objectives:

3-1: Reduce the time required to complete investigations

Outcome: Average number of days to complete investigations of consumer complaints
 Service: Regulation of Boards and Commissions

Baseline FY 2006-07	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
261	120	120	120	120	120

Service: Real Estate

Baseline FY 2006-07	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
195	200	200	200	200	200

Service: Accountancy

Baseline FY 2006-07	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
111	95	90	90	90	90

Service: Condominiums, Timeshares and Mobile Homes

Baseline FY 2006-07	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
77	90	90	90	90	90

3-2: Hold licensees and regulated entities accountable

Outcome: Percentage of statutorily mandated inspections for compliance with laws, rules, and standards completed

Service: Regulation of Boards and Commissions

Baseline FY 2006-07	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
100%	99%	99%	99%	99%	99%

Service: Hotels and Restaurants - Food establishments

Baseline FY 2006-07	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
78%	95%	92%	89%	85%	83%

Service: Hotels and Restaurants - Lodging establishments

Baseline FY 2006-07	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
86%	97%	95%	93%	90%	88%

Outcome: Percentage of call-back inspections completed within follow-up period.

Service: Regulation of Boards and Commissions

Baseline FY 2010-11	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
100%	99%	99%	99%	99%	99%

Service: Hotels and Restaurants - Food establishments

Baseline FY 2010-11	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
90%	90%	90%	90%	90%	90%

Service: Hotels and Restaurants - Lodging establishments

Baseline FY 2010-11	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
85%	87%	87%	88%	88%	90%

Outcome: Percentage of alcoholic beverage retailers tested and found to be in compliance with underage persons' access

Service: Alcoholic Beverages & Tobacco

Baseline FY 2006-07	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
82.8%	80%	80%	80%	80%	80%

Outcome: Percentage of tobacco retailers tested and found to be in compliance with underage persons' access.

Service: Alcoholic Beverages & Tobacco

Baseline FY 2006-07	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
91.4%	80%	80%	80%	80%	80%

Goal 4: Reduce operating expenses and increase productivity

Objectives:

4-1: Streamline beverage and tobacco sales reporting process

Outcome: Percentage of businesses utilizing electronic tax filing

Service: Alcoholic Beverages & Tobacco

Baseline FY 2010-11	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
20%	45%	50%	60%	70%	90

Service: Pari-Mutuel Wagering

Baseline FY 2010-11	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
100%	100%	100%	100%	100%	100%

4-2: Reduce costs associated with revenue collection

Outcome: Tax collections per auditing dollars expended

Service: Alcoholic Beverages & Tobacco

Baseline FY 2010-11	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
\$248	\$275	\$275	\$275	\$275	\$300

Service: Pari-Mutuel Wagering

Baseline FY 2010-11	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
\$734	\$785	\$785	\$785	\$785	\$785



Linkage to Governor's Priorities

Linkage to Governor's Priorities

During Fiscal Year 2011-12 the Governor's priorities included:

- Accountability Budgeting
- Reduce Government Spending
- Regulatory Reform
- Focus on Job Growth and Retention
- World Class Education
- Reduce Taxes
- Phase Out Florida's Corporate Income Tax

The Department of Business and Professional Regulation has developed complementary priorities. The department licenses nearly one million Floridians, and it is crucial for this agency to focus on the priorities "Reduce Government Spending," "Regulatory Reform" and "Reduce Taxes." By removing barriers to business and enhancing Florida's pro-business climate, the department developed goals to streamline processes, reduce the amount of time it takes to serve its customers and to reduce the amount of time it takes an applicant to obtain a license.

In order to keep Florida's economy vibrant, the department has set goals to eliminate unnecessary, duplicative or unclear regulation.



Trends and Conditions Statement

Trends and Conditions Statement

PRIMARY RESPONSIBILITIES

The Department of Business and Professional Regulation is an executive agency of the Governor and is charged with regulating more than one million businesses and professionals. It was created by the Florida Legislature in 1993 and was formed as a result of the merger between the Department of Professional Regulation and the Department of Business Regulation.

The department issues more than 200 distinct license types and regulates twenty-four professions and multiple industries. The department distributes its regulatory responsibilities across nine divisions and one commission; they are:

- Division of Alcoholic Beverages and Tobacco
- Division of Certified Public Accounting
- Division of Florida Condominiums, Timeshares and Mobile Homes
- Division of Hotels and Restaurants
- Division of Pari-Mutuel Wagering
- Division of Professions
- Division of Real Estate
- Division of Regulation
- Division of Service Operations
- Florida State Boxing Commission

The department's diverse regulatory responsibilities fall under three primary areas: standards and licensing; compliance and enforcement; and tax collection and auditing.

STANDARDS AND LICENSING

Services provided involve: setting standards for licensure requirements; developing and overseeing the testing requirements; approving license applications and renewals; reviewing background checks; issuing licenses and certificates; and processing filings. The department also approves courses and course providers for required continuing education and monitors licensee compliance. Current law varies by profession; however, in most cases, 100 percent monitoring of compliance is required for professions that must complete continuing education courses.

COMPLIANCE AND ENFORCEMENT

Regulatory responsibility focuses on deterring violations and increasing compliance with the laws and rules regulating the department's licensed professionals and businesses through

inspections, investigations, complaint processing, mediation, enforcement and disciplinary actions, including, but not limited to, the following:

DIVISION OF ALCOHOLIC BEVERAGES AND TOBACCO

This division is responsible for investigating, enforcing and providing prosecutorial assistance for criminal and regulatory violations and violators of the state's alcoholic beverage and tobacco laws and rules. The prevention of the sale of alcoholic beverages and tobacco products to underage persons is diligently pursued.

DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES, AND MOBILE HOMES

Investigating and ensuring compliance with applicable laws relating to the business areas of condominiums and cooperatives, mobile home parks, timeshares, and yacht and ship brokers and salespersons.

DIVISION OF HOTELS AND RESTAURANTS

Chapter 509, Florida Statutes, provides the Division of Hotels and Restaurants with responsibility and jurisdiction for conducting inspections of food and lodging establishments. Each licensed establishment must be inspected at least biannually, except for transient and non-transient apartments, which must be inspected at least annually, and at such other times as the division determines is necessary to ensure the public's health, safety, and welfare. Public lodging units classified as vacation rentals are not subject to this requirement, but must be made available to the division for inspection upon request.

Chapter 399, Florida Statutes, the "Elevator Safety Act," provides for the design, construction, operation, inspection, testing, maintenance, alteration and repair of elevators in Florida. The division is required to enforce the provisions of Chapter 399, F.S. and Chapter 61C-5, *Florida Administrative Code*.

Regulatory responsibility focuses on deterring violations and increasing compliance with the laws and rules regulating the division's licensed businesses and professionals through inspections, complaint processing, enforcement and disciplinary actions. This includes inspecting food and lodging establishments and enforcing Florida's elevator laws to ensure the safety of persons using vertical transportation.

DIVISION OF PARI-MUTUEL WAGERING

This division ensures licensed participants in pari-mutuel wagering and slot machine gaming facilities are in compliance with the laws and rules established to protect the public and racing animals, including monitoring races and games, drug testing of animals, facility inspections and complaint investigations.

DIVISION OF REGULATION

This division inspects Florida's professional offices to ensure compliance with necessary sanitation and safety measures, conducts sweeps and stings in order to identify unlicensed practitioners, educates the public about the dangers of unlicensed activity, and investigates complaints of wrongdoing by licensed and unlicensed individuals.

DRUGS, DEVICES, AND COSMETICS

This program is responsible for inspecting, investigating, and ensuring compliance with applicable laws and rules relating the manufacturing and distribution of drugs, devices, and cosmetics into and in the state of Florida. The program also protects the public from injury by product use and merchandising deceit involving drugs, devices, and cosmetics.

FLORIDA STATE BOXING COMMISSION

The Florida State Boxing Commission works with the Division of Regulation and department's General Counsel to provide complaint intake, investigation and prosecution of violations of Chapter 548, Florida Statutes. In its efforts to improve customer service and accountability, the Commission conducted a number of rule workshops to evaluate Chapter 61K1-1, *Florida Administrative Code*, to obtain input from the licensees and conduct a review to identify cumbersome regulation.

TAX COLLECTION AND AUDITING

DIVISION OF ALCOHOLIC BEVERAGES AND TOBACCO

The regulation of alcoholic beverages began in Florida in 1933. During 1945, the state's cigarette industry became an added responsibility of the department. The regulation of other tobacco products was included in 1985. The three-tiered system of product distribution within the alcoholic beverage and tobacco industries requires a complex licensing and taxing component for manufacturers, distributors and vendors in each industry. The division is responsible for the collection and distribution of licensing fees and alcoholic beverage, cigarette, and tobacco excise taxes as well as the collection of cigarette and tobacco surcharges. The division determines compliance with established laws by the manufacturers, distributors, and retail dealers licensed or permitted to sell these products in Florida. Complex audits must be performed to verify the flow of the particular products through the marketing systems (manufacturer-distributor-vendor) as required by law and to validate the correct payment of all taxes on those products.

DIVISION OF PARI-MUTUEL WAGERING

The division's primary responsibilities include ensuring races and games are conducted fairly and accurately; ensuring the safety and welfare of racing animals; collecting state revenue accurately and timely; issuing occupational and permitholder operating licenses; regulating cardroom and slot machine operations; and ensuring that permitholders, licensees, and totalisator companies comply with Chapters 550, 551, and Section 849.086, Florida Statutes. In addition, the division provides day-to-day oversight to 28 pari-mutuel facilities, 26 cardrooms, three slot facilities located at Broward County, and three slot facilities in Miami-Dade County pari-mutuel facilities.

The tax structure of the pari-mutuel industry is extremely technical with approximately 20 applicable tax rates and six different tax credits, with both rates and credits having multiple variables. A significant amount of financial analysis and reporting is required in the oversight of this industry. Legislation passed during the 2009 Legislative Session that became effective July 1, 2010, revised the conditions under which cardrooms may operate. Operating hours were increased and limits on wagering were eliminated.

In 2004, a constitutional amendment legalized slot machine gaming in Broward and Miami-Dade counties, subject to approval by voters in county-wide referendums. Broward County voters authorized gaming in their county in 2004. Miami-Dade County voters approved a gaming initiative in January 2008. Slot machine gaming may only be conducted at eligible pari-mutuel wagering facilities in Broward and in Miami-Dade. Regulatory responsibility was assigned to the Division of Pari-Mutuel Wagering and all slot tax revenue is transferred to the Education Enhancement Trust Fund within the Department of Education.

In 2010, the Legislature ratified a gaming compact between the State of Florida and the Seminole Tribe of Florida. The Compact provides for guaranteed payments of \$1 billion to the state of Florida to be made by the Seminole Tribe over the course of five years. The Division of Pari-Mutuel Wagering was identified as the State Compliance Agency with oversight over the provisions of the compact.

DIVISION OF REAL ESTATE

The division has received an increasing number of complaints for escrow account related violations. Because of the rapid increase in complaints, the enforcement staff now conducts audits of the brokers who have been the subject of consumer complaints as well as proactive audits. These audits assist brokers in identifying areas where they may need to take corrective action for minor problems. These audits also serve as an early detection and consumer protection tool for accounts that have been the subject of misappropriated funds.

DRUGS, DEVICES, AND COSMETICS

Healthcare Clinic Establishment (HCCE) permitholders are required to have a qualifying health care practitioner in order to purchase prescription drugs in the name of the HCCE. The practitioner is responsible for the HCCE's compliance with the laws and rules pertaining to the ordering, storage, etc. of prescription drugs. The division is responsible for ensuring HCCE compliance with the qualifying practitioner requirement. The division will be auditing HCCE permitholders for compliance with this statutory requirement.

FLORIDA STATE BOXING COMMISSION

During the 2012 legislative session, Section 548.0061, F.S., was repealed. The five percent closed circuit television tax is no longer collected by the Florida State Boxing Commission.

CURRENT TRENDS

DIVISION OF ALCOHOLIC BEVERAGES AND TOBACCO

Chapters 210, 561 through 569, Florida Statutes, provides the division with the responsibility for the enforcement of the state's beverage and tobacco laws; licensing of all manufacturers, distributors, importers, and retailers of alcohol and tobacco products; and excise tax and surcharge collection related to these products.

In Fiscal Year 2005-06, the Legislature expanded the division's Bureau of Enforcement's police powers beyond those specific to alcoholic beverage and tobacco establishments to encompass

more general law enforcement authority, provided that the division's sworn officers were performing their primary duties. This expansion of authority enabled the bureau to enter into partnership with other law enforcement agencies and investigate violations of the state beverage laws outside of licensed establishments. This allowed the enforcement of all other state laws provided the enforcement is incidental to the agent's conducting their primary duty.

Given the dynamic nature of the communities served, the division uses both traditional and proactive investigative strategies as part of their public safety response plan. The Bureau of Law Enforcement employs highly trained certified police officers of the State of Florida. These investigators are responsible for the management of the division's law enforcement and investigative activities, to include, but not be limited to, conducting criminal investigations pursuant to beverage and cigarette laws and statutes, investigations that involve selling alcohol without a license, selling alcohol and or tobacco products to minors, prostitution, illegal gambling, drugs/narcotics, undisclosed or hidden ownership, counterfeit cigarettes, tobacco smuggling, excise tax evasion, organized crime, and Florida Administrative Code violations. The bureau enjoys success in its efforts with community partnerships and coalitions.

Community Partnerships

The division recognizes that they are part of the solution to the problems facing Florida communities. By working together with private citizens, the business community and representatives of government, the division is more effective in carrying out its duties. Partnerships are often formed with the following community and government groups in order to educate others and address concerns or issues:

- Military bases
- State, federal, and local law enforcement agencies
- County alcohol and tobacco coalitions
- Colleges
- High schools
- Middle schools
- Elementary schools
- County health departments
- Department of Children and Families

The division provides these groups with education and training in reference to unlawful sales of alcohol and tobacco products, fraudulent identification detection, and the dangers of underage drinking.

Division personnel also participate in task forces that combat crimes of terrorism, illicit narcotics, and cigarette theft. These task forces often consist of local, state, and federal law enforcement agencies.

Crime Prevention

Crime prevention and public education help all of Florida's communities and neighborhoods become safer. Through education and sharing of ideas from different disciplines, the division remains optimistic of reaching individuals who may otherwise make poor choices, violate the law and/or cause injury to others.

One of the core missions of the division is to keep alcohol and tobacco out of the hands of underage persons. The division devotes resources in an effort to deter underage persons from using or obtaining alcohol and tobacco products. This is achieved through a two-pronged approach of education and proactive enforcement.

During Fiscal Year 2011-12, the following enforcement activities were conducted by the division:

- 3,058 arrests for possession of alcohol by a person under 21
- 881 arrests for sale of alcohol to a person under 21
- 429 arrests for sale of tobacco to a person under 18
- 165 citations issued for possession of tobacco by a person under 18
- 8,210 underage test buys for alcohol products
- 5,351 underage test buys for tobacco products

Fraudulent Identification Investigations

Fraudulent identification use is a growing problem. Reports of underage drinking, drinking related accidents, identity theft, and terrorism activity are not uncommon.

In a recent report from the Department of Children and Families, underage drinking is reported to have more than a \$3 billion impact on the State of Florida each year.¹ Florida faces a particularly difficult challenge in this regard as Florida youth have higher rates of alcohol use than the national average. Moreover, Florida is a popular tourist destination, attracting thousands of youth each year for Spring Break, sporting events, and other holidays. According to the 2009 Florida Youth Substance Abuse Survey, alcohol is the most commonly used drug among Florida students.²

Teens sometimes obtain access to alcohol using fraudulent identification. The technology to produce false documents has improved and now false licenses are being produced that appear authentic to the casual observer. It is only through the use of magnifiers and ultra-violet lights that these licenses can be detected with any degree of accuracy. The division is actively involved in providing false identification training to vendors at restaurants, bars, and liquor stores at no charge.

To this end, the division has been fighting the proliferation of fraudulent identification on all levels. A recent example of a successful multi-agency investigation involved an international group. Nigerian nationals were arrested in a joint operation with the Immigration Customs Enforcement. The Nigerians had over 30 credit cards and 30 fraudulent driver's licenses associated with the credit cards. The Division of Alcoholic Beverages and Tobacco was asked to be the lead agency investigating the fraudulent driver's licenses. Investigators realized the same forms of identification used by college students to obtain alcohol are also being used by others for other reasons.

¹ http://www.dcf.state.fl.us/programs/samh/publications/CostOfUnderageDrinkingInFlorida_060809_FINAL.pdf (page 1)

² [http://www.dcf.state.fl.us/programs/samh/publications/fysas/10Survey/2010_FYSAS_Statewide_Tables_\(Final\).pdf](http://www.dcf.state.fl.us/programs/samh/publications/fysas/10Survey/2010_FYSAS_Statewide_Tables_(Final).pdf) (page 4)

Identification fraud investigations are an important part of a sound crime control strategy. The division is actively involved in providing training to other law enforcement agencies and working with these agencies on related crimes. Some investigations may lead to asset forfeitures.

Investigation of Internet Sales

There are two areas relating to internet sales where the division needs to focus efforts. They are collection of taxes on the sale of alcoholic beverages, cigarettes, and tobacco products, and the sale of alcoholic beverages and tobacco to underage persons.

Cigarette and Tobacco Sales: The rise in federal and state cigarette and tobacco taxes creates a potential for interstate trafficking in cigarettes and tobacco products to avoid state taxes. The United States Congress enacted federal laws to help ensure states' cigarette and tobacco taxes are paid. These federal laws make it unlawful to traffic in cigarettes or tobacco products to avoid state taxes and impose certain record keeping and reporting requirements on persons who ship cigarettes or tobacco products in interstate commerce. Under the federal Jenkins Act, amended by the OACT Act in 2009 and which can be found at Title 15, United States Code, any person who advertises for sale, including on the internet, or who ships cigarettes and smokeless tobacco products into a state to any person other than a distributor licensed by the state must file a statement of intent to sell in the state with the tobacco tax administrator of that state. This person is further required to report such sales to the tobacco tax administrator no later than the 10th calendar day of the month. The reports show to whom and where the shipments were made, the brands of cigarettes shipped, and the quantity of cigarettes shipped.

The allowance of sales of cigarettes directly to consumers has been an issue with the division in terms of tax collections and remains an issue in terms of access by minors. The Jenkins Act allows out-of-state entities to sell directly to consumers if they report those sales to the state so that the state can collect the taxes from the consumer. The reports of those sales are not always remitted. In the past few years, there has also been an increase in sales of other tobacco products from unlicensed out-of-state entities directly to in-state retailers without the taxes being remitted. Florida Law 2009-79 allows direct sales of cigarettes to consumers in Florida, with requirements on the retail entity to have a license with the division, to have a specific method of assuring no sales are made to underage individuals, to collect taxes on the products, and to report the sales and pay the taxes to the state.

Utilizing temporary staffing during Fiscal Year 2009-10, the division implemented a retail audit program that addressed the direct sales of cigarettes and tobacco products from a tax point of view. Retail tobacco dealers were audited to determine if there were any purchases of untaxed cigarette or tobacco products from unlicensed entities. A second segment of the program involved auditing entities that sell cigarettes directly to consumers utilizing the Jenkins Act and then contacting the consumers for collection of the applicable taxes. Funding was appropriated for four additional auditing positions to continue this auditing program beginning July 1, 2010. During these three fiscal years, an additional \$3,152,701.63 has been collected from letters sent to consumers and audits of retailers performed by this staff.

Alcoholic Beverage Direct Sales: Due to the 2005 federal court ruling that allows for direct shipment of wine to consumers in Florida, internet sales of alcoholic beverages are increasing

rapidly. The sale of wine through the internet provides another avenue for potential access to wine by minors, even though federal law requires shippers to package alcohol in clearly marked containers and common carriers to verify the age of the person accepting delivery, as well as the potential for loss of tax revenues associated with the direct wine sales.

Since January 2006, the division has received reports from out-of-state wineries that sell wine directly to consumers and remit the applicable taxes. The reporting of wine shipments has increased from 4 shippers in January 2006 to 1,746 shippers by February 2012. These reports and related payment of excise taxes have been on a volunteer basis from the entities selling directly to consumers in Florida. Within this six year period, the division has collected more than \$2,494,187 in associated tax payments representing sales to more than 1,012,400 total recipients. This compliance is currently on a voluntary basis, with an average of 889 reports submitted each month. At this time, the division does not aggressively require the wineries to report wine shipments to consumers in Florida.

Surcharge on Cigarettes and Other Tobacco Products

The 2009 Florida Legislature passed “Protecting Florida’s Health Act” (Section 210.011, F.S) which levied a surcharge on both cigarettes and tobacco products (other than cigars). Beginning July 1, 2009, the surcharge on cigarettes was imposed at the rate of \$1.00 per standard pack of 20 cigarettes, or 5 cents per cigarette. The surcharge on other tobacco products was implemented at 60% of the wholesale sales price. The surcharge on both cigarettes and tobacco products was assigned to be administered, collected, and enforced by the Division of Alcoholic Beverages and Tobacco in the same manner as the excise taxes on these products. In Fiscal Year 2011-12, the division collected a total of \$925,043,408 in surcharges on cigarettes and tobacco products sold in Florida.

Licensing Activities

A primary responsibility of the division is to license efficiently. The Bureau of Licensing has experienced staff ready to provide assistance to a current business interested in expanding their business or someone that is just starting out. During Fiscal Year 2011-12 the bureau processed 45,143 applications, an increase of 6,243 applications over the previous year. The increased submission of applications directly relates to an expansion of current businesses or new businesses opening.

DIVISION OF CERTIFIED PUBLIC ACCOUNTING

The Division of Certified Public Accounting is responsible for the examination, licensing and regulation of 30,953 Certified Public Accountants and 5,042 Certified Public Accounting firms pursuant to Chapters 455 and 473, Florida Statutes. Additionally, division staff provides administrative support to the Board of Accountancy.

Division staff is responsible for the overall management and supervision of the division, as well as handling administrative functions such as processing verification of licensure and exam grades for other states, publishing quarterly newsletters for licensees, tracking discipline, providing industry education through speaking engagements, scheduling meetings, preparing agendas and materials for board and committee meetings, as well as attending and providing support during board meetings.

The number of licensees increased two percent for Fiscal Year 2011-12 when compared to the 35,126 individual certified public accountants and certified public accounting firms that were licensed in Fiscal Year 2010-11. The division estimates the overall number of licensees will remain the same for Fiscal Year 2012-13.

The table below shows the licensing activity for the time period Fiscal Year 2007-08 through Fiscal Year 2011-12.

CPA licensing activity five-year trend:

Activity	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12
CPA Examinations	1,318	1,587	2,057	1,861	1,962
Endorsements	758	658	625	609	606
Reactivations	517	514	567	451	282
Complaints	334	323	249	328	230

The division experienced a 60% decrease in the number of Florida licensees applying to reactivate their CPA license in fiscal year 2011-12. Legislation was passed in the 2012 session allowing inactive and delinquent licensees an opportunity to re-enter the profession with a reduced number of continuing professional education hours. We expect this legislation will result in a slight increase in the number of reactivation applications for Fiscal Year 2012-13.

The division continues to monitor the impact of mobility legislation. The legislation passed in 2009 does not appear to have had a significant impact on the overall number of Florida licensee, given that the number of licensees for Fiscal Years 2010-11 and 2011-12 are virtually the same.

DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES, AND MOBILE HOMES

Condominiums

Florida’s condominium market is showing some initial signs of recovery. While new development continues to lag; resales are on the rise, particularly as bank-owned units are aggressively marketed. Additionally, the Distressed Condominium Relief Act, geared toward attracting investor-owners to buy condominium units “in bulk” passed by the Legislature in 2009 has been extended from 2012 to 2015 to allow more investors to take advantage of this legislation. While sales are increasing, associations continue to labor under the dual pressures of depressed property values and foreclosures. The division expects to see complaint volumes and public records requests consistent with previous years as unit owners scrutinize the actions of their condominium association boards. Florida experienced a 9,137 increase in the number of condominium units in Fiscal Year 2011-12 when compared to Fiscal Year 2010-11. During the same period, the number of public records request and complaints received decreased slightly from 2,611 to 2,601.

Mobile Homes

The real estate pressures affecting the real estate markets of single family homes, condominiums and timeshares are mirrored by mobile home parks as well. The development of new mobile home parks in Florida has almost ceased; however, we are seeing consolidation of many of the smaller parks through acquisition by national mobile home corporations. During Fiscal Year

2011-12, two mobile home parks were established; by contrast, 61 mobile home parks closed. From July 1, 2011 to June 30, 2012, one new mobile home park was established and 23 mobile home parks closed. The division anticipates the trend of mobile home park closings to slow or cease, until the previous development pressures to convert the underlying land of mobile home parks to its “highest and best use” returns. However, as mobile home park owners seek to maximize their investment, the division anticipates an increase in the number of mobile home complaints as the residents and the owners spar over the balance between the fees required and the level of service provided within the mobile home park. During Fiscal Year 2010-11, the division received 216 complaints; during Fiscal Year 2011-12 the division has received 179 complaints.

Timeshare

Florida, specifically the Orlando metropolitan area, continues to be the timeshare capital of the world. However, with an acute tightening of the credit markets as well as personal vacation budgets, the pace of timeshare development and purchases have slowed dramatically. Industry representatives are optimistic that the timeshare market will turn as the economy improves; however, interest in timeshare resales, and timeshare resale fraud, has drawn the attention of the Florida Attorney General, prompting legislation to address this issue. From July 1, 2011 to March 31, 2012, the division received 13 filings for new timeshare projects. During the same period, the division received 1,355 timeshare complaints.

Yacht and Ship

The Yacht Brokerage Industry provides a significant economic stimulant to Florida’s economy accompanied by a multiplier effect that creates a multitude of ancillary support businesses. In support of this industry, the division’s Yacht and Ship section licenses yacht brokers and salespersons and investigates complaints against them to identify violations such as unlicensed activity and escrow violations. The division’s regulation of the Yacht and Ship Brokers Act allows buyers and sellers from the U.S. and around the world to feel confident transacting business in Florida. For the first time in four years, boat show sales activity is on the rise, together with a rise in unlicensed activity by ‘bad actors’ who attempt to operate without a license. Over the course of the 2010-11 fiscal year, the number of active yacht broker licenses ranged from 2,628 to 2,666; from July 1, 2011 to June 30, 2012, the number of active yacht broker licenses ranged from 2,666 to 2,743. Year to year, we expect the number of complaints to remain steady with the division receiving 43 complaints during Fiscal Year 2010-11. From July 1, 2011 to June 30, 2012, the division has received 45 complaints.

DIVISION OF HOTELS AND RESTAURANTS

The department’s Long Range Program Plan (LRPP) includes an agency goal of 11% annual employee turnover rate. The turnover rate for the division’s food and lodging inspection staff is 19%. This rate is 60% above the department-wide goal. This high turnover rate compromises public safety, core mission and ability to meet legislative performance measures.

In November 2005, the Office of Program Policy Analysis and Government Accountability issued Report No. 05-51, entitled “Division of Hotels and Restaurants Improves Operations But Not Meeting Inspection Goals.” Over the following three fiscal years, the division received 28

additional food service and lodging inspection positions, increasing the total to 186 inspectors covering more than 83,800 establishments across the state.

The table below shows the percent of statutorily required inspections that were completed by fiscal year beginning in Fiscal Year 2004-05.

Completed percentage of statutorily required inspections:

	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12
Percent Completed Inspections	74%	77%	83%	89%	98%	98%	98%	99%

The state continues to experience annual growth in the number of food and lodging establishments, and it is anticipated that this trend will continue. The following chart shows the growth change for the food and lodging establishments, the total number of inspectors and the percentage increase of each from Fiscal Year 2004-05 to Fiscal Year 2011-12.

Business Volume Change From Fiscal Year 2004-2005 to Fiscal Year 2010-2011:

Activity	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Percent Growth
Food Accounts	42,277	43,216	43,983	44,664	44,697	45,327	46,315	47,251	11.8%
Lodging Accounts	36,549	36,906	36,967	36,600	37,898	37,273	37,544	37,897	3.7%
Total Accounts	78,826	80,122	80,950	81,264	82,595	82,600	83,859	85,148	8.0%
Total Inspectors	158	158	170	183	186	186	186	186	17.7%

Sixteen Year Inspection Staffing and Account Growth Comparison :

Fiscal Year	Total Inspectors	Total Supervisors	Total Accounts	% Account Growth	% FTE Decrease
1996-1997	189	24	65,654		
2011-2012	186	17	85,148	29.7%	-4.7%

To meet statutorily required food and lodging establishment inspections, the division will need, and be able to retain, additional staff.

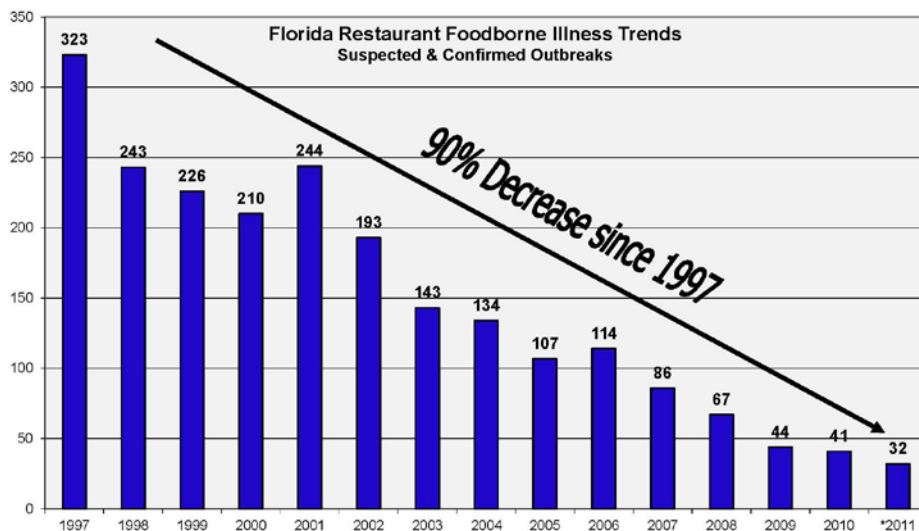
The division centralized licensure of food and lodging establishments in July 2006. In Fiscal Year 2009-10, the division completed its first full year of centralized food service plan review. Application, fee payment, and reviews transitioned from the seven district offices to Tallahassee. Eligible restaurant license applicants can now electronically submit their plans for immediate feedback and approval. Plan review centralization has resulted in a more efficient use of resources, greater consistency and responsiveness, and cost savings to licensees. The centralized plan review program has won multiple Davis Productivity Awards and received national recognition. Harvard’s Kennedy School of Government selected the plan review program for its 2010 Bright Ideas initiative. The Pioneer Institute recognized the program as a runner-up in its 2011 Better Government Competition.

The division’s food and lodging inspectors continue to use handheld personal digital assistants to record and transfer inspection data to the main database and generate customized inspection reports for each visit. Inspectors upload inspection results daily, making this information instantly available to the public through the department’s internet portal. The handheld personal digital assistant inspection system was initiated in 2003 and has seen numerous refinements since that time. This technology has now become outdated and replacement units are no longer available, necessitating replacement with current equipment and technology. The 2012 Florida Legislature approved appropriations to replace the PDAs with tablet type computers. The advent of improved technology brings with it advancements that will allow the division to continue moving forward in accomplishing its core mission. These improvements include the ability to email, a huge advancement in inspector communications with headquarters, district offices and licensees.

In 2011, the division introduced two new features to facilitate the food and lodging license application processes. Since plan review and license application are separate processes, the division has historically kept these applications totally separate as well. In Spring 2011, the division began offering a combined plan review/licensing application process for those food service applicants that desire to expedite these processes. In August 2011, the division completed integration of most of its food and lodging applications into the department’s online application.

Florida Restaurant Foodborne Illness Trends

The Department of Health provides data for suspected and confirmed foodborne illness outbreaks in operations licensed by the Division of Hotels and Restaurants. Of the 32 posted for 2011, 16 were confirmed and 16 were classified as suspected.



Foodborne illness in Florida has trended downward significantly during the past 15 years. The statistics in the chart (above) indicate:

- 90% decrease since adoption of the FDA Food Code and implementation of Food Service Employee Training in 1997

- 83% decrease since implementation of the PDA inspection tool in 2003
- 72% decrease since implementation of the risk-based inspection program in 2007

Continued important reductions in foodborne illnesses indicate that Division of Hotels and Restaurants' aggressive attention to science based policies and effective enforcement strategies is achieving positive results and improving public health and safety.

Protecting the public and preventing foodborne illness is the driving force behind the division's food safety program. Florida's proactive response to the food safety challenges outlined in the US Department of Health and Human Services "Healthy People 2020" initiative contributed to the magnitude of this reduction. All of this ultimately results in a safer experience for the dining public.

The Florida Division of Hotels and Restaurants has long been recognized by the Food and Drug Administration as a national leader in food safety. These leadership roles are of critical importance to the division's success in providing quality control and public safeguards for the state's at-risk populations and over 80 million annual visitors who eat in restaurants and stay in lodgings.

In 2012, the division was recognized for this achievement by Florida Tax Watch, Prudential Davis Productivity Awards. Foodborne illness reduction is recognized nationally as the benchmark of a quality food safety program. The financial impact in Florida for improved food safety over 13 years is conservatively estimated at \$19,526,528 in total savings to the public, an average of \$1.6 million per year.

Despite a 29.7% increase in accounts resulting in 19,494 more businesses to inspect and a 4.7% staff reduction, the division was able to achieve a 90% decrease in foodborne illness outbreaks in Florida's restaurants.

Bureau of Elevator Safety

The Bureau of Elevator Safety licenses and regulates elevators, escalators, and other vertical and inclined conveyance devices. Specific responsibilities include issuing elevator certificates of operation; maintaining inspection, accident and complaint data; processing and issuing permits for applications to construct, alter, modify or relocate elevators; registering elevator companies, elevator technicians and private inspectors; and monitoring local-partner programs, elevator companies, elevator technicians and private inspectors. The bureau also provides facilitation and administrative support to the Elevator Safety Technical Advisory Council (ESTAC).

In addition to performing monitoring inspections, bureau inspectors respond to complaints, educate owners about their responsibility to have annual safety inspections and work to eliminate code violations in their respective regions. The bureau's oversight role for more than 68,000 conveyances continues to increase because of growth in new elevator construction and registration of new private elevator inspection firms doing business in the state.

The Auditor General’s Report No. 2006-075 and Office of Program Policy Analysis and Government Accountability Report No. 08-18 made several recommendations for improvement to the program including:

1. Increased monitoring of local governments with delegated regulatory authority, (complied) and
2. Amending s. 399.049, Florida Statutes, to increase the division’s enforcement authority. (complied)

Highlights of the new elevator law that became effective on July 1, 2010 include:

- Grants the division right of entry to perform its duties
- Allows the division to issue citations for unlicensed activity
- Creates new violations subject to penalty, and
- Requires certified elevator inspectors to respond to requests for information from the division regarding inspection reports.

The state continues to experience annual growth in the number of elevator accounts, and it is anticipated that this trend will continue. Licensure Year 2011-12 ended on July 31 with the highest number of elevators in full compliance with the law, those having a current license and no violations, in the bureau’s history. The following chart shows the growth change and compliance level from Licensure Year 2004-05 to Licensure Year 2011-12.

Business Volume Change and Compliance Improvement From Licensure Year (LY) 2004-05 to 2010-11

	LY 2004- 05	LY 2005- 06	LY 2006- 07	LY 2007- 08	LY 2008- 09	LY 2009- 10	LY 2010- 11	LY 2011- 12	% Growth / Improvement
Number of Elevator Accounts	38,999	40,956	43,597	45,662	47,271	48,086	49,552	50,074	28.4% Growth
Percent of Elevators with Zero Violations and Current License	55.9%	68.8%	94.1%	94.3%	94.6%	94.9%	97.2%	97.2%	73.9% Improvement

DIVISION OF INFORMATION TECHNOLOGY

Versa LicenseEase Upgrade

Versa LicenseEase is the commercial off-the-shelf (COTS) regulatory software solution that supports the department’s Single Licensing System. This system was implemented in 2001 when the department contracted with Accenture LLP to re-engineer its business processes. The department is running on a version of the software that will soon no longer be enhanced or improved, and support for the outdated software will wane quickly. Over the years, Iron Data (formerly Versa Systems) has significantly improved the software’s capabilities. The enhanced product is known as Versa:Regulation. The department will be upgrading to Versa:Regulation during Fiscal Year 2012-13.

ApplyNow! Project

The ApplyNow! project will continue the efforts to streamline the forms and processes used by applicants. As the department streamlines these forms and process, those available through online services will be modified accordingly.

Mobile Inspection Application

The department's has four divisions that have inspectors who currently utilize a mobile inspection solution that is dependent on hardware that is no longer available. The purpose of this project is to provide a replacement mobile inspection solution that will be supported on tablet type computers with the same functionality that is currently being utilized. This solution will provide for long-term support and manageability. The mobile inspection solution will be an enterprise solution that will be customizable to fit the needs of each inspection unit.

One Stop Registration Portal

This project is a statewide initiative to create a single point of entry for business licensure and permitting. The project is led by the Department of Revenue. The department is included as a participant in Phase 1, Element 4 of this project.

Log Rhythm

Information technology security is at the forefront of the nation's government trends. Because information security is one of Florida's top priorities, the division implemented the Log Rhythm appliance (in partnership with the Northwood Shared Resource Center) to increase the security and accountability of data on department servers by aggregating and analyzing log files. The system will also aid in diagnosis of outages and incidents by illustrating systems in relation to events.

MobileIron

In addition to monitoring network traffic, the ability to monitor traffic and programs on mobile devices is also an information security initiative. The division has chosen MobileIron to secure the mobile devices used by the department. The system will track and enforce the State of Florida's information security policy on all mobile devices deployed (including smartphones, tablets, etc.) MobileIron will also allow the department to separate and control applications downloaded to these devices.

Productivity Software Upgrade

In Fiscal Year 2011-12, the Division of Technology signed a three-year agreement with Microsoft to purchase software under an Enterprise Agreement. This software package includes department-wide licensing for the Windows 7 operating system, Microsoft Office Suite 2010, and Microsoft System Center Configuration Manager (SCCM), a product which will allow the division to manage software distribution to selected target systems through a remote process.

DIVISION OF PARI-MUTUEL WAGERING

Senate Bill 622

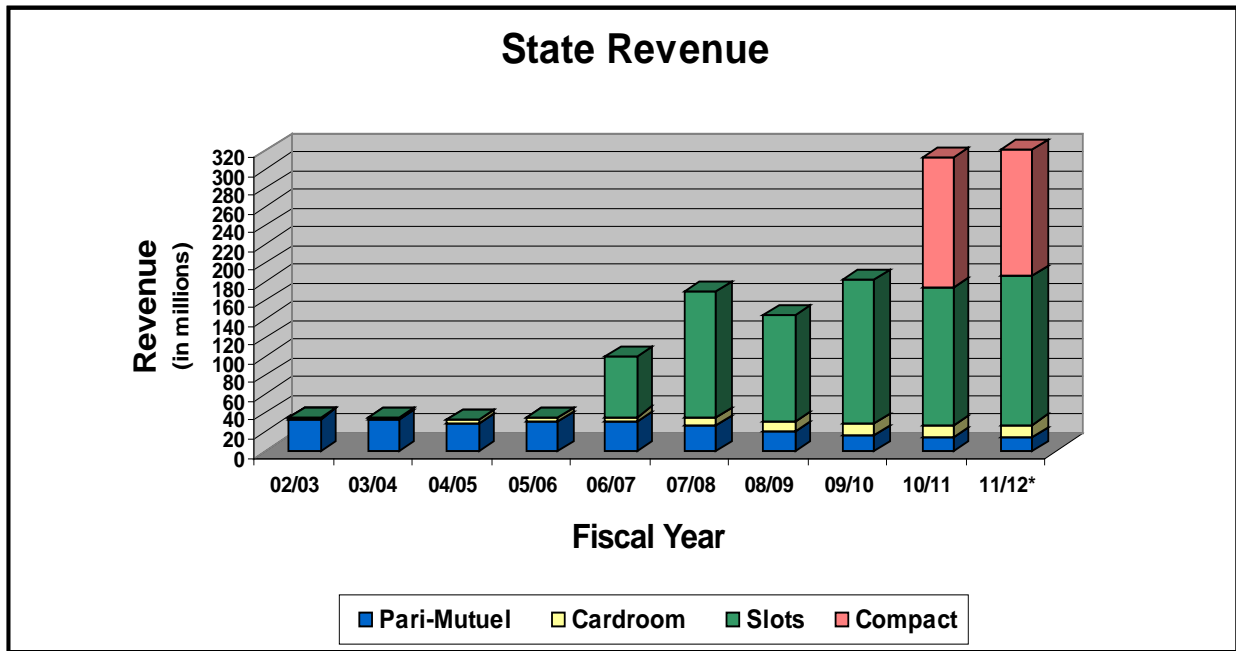
The 2010 Legislature ratified the Compact signed by the Governor and the Seminole Tribe of Florida on April 7, 2010. In addition, Senate Bill 622 provided an effective date of July 1, 2010, for the provisions relating to pari-mutuel facilities that were passed in Senate Bill 788 the previous year. The Compact was approved by the U.S. Secretary of the Interior upon publication of notice of approval in the Federal Register which appeared on July 6, 2010. The legislation contained the following provisions:

- Authorizes Division of Pari-Mutuel Wagering as the State Compliance Agency for administering the Compact.
- Required that quarterhorse permits be evaluated under the same criteria as other permit applicants and allows quarterhorse permitholders to substitute 50% of races with thoroughbreds.
- Reduced the slot machine tax rate from 50% to 35% and reduces the annual slot license fee from \$3 million to \$2 million in Fiscal Year 2011-12.
- Extended cardroom hours to 18 hours per day on Monday through Friday and 24 hours on weekends and holidays.
- Removed cardroom wagering limits and authorizes cardroom operators to set entry fee for tournaments.

Without statutory changes, the division does not expect to see the emergence of new pari-mutuel permits as Section 550.054, Florida Statutes, limits the issuance of new pari-mutuel permits due to mileage restrictions in proximity to existing pari-mutuel facilities.

Although the number of cardrooms operating at pari-mutuel facilities remains consistent, the division would expect cardroom gross receipts to continue to slightly increase annually, based on the increasing popularity of poker.

Miami Jai Alai began operating slot machines on January 23, 2012. Hialeah Park has projected a start date of July 2013 to begin offering slot machine gaming.



DIVISION OF PROFESSIONS

The department's Division of Professions is responsible for the licensing of approximately 396,000 professionals. The division administers 12 professional boards, one council and six department-regulated professions. The professions include: architects and interior designers, asbestos consultants, athlete agents, auctioneers, barbers, building code administrators and inspectors, community association managers, the construction industry, cosmetologists, electrical contractors, employee leasing companies, geologists, landscape architects, harbor pilots, mold assessors and remediators, home inspectors, talent agencies and veterinarians.

The Division of Profession includes five shared board offices. The staff of each board office provides support for multiple boards. The shared offices are staffed by an executive director, two government analysts and an administrative assistant. The principal duties of the board offices include: scheduling board meetings, preparing agendas, assembling applications and disciplinary files for board review, attending and providing support during board meetings, and tracking discipline. The department is responsible for issuing licenses and taking disciplinary action for the athlete agent, talent agency, asbestos, community association management, mold assessors and remediators and home inspector professions. Each board meets between four and 11 times per year, and the board offices receive application and disciplinary files monthly, along with board disciplinary orders that are filed with the agency clerk. Each office also prepares newsletters for each profession, provides industry education through speaking engagements, and assists applicants and licensees with complex licensing issues that are referred from the department's Customer Contact Center.

The Division of Professions also includes the Bureau of Education and Testing (BET). BET was transferred from the Division of Service Operations to the Division of Professions during Fiscal Year 2009-10 to align the functions and activities of BET with the professional board offices they serve. BET administers licensure examinations, processes continuing education course applications, and ensures that the license holders have met continuing education requirements prior to renewal.

Additionally, on October 1, 2011, the Office of Codes and Standards was transferred to the division from the Department of Community Affairs. The Office of Codes and Standards includes the Florida Building Commission and programs related to the Florida Building Code and the Manufactured (Modular) Building Program. The Office of Codes and Standards is staffed by an Administrator, the Executive Director of the Florida Building Commission, the Planning Manager for the Codes and Standards Technical Unit, seven technical staff, and five administrative staff. The primary responsibility of the Florida Building Commission is to adopt the Florida Building Code (Code) every three years, update the Code through the "glitch" amendment process, and issue interpretations on the Code. The Commission also administers the Product Approval System; an optional statewide approval for seven identified building envelopes and structural frame products (panel walls, exterior doors, roofing products, skylights, windows, shutters, structural components). The Commission also administers the Accreditation Program to review advanced course applications to ensure compliance with the Florida Building Code. During Fiscal Year 2011-12, the Commission processed 3,509 product applications, 199 third-party approval entity applications and 81 advanced course applications.

The Manufactured (Modular) Building Program (MBP) ensures structures built in a manufacturing facility are designed, constructed and inspected in compliance with the Florida Building Code. In Fiscal Year 2011-12, the Office processed the following number of insignias (decals) for manufactured buildings: 1,236 for factory-built schools, 907 for manufactured buildings and 22,004 for sheds, totaling 24,147 insignias.

Based upon an analysis of data extracted from the department's licensing system, LicenseEase, the division experienced increases/decreases in the following areas:

- Applications referred to the professional boards totaled 4,945 in Fiscal Year 2009-10. That number decreased by approximately 7.52% to 4,573 in Fiscal Year 2010-11. In Fiscal Year 2011-12 the number of applications referred increased by 1.29% to 4,632. The recent increase appears to result from a gradual increase in economic activity related to professions in the housing industry.

In addition, the department continues to make efforts to increase the number of applications approved without the necessity for board referral. Some board rules require all applicants to come before the board while others have requirements for board review only when applicants have problematic criminal or credit history. Approval of non-controversial applications by the department, without having to wait for a scheduled board meeting, allows for more expedient licensure.

- Over a twelve-month period (beginning July 1, 2011), the department initiated the "ApplyNow! Project" to revise the applications of nineteen professions. The project identified application issues that caused the greatest amount of deficiency letters and applicant confusion. The applications and instructions were revised to address the identified problems. The revised forms resulting from this process were then adopted through the rulemaking process.
- In Fiscal Year 2009-10, there were 1,449 disciplinary cases referred to the professional boards. In Fiscal Year 2010-11 disciplinary cases decreased to 1,414, a 2.42% reduction. Disciplinary cases decreased to 901 in Fiscal Year 2011-12, a decline of more than 36.28%.
- Disciplinary action taken by the boards totaled 1,678 cases in Fiscal Year 2009-10. In Fiscal Year 2010-11 disciplinary cases totaled 1,956, an increase of 16.57%. In Fiscal Year 2011-12 the number of disciplinary actions decreased to 1,395, a 28.68% reduction. It is anticipated that percentages for Fiscal Year 2012-13 may trend similar to the prior year, or slightly less, due to the slow economic recovery.
- The number of professional licenses in Fiscal Year 2009-10 was 369,325. In Fiscal Year 2010-11 the number increased 2.3% to 377,818. In Fiscal Year 2011-12 professional licenses totaled 396,331 for an increase of 4.90%. A small increase in licenses is anticipated for Fiscal Year 2013-14 based upon the U.S. Department of Labor, Bureau of Labor Statistics' "Current Employment Statistics" survey of jobs and workers. This survey projects a job growth of 1.3 percent in the near future. Gross domestic product

(GDP) is projected to grow by 3.0 percent annually. The expansion is projected in industries and occupations related to health care, personal care, social assistance and construction.

DIVISION OF REAL ESTATE

The division is responsible for the examination, licensing and regulation of more than 335,000 real estate and appraiser professionals, corporations, schools and instructors, pursuant to Chapters 455 and 475, Florida Statutes. Additionally, the division provides administrative support to the Florida Real Estate Commission and the Florida Real Estate Appraisal Board.

The division estimates that the number of real estate licensees will substantially increase during Fiscal Year 2012 - 13 as the real estate market continues to stabilize. There has been a noticeable increase in the number of initial applications for broker and sales associates beginning in February 2012. Fiscal Year 2011-12 saw an overall increase of 1.5% in the number of licensees from Fiscal Year 2010-11.

The handling of complaints and investigations has been streamlined to incorporate technology tools which continue to enhance the efficiency of the complaint resolution process. There were 4,931 complaints received in Fiscal Year 2011-12 compared to 6,165 complaints received in Fiscal Year 2010-11.

Despite this reduction, the division believes that the number of complaints handled by the division will increase in Fiscal Year 2012-13 as a result of regulation of appraisal management companies, continued complaints related to short sales, and escrow violations. As the number of complaints increases with the regulation of appraisal management companies, the number of investigations and prosecutions will increase creating the need for additional resources.

Additionally, the number of complaints regarding the unlicensed practice of real estate remains steady with the division receiving 1,376 in Fiscal Year 2011-12. This represented a 5.3% decrease over Fiscal Year 2010-11. The cases relate primarily to timeshares transactions and activity related to distressed property.

On July 21, 2010, President Obama signed into law House Resolution 4173 – the Dodd-Frank Wall Street Reform and Consumer Protection Act. This is a bill to promote the financial stability of the United States by improving accountability and transparency in the financial system and to protect consumers from abusive financial services. This bill has a direct impact on the division's appraisal program. This allows, in part, for more federal oversight of Florida's appraisal regulatory program, increases national registry fees for all appraisal licensees, requires additional reporting to the Appraisal Subcommittee, requires the licensing of appraisal management companies, requires mandatory reporting by financial institutions of appraiser violations, and creates a hotline operated by the Appraisal Subcommittee for reporting appraisal violations. The impact of these changes on the number of disciplinary cases is unknown.

DIVISION OF REGULATION

The division is comprised of several sections that are responsible for the regulation and enforcement of the statutes and rules set by the Legislature, the boards, councils, and programs

administered by the department. The units that comprise the division are Complaints, Unlicensed Activity, Investigations, Inspections, Farm Labor, Child Labor, and Alternative Dispute Resolution. The division regulates in excess of 370,000 individuals and businesses, licenses in excess of 3,000 farm labor contractors and proactively finds and reactively pursues reports of unlicensed activity. Complaint intake analysis, investigations, and inspections are the initial enforcement tools used by the division. Education and outreach are also provided to consumers to help raise public awareness about the necessity of hiring licensed professionals.

The division has eight regional offices and two satellite offices located throughout the state. Unlicensed activity sweep and sting operations are conducted as a part of the division's proactive enforcement efforts. Each regional office is charged with completing sweep and sting operations throughout the year. Sweeps are pre-emptive enforcement actions performed in areas of known or suspected unlicensed activity, and are generally performed in conjunction with other state agencies, law enforcement or local municipal agencies. Stings are pre-emptive undercover enforcement actions in which the division pursues known unlicensed persons by providing the unlicensed subject the opportunity to offer services that require a license. These operations may result in arrests, issuance of notices of cease and desist, issuance of citations or the opening of investigative cases. Stings and sweeps curtail unlicensed activity in our state, and provide media opportunities which can be used to increase community awareness about the department's actions and risks of hiring unlicensed individuals.

Section 455.2235, Florida Statutes, gives the division authority to resolve certain complaints through the mediation process. The division's Alternative Dispute Resolution Program, in conjunction with field investigators, facilitates agreements between professionals and consumers. This program provides economic recovery to consumers without the time and expense of an enforcement action against the professional. This alternative to enforcement action has resulted in significant cost savings to the department, faster case resolution for the consumer, and has proven to be especially beneficial after hurricanes and/or major storms.

The division's farm labor and child labor programs review applications and issue permits that help protect two of Florida's most vulnerable populations; farm laborers and children. The farm labor program examines and licenses farm labor contractors who supply Florida farmers with the important labor needed to harvest Florida crops. Both programs verify compliance with statutes through proactive enforcement efforts that include routine checks, inspections, and investigations. These enforcement measures help protect Florida's farm workers and minors from harmful work situations and exploitation. The farm labor enforcement measures include, but are not limited to, conducting payroll audits, verifying the safety of transportation used to transport farm workers, and the cleanliness of sanitation outlets provided for farm labor personnel. The child labor unit conducts walk-in site visits at establishments that employ minors and checks employment records to ensure employers are adhering to proper work hours and break times for minors.

In June 2008 the division began using the OnBase computer system allowing "paperless" processing of complaints. What was once thousands of paper cases that required extensive time to review and manage are now electronic documents which are stored on the network and

transmitted electronically. This system speeds up processing times and reduces paper and storage costs.

The following is statistical data for complaints, inspections and investigations. Fiscal Year 2008-09 is used as a baseline year for complaints and investigations because it is the first average year after the volume of cases spiked as a result of the hurricanes of 2004 and 2005.

Activity	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12
Complaints	15,899	14,501	13,392	11,272
Investigations	4,803	4,581	4,711	4,395
Inspections	17,880	18,474	17,467	17,435
Farm Labor Investigations & Inspections	5,025	4,262	4,278	4,044
Child Labor Investigations & Inspections	10,075	11,793	10,403	11,756
Sweeps	472	301	142	120
Sting Operations	33	35	26	19
Average Inspections Per Inspector	1,118	1,155	1,092	1,026
Outreach Events	273	318	311	535

Recent downturns in the economy have caused the number of complaints and investigations to continue to remain lower than past years until economic conditions improve. However, a major hurricane could immediately increase construction activity, unlicensed activity and related complaints. There are also reports of an upswing in the Florida housing market and this could also cause the number of complaints and investigations to go back to previous levels.

With the recent decrease in the number of complaints received, the Division of Regulation has been able to reduce the time it takes to investigate a complaint. The average processing time in Fiscal Year 2011-12 was 70 days, which is a drastic reduction from the 120-day average in Fiscal Year 2008-09. This provides greater service to the consumer as well as to the individual or business being investigated. There has also been a greater emphasis on resolving complaints using alternative methods such as mediation, citations and notices of non-compliance, which are non-disciplinary. These alternative means of complaint resolution reduce the amount of investigative and legal time, and allow the department to focus on those that do harm to consumers.

The division conducts inspections of all cosmetology, barber and veterinary establishments in Florida. Inspections are conducted on a two-year cycle, rather than a one-year cycle as done in the past, to allow the inspector to focus on violators and perform re-inspections of establishments not meeting minimum standards within 120 days. The number of new establishments continues to rise, so the number of inspections is expected to either remain consistent or moderately increase.

The average number of inspections per inspector is expected to remain consistent with Fiscal Year 2011-2012 numbers as a result of the implementation of the biennial inspection of veterinarian and barber establishments.

Outreach efforts increase consumer and licensee awareness regarding license requirements and unlicensed activity, helping to reduce the total number of complaints. The number of outreach events is expected to increase over time.

DIVISION OF SERVICE OPERATIONS

The Division of Service Operations' mission is to provide premier centralized services to applicants, licensees and the general public.

In Fiscal Year 2010-11, the department was successful in launching the VERSA Online licensure application processing software on its internet portal. VERSA Online is a state-of-the-art application processing software, which has eliminated the need for licensure applicants to send in paper documents and payments. The new software automates the application process, and makes it very convenient for the applicant to submit an electronic payment simultaneously with the online application. The new software technology has resulted in increased online licensure processing activity and has increased the number of applicants paying their licensure fees electronically, either by e-check or credit card. This includes renewal licensing fees as well.

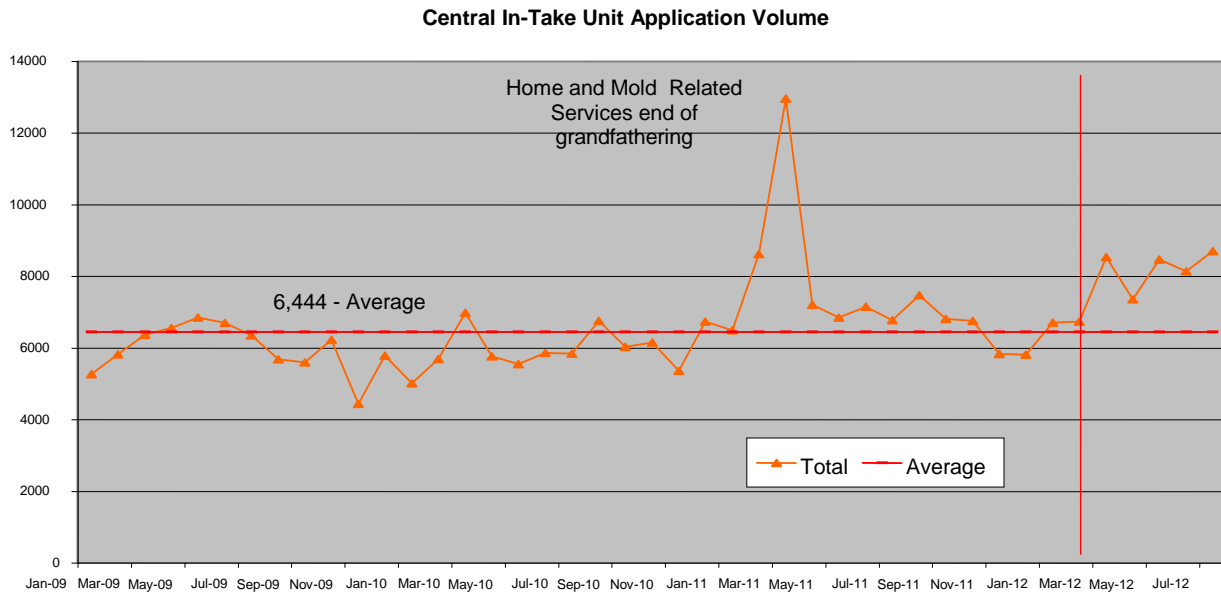
With the implementation of the VERSA Online technology, 29% of all the initial application types are available online. This includes professions such as Real Estate and Cosmetology, which represents 65% of all the application received by the department. In Fiscal Year 2010-11, 24.93% of the applicants submitted their initial applications online. By the end of Fiscal Year 2011-12, 30.81% submitted their initial applications for licensure online.

By the end of Fiscal Year 2012-13, the department is anticipating to have transitioned from using the LicenseEase licensing software program to using the Versa Regulation licensing software program. With this technology upgrade, the department also anticipates improvements to the online services available to applicants initially applying for licensure and licensees renewing their licenses through the department's Internet portal.

The department is in the final stages of an application revision program that is aimed to streamline the applications and clearly explain licensure requirements to the applicants. Of the initial programs that have undergone the revision process, the Construction Industry Licensing Board's licensing application deficiency rate has reduced from 62% to 32%, and the Cosmetology Salon's deficiency rate has been reduced from 49% to 35%. The Construction Industry and Cosmetology Salon applications are complex and time consuming applications to process. Reducing the deficiency rate for these two professions will allow the department to expedite the licensing process and promote Florida's business climate.

Since February 2012 the department has been monitoring a significant increase in the number of applications received for the Real Estate Commission and the Construction Industry Licensing Board. The increase in applications has been consistent and seems indicative of an economic recovery. The Real Estate Commission's initial applications have increased from a monthly average of 2,000 to 2,600 and the Construction Industry initial applications have increased from a monthly average of 800 to 1,300 a month. Consequently, if this trend continues, the Central Intake Unit will need to consider reallocating staff to ensure the licensure process is expedient as we continue to provide a high level of service to the our customers.

Unit Application Volume, January 2009 to July 2012:



The Call Center currently services 34 boards and commissions and provides the public and licensees with information on license requirements, application fees, renewal fees, continuing education, exam dates, exam fees and assists with on-line services. Through the use of an Interactive Voice Response System and direct assistance by the call agents the Customer Contact Center handled over one million calls and 118,527 emails in FY 2011-12.

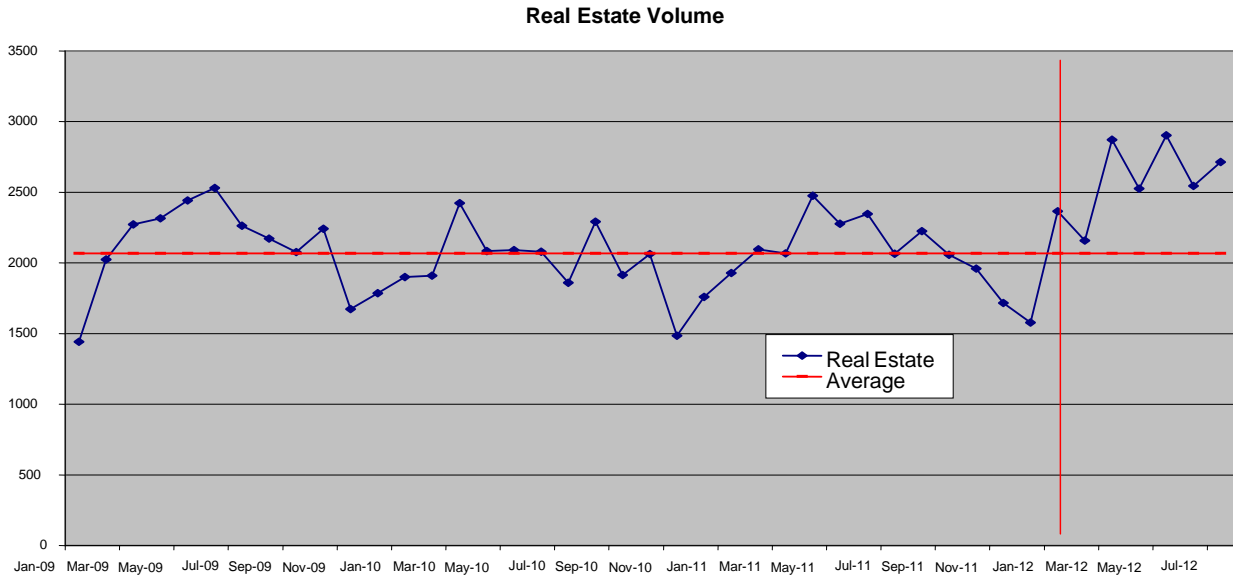
On January 13, 2012, the department replaced the Customer Contact Center’s Siebel CRM software with Microsoft Dynamics CRM software for approximately 70 Call Center Customer Service Representatives (call agents). The new software was integrated with LicenseEase, OnBase and the new telephone and Interactive Voice Response (IVR) systems. Additionally, the department upgraded the antiquated telephone system and refreshed the Customer Contact Center’s IVR software. The department utilized the Department of Management Services (DMS) SUNCOM Telephone Equipment Premise-Based Services (STEPS) contract for developing the telephony solution.

To better serve the department’s customers, the Call Center has enhanced call agent training and collaborated with the boards and commissions to develop improved frequently asked questions. Additionally, the Call Center has enhanced the call routing system by using skill based routing to ensure callers speak to agents who are specialized in their subject matter. The Call Center has also developed a department-wide escalation policy. This process allows the Call Center to promptly escalate calls that need to be handled by the other business units.

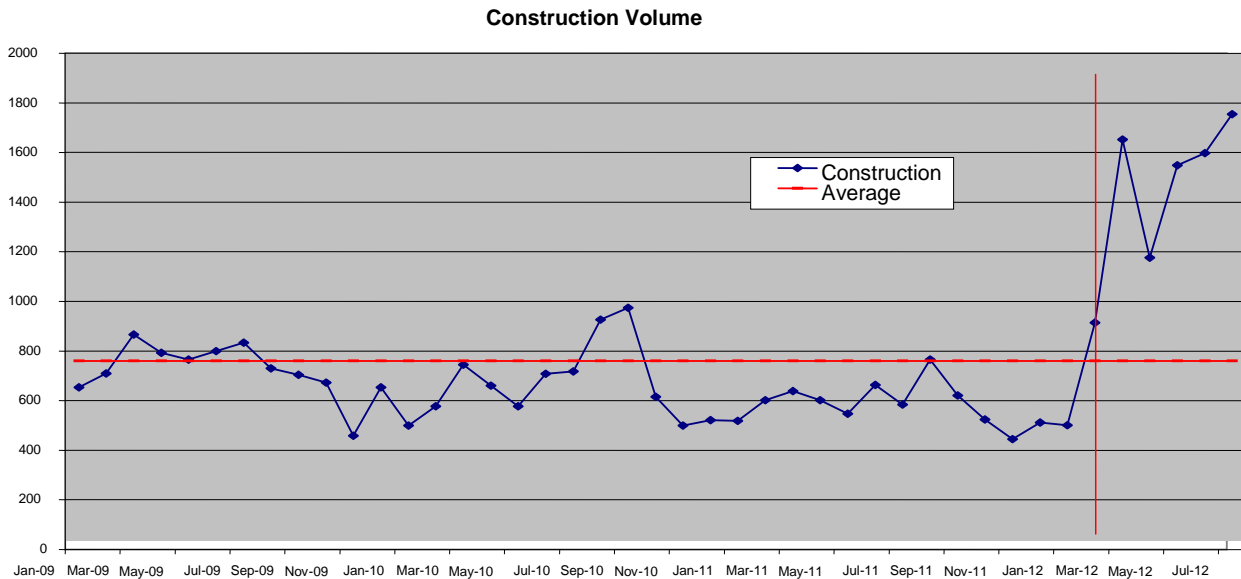
Since February 2012, the department has seen a 30 and 63 percent increase in initial applications submitted for the Real Estate Commission and Construction Industry Licensing Board, respectively. Consequently, the Call Center has had an increase in calls associated with these

two professions. To handle the increase in call volume the Call Center has hired additional OPS temporary staff.

Real Estate Application Volume, January 2009 to July 2012:



Construction Application Volume, January 2009 to July 2012:



DRUGS, DEVICES, AND COSMETICS

The Florida Drug and Cosmetic Act, Part I of Chapter 499, Florida Statutes, charges the department with safeguarding public health, safety and welfare by protecting Floridians from

personal and financial injury arising from the use and advertising of drugs, devices and cosmetics.

Controlled Substance Abuse and Diversion

The Drug, Devices and Cosmetics program remains committed to the statewide and national struggle against controlled substance diversion and abuse. Thanks to stronger state laws, applied through law enforcement and regulatory efforts at all levels of government, Florida has made substantial progress in this struggle.

House Bill 5311, enacted during the 2010 legislative session, required, beginning August 20, 2011, certain permitholders to report controlled substances distributions to the department. The program is responsible for ensuring compliance with this reporting requirement. Multiple written notifications have been sent out to these permitholders, reminding them of the obligation to register with and report to the Controlled Substance Reporting system. The program will be auditing permitholders for compliance with this statutory reporting requirement, and will collaborate, to the extent resources allow, with external law enforcement and regulatory partners to take aggressive action against corrupt suppliers.

Counterfeiting, Contraband Drugs, and Pedigree Papers

The pharmaceutical industry is increasingly global, and theft and counterfeiting are alive and well, especially abroad, but also domestically. The recent and well-known discovery of counterfeit Avastin, a powerful and expensive cancer drug, in the U.S. is just the latest example. In the last two years, over 50 distinct substandard or counterfeit products have been found in the U.S. supply chain, including Insulin, Evital, Tamiflu, Phentermine, Vicodin, Viagra, Depakote, Glucophage, Zolof, Lipitor, Cialis, Xanax, Ativan, Lorazepam, and Klonopin.

Counterfeit and contraband products often enter the country through superficially lawful channels, and Florida's pedigree paper system (documentation all along the distribution chain) remains a powerful tool for deterring and detecting these products. The department will continue efforts to encourage pedigree paper compliance, with increased emphasis on out-of-state firms.

Congress may take up a national pedigree paper standard, possibly requiring revisions to Florida law in near-term legislative sessions.

Medicaid/Medicare/Insurance Fraud

There is a disturbing upward trend in prescription drug distributors participating, directly or indirectly, in third-party healthcare insurance (Medicaid, Medicare and private) fraud schemes. A representative example of this type of fraud scheme is as follows:

- A pharmacy purchases a prescription drug from a supplier;
- The pharmacy "dispenses" the drugs to a covered patient and submits a bill to the payor;
- The pharmacy buys the drugs back from the patient for a fraction of fair market value, allowing the same drugs to be re-dispensed, perhaps several times to (other fraudulent) patients;

- The pharmacy returns the drugs to the supplier, often for full credit, and then re-purchases the same product from another supplier to give the appearance of ordinary business practices; and
- If the pharmacy is audited, one or more of the suppliers actively or tacitly assists the pharmacy in concealing inventory abnormalities.

Healthcare fraud costs taxpayers and consumers hundreds of millions of dollars, and the department will contribute whatever resources are available to assist state, local and federal law enforcement agencies in these regards.

Drug Shortage Exploitation

There were over 200 different drugs in short supply in 2010. In 2011 that number exceeded 250, and through mid-August 2012, over 150 products (although 61 of those have been resolved).

Some drug distributors exploit shortages of life-saving medications by overbuying, holding, and then reselling as the shortage becomes acute, sometimes at a several-thousand-percent markup. The impacts on patient outcomes and the overall cost of healthcare are profound. These business practices actually exacerbate the shortage, intentionally or otherwise, by artificially inflating demand and reducing supply, with predictable effects on pricing. And since many healthcare providers cannot legally refuse care on the grounds of cost alone, the end results are destructive for everyone but the distributor.

Such behavior may, or may not, be illegal. But, the profits are such that many distributors operate outside of lawful distribution networks, in the so-called “gray market.” The gray marketer’s disregard for legal requirements places law-abiding and compliant firms at a competitive disadvantage.

The department anticipates compliance efforts calculated to curb artificial exacerbation of drug shortages by leveling the playing field for all distributors.

Designer Drugs

Over the past year-and-a-half, there has been increased public attention and focus on the use of “bath salts”, so-called “synthetic marijuana”, and similar drugs. To the extent that these synthetic drugs and bath salts are manufactured and distributed in Florida, the division has concurrent jurisdiction with criminal authorities. The Drug, Devices and Cosmetics program will serve as a resource for law enforcement authorities as they seek to reduce the use of these substances by Floridians. To the extent possible, department inspectors will participate in cooperative efforts with local, state, and federal authorities to address this growing problem.

FLORIDA STATE BOXING COMMISSION

The Florida State Boxing Commission regulates professional boxing, kickboxing and mixed martial arts pursuant to Chapter 548, Florida Statutes. In addition, the commission approves and monitors amateur boxing, kickboxing, and mixed martial arts sanctioning organizations that host events in Florida.

The daily operations of the commission are managed by an executive director, three fulltime employees and one that is part-time. Part-time staff is utilized on a per-event basis to perform application intake, licensing, revenue collection, event result recording, venue inspection, timekeeping, and enforcement functions. The commission collects revenue through license/live event permit fees, fines, and taxation on gross receipts associated with live events.

Amateur mixed martial arts is a relatively new industry being regulated in Florida, and recently the commission approved a number of applicants who had applied to become licensed as an amateur mixed martial arts sanctioning organization. Upon approval, the licensed amateur sanctioning organizations began offering their services to amateur promoters. As a new industry, it is important that the State ensure the health, safety, and welfare of citizens and participants. This young industry is anticipated to grow and bring more amateur sanctioning organizations into Florida over time. Amateur mixed martial arts events will also have a positive impact on businesses as a whole. The events will bring additional revenue to businesses such as promoters, venues, ring rental businesses, announcers, sound technicians, concessionaires and clothing distributors.

The commission is responsible for periodic compliance checks of the approved amateur sanctioning organizations to ensure enforcement of approved health and safety standards and supervision of matches. It is anticipated that the number of approved mixed martial arts amateur sanctioning organizations will increase, which will increase the number of amateur events in Florida. The commission is currently monitoring the number of boxing, kickboxing and mixed martial amateur events to determine if additional staff will be necessary to ensure periodic compliance checks are conducted.

The chart below shows the number of boxing, kickboxing and mixed marital arts events over the last five years.

Number of Events from Fiscal Year 2007-2008 to Fiscal Year 2011-2012

Events	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12
Mixed Martial Arts	33	33	32	31	26
Boxing	41	34	33	40	25
Kickboxing	0	0	0	0	0
Total Pugilistic Events	74	67	65	71	51

Nationally, Florida is among the most active states for amateur and professional boxing as well as professional mixed martial arts events in the United States. In Fiscal Year 2012-2013, it is anticipated that the total number of pugilistic events in Florida will reach or exceed 51 events.

REVISIONS TO PROGRAMS AND SERVICES

DIVISION OF ALCOHOLIC BEVERAGES AND TOBACCO

Reclassification of Personnel

In the past, sworn law enforcement officers had been directed to place an emphasis on regulatory activity, diminishing the hours available for pro-active law enforcement activity. The Bureau of Law Enforcement has concluded that it can maintain its core mission with increased

effectiveness and efficiency by the realignment and reclassification of personnel. The Bureau is reclassifying the number of sworn personnel from 152 to 104. Line level sworn personnel will be reclassified from 115 to 73. Command level sworn personnel will be reduced in rank from 38 to 31. The number of FTEs dedicated to regulatory functions will increase from 14 to 59. With the regulatory functions removed from law enforcement and properly placed upon inspectors, sworn members will spend the majority of their time on law enforcement activities. Reclassification and reduction in rank of law enforcement personnel will be achieved primarily through attrition over a 2+ year period.

DIVISION OF HOTELS AND RESTAURANTS

Food Service Inspection Frequency

The Division of Hotels and Restaurants has proposed modifying the food service inspection frequency from two annual inspections to a risk-based inspection frequency. The division's personal digital assistant inspection system is outdated and replacement units are no longer available. The 2012 Florida Legislature approved appropriations to replace the PDAs with tablet type computers. This new inspection technology will improve inspector efficiency and communications capabilities and provide the field-based functionality necessary to implement a risk-based inspection frequency.

Division of Pari-Mutuel Wagering

Oversight of Seminole Gaming Compact

On April 7, 2010, the Governor and the Seminole Tribe of Florida entered into a gaming compact. The Legislature subsequently ratified the Compact in Senate Bill 622 and designated the Division of Pari-Mutuel Wagering as the State Compliance Agency with oversight of the provisions of the Compact. The Compact provides up to \$250,000 cost reimbursement from the Seminole Tribe for costs incurred by the division for oversight of the Compact. In accordance with the provisions outlined in the Compact, the division's general responsibilities include:

- Ensure that all tribal facilities and covered games are operated in strict compliance with internal control standards that meet or exceed those set forth in the National Indian Gaming Commission's Minimum Internal Control Standards;
- Ensure that all documents are retained in compliance with the requirements set forth in the Seminole Tribe's Record Retention Policies and Procedures;
- Ensure that the Seminole Tribe continues to maintain a program to combat problem gambling which shall include: comprehensive training and education program on recognizing problem gamblers and appropriate actions; providing literature and printed materials on where to get assistance; establishing a voluntary exclusion list and procedures;
- Ensure that the summaries of rules for playing covered games and promotional contests are visibly displayed and made available to patrons upon request;
- Ensure that the Seminole Tribe engages and maintains proactive approaches to prevent improper alcohol sales, drunk driving, and underage drinking;
- Ensure that the Seminole Tribe employs adequate measures to prevent underage patrons from participating in covered games;
- Verify that all revenue paid to the State of Florida, approximately \$1 billion over the next five years, is in compliance with Section XI of the Compact. The division began receiving monthly compact payments in August 2011.

- Verify that the Seminole Tribe has paid an annual \$250,000 per facility donation to the Florida Council on Compulsive Gambling;
- Ensure the average minimum pay-out of all slot machines in each facility is not less than 85 percent;
- Ensure that facility employees are licensed in accordance with the Seminole Tribal Gaming Code;
- Meet with the Seminole Tribe on an annual basis to review past practices and examine methods to improve the regulatory scheme created by the Compact;
- Review all reports of violation or suspected violation written and submitted by the Seminole Tribe or Commission; and
- Determine the distribution to each eligible county as outlined in Section 285.710, F.S.

Pari-Mutuel and Cardroom Occupational Licensing

The Division of Pari-Mutuel Wagering has recently adopted rules that will encourage multi-year occupational licensing rather than single-year renewals. The division expects this revision will save the applicant money over the life of the licensing period and decrease the number of applications that the division must process annually.

DIVISION OF PROFESSIONS

Streamline processes to promote job creation

During the upcoming year, the department will evaluate its business processes and licensing requirements for consistency with the Governor's principles for job creation and common sense regulation of Florida's businesses. The department is evaluating the necessity of various documents that are submitted as part of the licensure application process. The ApplyNow! Project has identified documents that are unnecessary or irrelevant to the approval of license applications and also simplified application instructions. The department will continue to work to increase the number of applications and supporting documents that can be submitted electronically. These efforts will streamline the licensure process; allowing individuals to obtain licenses more quickly and efficiently. Making the licensure process easier will result in job growth and economic stimulation.

DIVISION OF REAL ESTATE

Versa Online Project

The initial phase of the Versa Project involved many aspects. For the division, the initial phase of the project included an option for online submission of initial applications for sales associates. The new technology made it possible to initiate and fully complete the application processing for that particular license type electronically, including the upload and submission of supporting documentation. The online option has resulted in improved efficiency in the processing of these applications compared to the traditional method of application processing.

In subsequent phases of the process, additional license types have been added to the Versa project, including in-state broker applicants, individual appraisers, and real estate corporations.

The Appraisal Qualifications Board of the Appraisal Foundation is responsible for setting the national criteria required to become an appraiser. There are changes to the criteria being

developed for implementation on January 1, 2015. It is expected that the criteria will raise the requirements to become a certified appraiser.

Dodd-Frank mandates that state appraiser regulatory program implement reciprocity prior to July 1, 2013. Implementation of reciprocity may result in an increase in appraiser applications in the near future. Florida will allow reciprocity effective October 1, 2012.

DIVISION OF REGULATION

Reduce Regulation

During Fiscal Year 2010-11, the Division of Regulation reorganized the composition of the Farm Labor Unit in order to improve registration application processing and efficiency. Staff that handled registration and certificate issuance was previously housed in the Central Intake Unit. The separation between the registration arm and the enforcement arm of the Farm Labor Unit was detrimental to the efficient operation of the program. As such, three staff members were moved from the Central Intake Unit to the Farm Labor Program. This also allowed the unit to work directly with the investigators in the field who assist applicants. This move resulted in improved application processing efficiency and an increase in customer services.

DRUGS, DEVICES, AND COSMETICS

The Drugs, Devices and Cosmetics program licenses approximately 1,100 individuals and 7,900 establishments, more than 75% of them in Florida. The Compliance and Enforcement Section, the division's inspection and investigative arm, completes approximately 1,000 onsite inspections and approximately 300 investigations per year. The enforcement section experienced an 18% reduction in inspection staff, eliminating two of the 11 authorized pharmacist Drug Inspector positions. This, coupled with the increased organic supervisory workload necessitated by the creation of DDC as an independent division, presents significant challenges. The division is attempting to compensate through conceptual changes: (i) adopting a more cooperative stance vis-à-vis compliance, (ii) deemphasizing the existing reactive, inspection-driven workload model, (iii) emphasizing education and providing increased feedback to the industry, in an effort to encourage voluntary compliance, and (iv) allocating resources and redistributing workload based on risk-based concepts.

The program is rolling out the application for a new permit type created during the 2012 Regular Session, and revising all 33 of its existing permit applications. The goals: eliminate collection of unnecessary information, simplify format, language and content, streamline processing, and otherwise ease regulatory burden while remaining within statutory parameters.

In addition to undertaking application-related rulemaking and needed updates to rules inherited from the Department of Health when the division transferred to DBPR in October 2011, the division has solicited and received substantial input from stakeholders, industry groups, and the Drug Wholesale Distributors Advisory Council concerning proposed rule revisions and statutory changes calculated to reduce regulatory burden without compromising the division's overall mission of protecting the public health, safety and welfare. These efforts likely will continue into 2013 and beyond.

The division was and is an early adopter (actually a beta tester) of the department's enterprise-wide tablet initiative: a single hardware platform for conducting all onsite field inspections. The end result has been the virtual elimination of all inspection-related hardcopy, and increased emphasis on electronic data collection, manipulation, storage and transmission.

FLORIDA STATE BOXING COMMISSION

The commission implemented a notification system to notify promoters of available event dates to help increase the number of pugilistic events in Florida

TASK FORCES AND STUDIES IN PROGRESS

DIVISION OF ALCOHOLIC BEVERAGES AND TOBACCO

The Bureau of Law Enforcement currently participates in:

- The FBI South Florida Joint Terrorism Task Force (JTTF)
- The Central Florida Drug Enforcement Administration High Intensity Drug Trafficking Areas Task Force (HIDTA)
- The North Florida Drug Enforcement Administration High Intensity Drug Trafficking Areas Task Force (HIDTA)

DIVISION OF HOTELS AND RESTAURANTS

Hotels and Restaurants Advisory Councils

The Hotels and Restaurants Advisory Council meets annually and as otherwise necessary. The Elevator Safety Technical Advisory Council meets quarterly. The Division of Hotels and Restaurants maintains contact with both advisory councils on a regular basis. The division collaborates with and obtains ongoing feedback from its advisory councils.

The division is conducting a risk categorization analysis for risk-based food service inspection frequencies. This analysis will provide the information necessary to support feasibility and implementation of a risk-based inspection frequency.

Division of Pari-Mutuel Wagering

Performance Drugs in Pari-Mutuel Industries

The Fiscal Year 2012-2013 General Appropriations Act provides for the expenditure of \$100,000 from the Pari-Mutuel Wagering Trust Fund to be used for research that will provide specific recommendations regarding the elimination of performance altering drugs in pari-mutuel industries.

DIVISION OF REGULATION

Unlicensed Activities

The Fiscal Year 2011-2012 proviso requests a report be submitted to the legislature by November 1, 2012, addressing unlicensed activity functions. The report contains a detailed breakout of activities, revenues, and expenditures by board and/or profession.

DRUGS, DEVICES, AND COSMETICS

The Drug, Devices and Cosmetics program is conducting a risk categorization analysis for risk-based allocations of limited inspection and investigation resources. This analysis will provide the information necessary to support feasibility and implementation of a more risk-based inspection program.

FLORIDA STATE BOXING COMMISSION

The repeal of Section 548.061, F.S., eliminated a provision that required boxing, kickboxing, and mixed martial arts promoters to pay 5% of the gross receipt from closed circuit match telecast to the Florida State Boxing Commission. The department organized a workgroup to explore options to reduce costs and promote pugilistic events in Florida.

POTENTIAL POLICY CHANGES AFFECTING BUDGET NEEDS

DIVISION OF ALCOHOLIC BEVERAGES AND TOBACCO

The actions listed above in Revisions To Programs and Services will result in an overall reduction of budget needs. The final amount is to be determined upon completion of the reclassification process, FY 14/15.

DIVISION OF HOTELS AND RESTAURANTS

The division is requesting eleven (11) inspection FTEs to improve the division's ability to meet the legislative performance measures for percent of food service and lodging inspections completed. Since Fiscal Year 1996-97, the division has experienced a 29.7% increase in licensed accounts, and has 4.7% less inspection positions.

DIVISION OF REAL ESTATE

Florida House Bill 517

Signed into law 04/06/2012, Effective 07/01/2012

This bill amends the definition of appraisal management companies to clarify what constitutes appraisal management company services. The new law also allows the Florida Real Estate Appraisal Board to adopt standards of practice by rule.

Florida House Bill 887

Signed into law 04/06/2012, Effective 10/01/2012

This bill allows the division to develop a distance learning course for real estate and appraiser instructors as an alternative to the current classroom offering. The cost associated with the development of the course has yet to be determined. The bill also strikes the 24 month limitation on the national exam for certified appraisers to facilitate reciprocity. The division would then be able to accept applicants from other states, who took the national exam more than 24 months prior to application, requiring only the Florida law supplemental exam.

U.S. HR 4173 Dodd-Frank Wall Street Reform and Consumer Protection Act

Signed into law 07/21/2010

A component of the recent financial regulatory reform bill of the United States Congress involves substantial changes to the federal regulatory scheme for appraisers and requires new regulation for appraisal management companies, and enhances appraiser competency provisions.

Florida is required to comply with all provisions of this new law. Implementation and enforcement of these changes have created a significant impact on current resources. It is anticipated that the number of appraisers will continue to decrease in the coming years as the increased regulations are fully implemented. Implementation of these changes began in 2010. However, federal rulemaking is still ongoing and the exact provisions yet to be implemented will not be fully defined until the completion of that rulemaking process.

DRUGS, DEVICES, AND COSMETICS

Drug, Devices and Cosmetics Program Moved to DBPR

House Bill 5311, enacted during the 2010 legislative session, provided for a type II transfer of the Drugs, Devices and Cosmetics (DDC) program area (a division effective Fiscal Year 2012-13) from the Department of Health (DOH) to the Department of Business and Professional Regulation (DBPR) by October 1, 2011. DDC is responsible for safeguarding the drug supply and regulating the manufacturing and distribution of drugs, devices and cosmetics in Florida. There are 33 different permit types issued (soon to be 34). Facility opening, change-of-address and change-of-ownership inspections are required for many permit types, and one individual certification requires a pre-licensure examination. The scope of this transfer for the DBPR Division of Technology includes a data conversion from the Compass Licensure system used at DOH to LicenseEase, a new mobile inspection solution, the conversion of images stored by Image API to DBPR's OnBase solution, and the creation, stand-up, and (ongoing) development and maintenance of the Controlled Substances Reporting System for which DDC received no appropriation or allocation. It also includes creation of a secure file transfer protocol (ftp) server at the Southwood Shared Resource Center (SSRC) and an increase in storage capacity at the Northwood Shared Resource Center (NSRC). The exact data center cost of the move is yet to be determined as work is ongoing to integrate existing systems into the DBPR environment.

DDC has adopted a compliance-oriented, as opposed to enforcement-oriented, approach to dealing with the regulation of the industry. At DOH, DDC routinely "held" an establishment's pending application because of an investigation or disciplinary matter involving a separate, but related or affiliated establishment. This approach allowed DDC to leverage the applicant for larger fines and costs associated with the pending application. This practice resulted in the receipt of significant fines and costs by DDC leading DOH to project \$800,000 in annual revenues attributable to fines and costs. Under the compliance approach, the number of applications that are held in this manner has decreased significantly. DDC has worked hand-in-hand with applicants to obtain compliance with laws and rules, resulting in fewer denied permit applications, and a reduction in the projected annual revenues attributable to fines and costs. DDC is projecting approximately \$400,000 in annual revenues from fines and costs.

Federal law requires that the states carry the burden of regulating the drug distribution industry. The department understands that Congress is considering fundamental changes to these federally-imposed requirements, possibly including a national pedigree paper standard. Depending on whether and to what extent Congress takes action in these regards, DDC could

experience substantial changes to mission and staff requirements in near-term legislative sessions.

NEXT STEPS IN AUTOMATION:

DIVISION OF ALCOHOLIC BEVERAGES AND TOBACCO

Streamline and Automate Collection of Taxes and Surcharge Fees on Alcoholic Beverages and Cigarette and Tobacco Products

The Division of Technology is working with the Division of Alcoholic Beverages and Tobacco on an electronic data submission system, an application that automates the tax and surcharge fee collection of alcoholic beverages, cigarette and tobacco products. These products generate approximately 1.8 billion dollars of revenue annually for the State of Florida. The system includes both batch processing and web interfaces. The batch interface is designed for medium to large organizations for the purpose of interfacing with and accepting uploads of data from external license holders. The web interface allows small to medium size businesses the ability to electronically file their monthly reports. Both interfaces improve efficiency, reduce errors and allow for a better experience with the agency with the use of automated calculation of tax obligations, automated audit calculations, efficient report amendments, and the generation of necessary correspondence.

DIVISION OF HOTELS AND RESTAURANTS

Inspection Tools Upgrades

The division is currently working with Information Technology to design and develop a custom inspection application for the iPad to be implemented in Fall 2012. The proposed inspection technology improvements will increase automation through improved communications and inspection tool upgrades.

INFORMATION TECHNOLOGY

To facilitate the department going paperless, staff will be working to develop a Microsoft Sharepoint site to allow for document sharing and collaboration. The licensing for Sharepoint is included in the Microsoft Enterprise Agreement. This solution has been tested and proven successful by other agencies, and implementing it will make not only internal communications, but also inter-agency communications, much more efficient.

OnBase Upgrade

OnBase is the commercial off-the-shelf (COTS) document management and workflow software the department utilizes to optimize business processes. This software was first implemented in the department in 2007 and upgraded in 2011. A new version of the software is introduced annually. To maintain supportable software and take advantage of new features that will allow the department to continue to improve productivity, the software will require upgrading.

Oracle Upgrade

To keep up with changing software and hardware systems, the department will need to upgrade its Oracle environment, the environment that hosts the department's LicenseEase data as well as

other data. This will require moving from Oracle version 5.5 to the latest version at the time of upgrade.

DIVISION OF PARI-MUTUEL WAGERING

Online Occupational Licensing

In July of 2012, the Division of Pari-Mutuel Wagering implemented an online portal that allows occupational license applicants to renew their licenses electronically. The division plans to expand the portal for all occupational applicants by the end of calendar year 2012. The electronic process is expected to reduce the number of days to process an occupational license.

DIVISION OF REAL ESTATE

Project ApplyNow!:

Project ApplyNow! will continue the efforts to streamline the forms used by real estate and appraiser licensees. The amendments to the application forms have been completed and are in the rulemaking process.

DIVISION OF REGULATION

Online Complaint Submission

To complement the department going paperless using the OnBase software, staff will be working on the department's website to allow consumers to submit their complaints on-line. This has proved difficult in the past because of the difficulties attaching the documentation required to validate the allegation. This slows the complaint resolution process. Online complaint submission can be achieved by leveraging technologies developed in the ApplyNow! project, where applicants can attach documents with their application. These technologies will allow complainants to attach relevant documents to their online complaint submission.



Performance Measures and Standards LRPP Exhibit II

Department: Business and Professional Regulation

Program: Office of the Secretary and Administration		Code: 79010000		
Service/Budget Entity: Executive Direction and Support Services		Code: 79010200		
Approved Performance Measures for FY 2011-12	Approved Standards FY 2011-12 (Numbers)	Prior Year Actual FY 2011-12 (Numbers)	Approved Standards FY 2012-13 (Numbers)	Requested FY 2013-14 Standard (Numbers)
Agency administration and support costs as a percent of total agency costs	11.00%	10.96%	11.00%	11.00%
Agency administration and support positions as a percent of total agency positions	11.00%	9.70%	11.00%	11.00%

Program: Office of the Secretary and Administration		Code: 79010000		
Service/Budget Entity: Information Technology		Code: 79010300		
Approved Performance Measures for FY 2011-12	Approved Standards FY 2011-12 (Numbers)	Prior Year Actual FY 2011-12 (Numbers)	Approved Standards FY 2012-13 (Numbers)	Requested FY 2013-14 Standard (Numbers)
New Measure Percent of time information infrastructure, scheduled computer hours and access is available	N/A	N/A	99%	99%

Program: Service Operation		Code: 79040000		
Service/Budget Entity: Customer Contact Center		Code: 79040100		
Approved Performance Measures for FY 2011-12	Approved Standards FY 2011-12 (Numbers)	Prior Year Actual FY 2011-12 (Numbers)	Approved Standards FY 2012-13 (Numbers)	Requested FY 2013-14 Standard (Numbers)
New Measure Percent of calls transferred to a call agent that are answered before call is abandoned	N/A	N/A	90%	90%
New Measure Percent of calls transferred to a call agent that are answered within 5 minutes	N/A	N/A	90%	90%
New Measure Percent of satisfied customers based on survey	N/A	N/A	90%	90%
Request Deletion Percent of calls answered	95%	96%	Request Deletion	Request Deletion
Request Deletion Number of calls answered	1.2 million	1.0 million	Request Deletion	Request Deletion

Program: Service Operation		Code: 79040000		
Service/Budget Entity: Central Intake		Code: 79040200		
Approved Performance Measures for FY 2011-12	Approved Standards FY 2011-12 (Numbers)	Prior Year Actual FY 2011-12 (Numbers)	Approved Standards FY 2012-13 (Numbers)	Requested FY 2013-14 Standard (Numbers)
New Measure Percent of complete applications approved or denied within 90 days	N/A	N/A	98%	98%
Request Deletion Percent of applications processed within 90 days	98%	99.7%	Request Deletion	Request Deletion
Request Deletion Percent of renewals mailed no less than 90 days prior to license expiration dates	100%	100%	Request Deletion	Request Deletion
Request Deletion Number of initial applications processed	125,000	111,298	Request Deletion	Request Deletion

Program: Professional Regulation		Code: 79050000			
Service/Budget Entity: Compliance and Enforcement		Code: 79050100			
Approved Performance Measures for FY 2011-12		Approved Standards FY 2011-12 (Numbers)	Prior Year Actual FY 2011-12 (Numbers)	Approved Standards FY 2012-13 (Numbers)	Requested FY 2013-14 Standard (Numbers)
Percent of required inspections completed		99%	100%	99%	99%
Percent of licenses that correct violations through alternative means (notices of non-compliance, citations or alternative dispute resolution)		47%	31%	46%	40%
New Measure Percent of complete board referred applications approved or denied within 90 days		N/A	N/A	98%	98%
New Measure Percent of licensees in compliance with inspection laws and regulations		N/A	N/A	80%	80%
New Measure Percent of complete license applications approved or denied within 90 days (Drugs, Devices, Cosmetics and Household Products Regulation)		N/A	N/A	100%	100%
New Measure Percent of Florida resident prescription drug wholesale distributor/permit holders inspected (Drugs, Devices, Cosmetics and Household Products Regulation)		N/A	N/A	25%	25%
Request Deletion Percent of licensees in compliance with all laws and regulations		99%	99%	Request Deletion	Request Deletion
Request Deletion Number of enforcement actions (Regulation, Real Estate & CPA)		65,000	53,664	Request Deletion	Request Deletion
Request Deletion Percent of complete applications approved or denied within 90 days		98%	90%	Request Deletion	Request Deletion
Request Deletion Number of licensees		782,649	783,589	Request Deletion	Request Deletion

Program: Professional Regulation		Code: 79050000			
Service/Budget Entity: Florida Boxing Commission		Code: 79050400			
Approved Performance Measures for FY 2011-12		Approved Standards FY 2011-12 (Numbers)	Prior Year Actual FY 2011-12 (Numbers)	Approved Standards FY 2012-13 (Numbers)	Requested FY 2013-14 Standard (Numbers)
New Measure Percent of complete applications approved or denied within 90 days		N/A	N/A	100%	100%
Request Deletion Number of scheduled boxing and kickboxing and mixed martial arts bouts.		525	443	Request Deletion	Request Deletion
Request Deletion Number of automatic medical suspensions related to fight competitions during an event.		260	217	Request Deletion	Request Deletion
Request Deletion Number of scheduled boxing, kickboxing and mixed martial arts events		75	51	Request Deletion	Request Deletion
Request Deletion Percent of applications processed within 30 days		100%	100%	Request Deletion	Request Deletion
Request Deletion Number of enforcement actions		10	13	Request Deletion	Request Deletion

Program: Professional Regulation		Code: 79050000			
Service/Budget Entity: Testing and Continuing Education		Code: 79050500			
Approved Performance Measures for FY 2011-12		Approved Standards FY 2011-12 (Numbers)	Prior Year Actual FY 2011-12 (Numbers)	Approved Standards FY 2012-13 (Numbers)	Requested FY 2013-14 Standard (Numbers)
New Measure Percent of complete provider and individual course applications approved or denied within 90 days		N/A	N/A	99%	99%
Request Deletion Percent of non-deficient, complete provider and individual course applications processed within 90 days		99%	99%	Request Deletion	Request Deletion
Request Deletion Number of candidates tested		65,000	53,055	Request Deletion	Request Deletion
Request Deletion Number of non-deficient, complete provider and individual course applications processed within 90 days		5,116	8,519	Request Deletion	Request Deletion

Program: Professional Regulation		Code: 79050000		
Service/Budget Entity: Farm and Child Labor Regulation		Code: 79050600		
Approved Performance Measures for FY 2011-12	Approved Standards FY 2011-12 (Numbers)	Prior Year Actual FY 2011-12 (Numbers)	Approved Standards FY 2012-13 (Numbers)	Requested FY 2013-14 Standard (Numbers)
Percent of farm labor contractors inspected found to be in compliance with the law	90%	97%	90%	90%
Percent of employers brought into compliance with child labor laws on follow-up investigations	91%	99%	91%	91%
Request Deletion Number of investigations and inspections - farm labor	3,500	4,044	Request Deletion	Request Deletion
Request Deletion Number of investigations and inspections - child labor	8,000	11,756	Request Deletion	Request Deletion

Program: Pari-Mutuel Wagering		Code: 79100000		
Service/Budget Entity: Pari-Mutuel Wagering		Code: 79100400		
Approved Performance Measures for FY 2011-12	Approved Standards FY 2011-12 (Numbers)	Prior Year Actual FY 2011-12 (Numbers)	Approved Standards FY 2012-13 (Numbers)	Requested FY 2013-14 Standard (Numbers)
Percent of races and games that are in compliance with all laws and regulations	99.20%	99.38%	99.50%	99.50%
New Measure Percent of complete Pari-Mutuel Wagering applications approved or denied within 90 days	N/A	N/A	100%	100%
New Measure Pari-Mutuel Wagering collections per dollar of revenue unit expenditures	N/A	N/A	\$35	\$35
New Measure Percent of compliance audits conducted	N/A	N/A	100%	100%
Request Deletion Number of races and games monitored	65,000	60,894	Request Deletion	Request Deletion
Request Deletion Percent of applications processed within 90 days	100%	100.00%	Request Deletion	Request Deletion
Request Deletion Number of applications processed	27,000	25,541	Request Deletion	Request Deletion
Request Deletion Collections per dollar of auditing expenditures	\$35	\$55.26	Request Deletion	Request Deletion
Request Deletion Number of audits conducted	65,000	61,790	Request Deletion	Request Deletion

Program: Pari-Mutuel Wagering		Code: 79100000		
Service/Budget Entity: Slot Machine Regulation		Code: 79100500		
Approved Performance Measures for FY 2011-12	Approved Standards FY 2011-12 (Numbers)	Prior Year Actual FY 2011-12 (Numbers)	Approved Standards FY 2012-13 (Numbers)	Requested FY 2013-14 Standard (Numbers)
Percent of slot tax dollars collected compared to permitholder liability	100%	100%	100%	100%
New Measure Percent of complete slot applications approved or denied within 90 days	N/A	N/A	100%	100%
New Measure Slot tax collections per dollar of slot revenue unit expenditures	N/A	N/A	\$750	\$750
Request Deletion Percent of slot applications processed within 90 days	100%	100%	Request Deletion	Request Deletion
Request Deletion Number of slot applications processed	3,500	4,583	Request Deletion	Request Deletion
Request Deletion Total slot revenue collections compared to slot revenue expenditures	\$750	\$856.24	Request Deletion	Request Deletion
Request Deletion Number of slot operating days (total of all slot facilities)	2,100	1,990	Request Deletion	Request Deletion
Request Deletion Percent of operating days inspected	100%	100%	Request Deletion	Request Deletion

Program: Hotels and Restaurants		Code: 79200000		
Service/Budget Entity: Compliance and Enforcement		Code: 79200100		
Approved Performance Measures for FY 2011-12	Approved Standards FY 2011-12 (Numbers)	Prior Year Actual FY 2011-12 (Numbers)	Approved Standards FY 2012-13 (Numbers)	Requested FY 2013-14 Standard (Numbers)
Percent of food establishments inspected according to statute	98%	98%	98%	95%
Percent of lodging establishments inspected according to statute	99%	99%	99%	97%
Percent of elevators, escalators and other vertical conveyance devices inspected according to statute	95%	97%	95%	96%
New Measure Percent of complete public food establishment license applications approved or denied within 90 days	N/A	N/A	98%	98%
New Measure Percent of complete public lodging establishment license applications approved or denied within 90 days	N/A	N/A	98%	98%
New Measure Percentage of elevator certificates of operation applications approved or denied within 90 days	N/A	N/A	95%	95%
Request Deletion Percent of licensees in compliance with all laws and regulations for food service and public lodging establishments	90%	92%	Request Deletion	Request Deletion
Request Deletion Percent of licensees in compliance with all laws and regulations for elevators, escalators and other vertical conveyance devices	94%	97%	Request Deletion	Request Deletion
Request Deletion Percent of elevators, escalators and other vertical conveyance devices in delinquent status that were physically observed or served by division resulting in enforcement cases	92%	98%	Request Deletion	Request Deletion
Request Deletion Percent of elevators, escalators and other vertical conveyance devices in sealed status that were physically observed by division	75%	84%	Request Deletion	Request Deletion
Request Deletion Number of licensees for elevators, escalators and other vertical conveyance devices	49,000	50,046	Request Deletion	Request Deletion
Request Deletion Percentage of elevator certificates of operation processed within 30 days	95%	98%	Request Deletion	Request Deletion
Request Deletion Number of inspections for food service and public lodging establishments	145,000	148,343	Request Deletion	Request Deletion
Request Deletion Number of call back inspections for food service and public lodging establishments	23,000	21,452	Request Deletion	Request Deletion
Request Deletion Percent of hotel and restaurant licenses processed within 30 days	97%	99%	Request Deletion	Request Deletion
Request Deletion Number of licensees for public lodging and food service establishments	81,000	85,152	Request Deletion	Request Deletion
Request Deletion Percent of accident reports submitted timely (i.e., within 5 working days of incident)	80%	76%	Request Deletion	Request Deletion

Program: Alcoholic Beverages and Tobacco		Code: 79400000		
Service/Budget Entity: Compliance and Enforcement		Code: 79400100		
Approved Performance Measures for FY 2011-12	Approved Standards FY 2011-12 (Numbers)	Prior Year Actual FY 2011-12 (Numbers)	Approved Standards FY 2012-13 (Numbers)	Requested FY 2013-14 Standard (Numbers)
Percent of total retail alcohol and tobacco licensees and permit holders inspected	43%	38.54%	35%	35%
New Measure Percent of alcoholic beverage retailers tested found to be in compliance with underage persons' access	N/A	N/A	80%	80%
New Measure Percent of tobacco retailers tested found to be in compliance with underage persons' access	N/A	N/A	80%	80%
New Measure Percent of inspections resulting in licensees in compliance with laws and regulations	N/A	N/A	75%	75%
Request Deletion Percent of alcoholic beverages and tobacco retailers tested found to be in compliance with underage persons' access	89%	87%	Request Deletion	Request Deletion
Request Deletion Number of licensees	71,541	74,135	Request Deletion	Request Deletion

Program: Alcoholic Beverages and Tobacco	Code: 79400000			
Service/Budget Entity: Standards and Licensure	Code: 79400200			
Approved Performance Measures for FY 2011-12	Approved Standards FY 2011-12 (Numbers)	Prior Year Actual FY 2011-12 (Numbers)	Approved Standards FY 2012-13 (Numbers)	Requested FY 2013-14 Standard (Numbers)
New Measure Percent of complete license applications approved or denied within 90 days	N/A	N/A	98%	98%
Request Deletion Percent of license applications processed within 90 days	98%	99%	Request Deletion	Request Deletion
Request Deletion Number of applications processed	38,900	45,143	Request Deletion	Request Deletion

Program: Alcoholic Beverages and Tobacco	Code: 79400000			
Service/Budget Entity: Tax Collection	Code: 79400300			
Approved Performance Measures for FY 2011-12	Approved Standards FY 2011-12 (Numbers)	Prior Year Actual FY 2011-12 (Numbers)	Approved Standards FY 2012-13 (Numbers)	Requested FY 2013-14 Standard (Numbers)
Collections per dollar of auditing expenditure	\$248	\$312	\$275	\$275
New Measure Percent of wholesale licensees providing timely and accurate tax reporting and remittance as required by Florida Statute	N/A	N/A	94%	94%
Request Deletion Percent complying wholesale/retail licensees on yearly basis	94%	99%	Request Deletion	Request Deletion
Request Deletion Percent of retail and wholesale tax dollars identified by audit that were collected	99%	99%	Request Deletion	Request Deletion
Request Deletion Number of audits conducted	28,816	34,249	Request Deletion	Request Deletion

Program: Florida Condominiums, Timeshares and Mobile Homes	Code: 79800000			
Service/Budget Entity: Compliance and Enforcement	Code: 79800100			
Approved Performance Measures for FY 2011-12	Approved Standards FY 2011-12 (Numbers)	Prior Year Actual FY 2011-12 (Numbers)	Approved Standards FY 2012-13 (Numbers)	Requested FY 2013-14 Standard (Numbers)
Average number of days to resolve cases submitted for arbitration	95	70	95	95
Average number of days to resolve investigations of consumer complaints	90	61	90	90
New Measure Average number of days to review and issue yacht and ship broker and salesperson licenses	N/A	N/A	15	15
New Measure Percent of condominium, timeshare and mobile home filings reviewed within statutory requirements	N/A	N/A	98%	98%
Request Deletion Percent of administrative actions resulting in consent orders	90%	86%	Request Deletion	Request Deletion
Request Deletion Number of cases closed (arbitration)	550	483	Request Deletion	Request Deletion
Request Deletion Number of consumer complaints closed	3,400	3,824	Request Deletion	Request Deletion
Request Deletion Percent of permanent licenses issued and filings reviewed as prescribed by laws	95%	100%	Request Deletion	Request Deletion
Request Deletion Total number of filings and licenses processed	4,000	2,051	Request Deletion	Request Deletion



Assessment of Performance for Approved Performance Measures – LRPP Exhibit III

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Business and Professional Regulation

Program: Service Operations

Service/Budget Entity: Customer Contact Center

Measure: Number of calls answered

Action:

- Performance Assessment of Outcome Measure Revision of Measure
 Performance Assessment of Output Measure Deletion of Measure
 Adjustment of GAA Performance Standards

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
1,200,000	1,010,127	(189,873)	15.82%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Personnel Factors
<input type="checkbox"/> Competing Priorities
<input type="checkbox"/> Previous Estimate Incorrect | <input checked="" type="checkbox"/> Staff Capacity
<input checked="" type="checkbox"/> Level of Training
<input checked="" type="checkbox"/> Other (Identify) |
|---|---|

Explanation:

The output measure was not achieved during FY 2011-12 as a result of continued improvement in application processing timelines, which reduces the need for the customers to repeatedly call the department checking the status of their application. The average time to process an application in FY 2011-12 was less than three (3) days. Additionally, the department implemented a new call escalation process in FY 2011-12, for the Call Center. When a customer called with an issue the Call Center couldn't resolve, the issue would be escalated to the appropriate business unit. Once the business unit received the escalation request the customer is called back by the business units to resolve there issue. This process has eliminate the need for the customer to call back a second time for the same issue.

External Factors (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Resources Unavailable
<input type="checkbox"/> Legal/Legislative Change
<input checked="" type="checkbox"/> Target Population Change
<input type="checkbox"/> This Program/Service Cannot Fix The Problem
<input type="checkbox"/> Current Laws Are Working Against The Agency Mission | <input type="checkbox"/> Technological Problems
<input type="checkbox"/> Natural Disaster
<input type="checkbox"/> Other (Identify) |
|---|---|

Explanation:

The economy downturn has also contributed to the reduction in the number of customers calling the Department.

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Training
<input type="checkbox"/> Personnel | <input type="checkbox"/> Technology
<input type="checkbox"/> Other (Identify) |
|---|--|

Recommendations:

Delete measure. This is not a measure of performance.

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Business and Professional Regulation
Program: Service Operations
Service/Budget Entity: Central Intake and Licensure
Measure: Number of Initial applications processed

Action:

- Performance Assessment of Outcome Measure Revision of Measure
 Performance Assessment of Output Measure Deletion of Measure
 Adjustment of GAA Performance Standards

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
125,000	111,285	(13,715)	10.97%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Personnel Factors
<input type="checkbox"/> Competing Priorities
<input type="checkbox"/> Previous Estimate Incorrect | <input type="checkbox"/> Staff Capacity
<input type="checkbox"/> Level of Training
<input type="checkbox"/> Other (Identify) |
|---|--|

Explanation:

None

External Factors (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Resources Unavailable
<input type="checkbox"/> Legal/Legislative Change
<input checked="" type="checkbox"/> Target Population Change
<input type="checkbox"/> This Program/Service Cannot Fix The Problem
<input type="checkbox"/> Current Laws Are Working Against The Agency Mission | <input type="checkbox"/> Technological Problems
<input type="checkbox"/> Natural Disaster
<input type="checkbox"/> Other (Identify) |
|---|---|

Explanation:

The economic downturn has perpetuated the reduction in the number of applicants applying for state licenses. However, since March of 2012, the Central Intake Unit has been monitoring a sustained increase in applications for Real Estate Commission and Construction Industry Licensing Board. As such, it is anticipated that the level of initial applications will increase to meet the output standard.

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Training
<input type="checkbox"/> Personnel | <input type="checkbox"/> Technology
<input type="checkbox"/> Other (Identify) |
|---|--|

Recommendations:

Delete measure. This is not a measurement of performance.

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Business & Professional Regulation
Program: Professional Regulation
Service/Budget Entity: Compliance and Enforcement
Measure: Number of enforcement actions

Action:

- Performance Assessment of Outcome Measure Revision of Measure
- Performance Assessment of Output Measure Deletion of Measure
- Adjustment of GAA Performance Standards

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
65,000	53,664	(11,336)	17.44%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- Personnel Factors
- Competing Priorities
- Previous Estimate Incorrect
- Staff Capacity
- Level of Training
- Other (Identify)

Explanation:

The number of investigations and inspections is down from years past. The downturn in the economy and lack of natural disasters has caused a drop in complaints.

External Factors (check all that apply):

- Resources Unavailable
- Legal/Legislative Change
- Target Population Change
- This Program/Service Cannot Fix The Problem
- Current Laws Are Working Against The Agency Mission
- Technological Problems
- Natural Disaster
- Other (Identify)

Explanation:

Management Efforts to Address Differences/Problems (check all that apply):

- Training
- Personnel
- Technology
- Other (Identify)

Recommendations:

Delete measure. This is not a measurement of performance.

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Department of Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Florida State Boxing Commission

Measure: Number of scheduled boxing, kickboxing, and mixed martial arts bouts

Action:

- Performance Assessment of Outcome Measure Revision of Measure
- Performance Assessment of Output Measure Deletion of Measure
- Adjustment of GAA Performance Standards

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
525	443	(82)	15.62%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- Personnel Factors
- Competing Priorities
- Previous Estimate Incorrect
- Staff Capacity
- Level of Training
- Other (Identify)

Explanation:

The decrease in the number of bouts is a direct result of the decline of the number of boxing and mixed martial arts events. The number of events decreased from 71 in FY 2010-11 to 54 in FY 2011-12.

External Factors (check all that apply):

- Resources Unavailable
- Legal/Legislative Change
- Target Population Change
- This Program/Service Cannot Fix The Problem
- Current Laws Are Working Against The Agency Mission
- Technological Problems
- Natural Disaster
- Other (Identify)

Explanation:

The decrease in the number of bouts is a direct result of the current economy. Businesses do not have the supplementary funds to sponsor the promotion of pugilistic events. The cost of travel to the promoter has also increased due to the increase cost of fuel.

Management Efforts to Address Differences/Problems (check all that apply):

- Training
- Personnel
- Technology
- Other (Identify)

Recommendations:

Delete measure. This is not a measurement of performance.

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Department of Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Florida State Boxing Commission

Measure: Number of automatic medical suspensions related to fight competitions during an event.

Action:

- | | |
|---|---|
| <input type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure | <input type="checkbox"/> Revision of Measure |
| <input checked="" type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input checked="" type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards | |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
260	217	(43)	16.54%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input type="checkbox"/> Previous Estimate Incorrect | <input checked="" type="checkbox"/> Other (Identify) |

Explanation:

The decrease in the number of automatic medical suspensions related to fight competition during an event is a result of the decline of the number of boxing and mixed martial arts events. The number of events decreased from 71 in FY 2010-11 to 54 in FY 2011-12.

External Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input type="checkbox"/> Natural Disaster |
| <input type="checkbox"/> Target Population Change | <input checked="" type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix The Problem | |
| <input type="checkbox"/> Current Laws Are Working Against The Agency Mission | |

Explanation:

The decrease in the automatic medical suspensions is a direct result of the decline of the number of events.

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|------------------------------------|---|
| <input type="checkbox"/> Training | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Personnel | <input type="checkbox"/> Other (Identify) |

Recommendations:

Delete measure. This is not a measurement of performance.

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Business and Professional Regulation

Program: Professions

Service/Budget Entity: Bureau of Education and Testing

Measure: Number of Candidates Tested

Action:

- Performance Assessment of Outcome Measure Revision of Measure
 Performance Assessment of Output Measure Deletion of Measure
 Adjustment of GAA Performance Standards

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
65,000	53,055	(11,945)	18.38%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input type="checkbox"/> Previous Estimate Incorrect | <input checked="" type="checkbox"/> Other (Identify) |

Explanation:

Due to the continued slump in the economy, there are not as many applicants seeking licensure, which results in a lower candidate population at examinations.

External Factors (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input type="checkbox"/> Natural Disaster |
| <input checked="" type="checkbox"/> Target Population Change | <input type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix The Problem | |
| <input type="checkbox"/> Current Laws Are Working Against The Agency Mission | |

Explanation:

The target population decreased due to the current economy.

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|------------------------------------|--|
| <input type="checkbox"/> Training | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Personnel | <input checked="" type="checkbox"/> Other (Identify) |

Recommendations:

Deletion of measure. This measure cannot be controlled by the department.

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of accident reports submitted timely (i.e., within 5 working days of incident)

Action:

- | | |
|---|---|
| <input type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure | <input type="checkbox"/> Revision of Measure |
| <input type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input checked="" type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards | |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
80%	76%	(4)%	5%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input type="checkbox"/> Previous Estimate Incorrect | <input type="checkbox"/> Other (Identify) |

Explanation:

External Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input type="checkbox"/> Natural Disaster |
| <input type="checkbox"/> Target Population Change | <input checked="" type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix The Problem | |
| <input type="checkbox"/> Current Laws Are Working Against The Agency Mission | |

Explanation:

Invalid measure. Data unreliable since entities may not report accidents in order to avoid potential fines.

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|------------------------------------|--|
| <input type="checkbox"/> Training | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Personnel | <input checked="" type="checkbox"/> Other (Identify) |

Recommendations:

This measure has been identified for deletion.

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Number of call back inspections for food service and public lodging establishments

Action:

- | | |
|---|---|
| <input type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure | <input type="checkbox"/> Revision of Measure |
| <input checked="" type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input checked="" type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards | |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
23,000	21,452	(1,548)	6.73

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input type="checkbox"/> Previous Estimate Incorrect | <input checked="" type="checkbox"/> Other (Identify) |

Explanation:

This expected output change is a direct result of the divisions focus on risk factors during restaurant inspections. The call-back inspection process was refined to focus on those establishments that posed the greatest risk to public health and safety.

External Factors (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input type="checkbox"/> Natural Disaster |
| <input type="checkbox"/> Target Population Change | <input type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix The Problem | |
| <input type="checkbox"/> Current Laws Are Working Against The Agency Mission | |

Explanation:

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|------------------------------------|--|
| <input type="checkbox"/> Training | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Personnel | <input checked="" type="checkbox"/> Other (Identify) |

Recommendations:

This measure has been identified for deletion.

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Dept. of Business and Professional Regulation

Program: Alcoholic Beverages and Tobacco

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of total retail alcohol and tobacco licensees and permit holders inspected

Action:

- Performance Assessment of Outcome Measure Revision of Measure
 Performance Assessment of Output Measure Deletion of Measure
 Adjustment of GAA Performance Standards

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
43%	38.54%	(4.46)%	10.37%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Personnel Factors
<input type="checkbox"/> Competing Priorities
<input type="checkbox"/> Previous Estimate Incorrect | <input type="checkbox"/> Staff Capacity
<input type="checkbox"/> Level of Training
<input type="checkbox"/> Other (Identify) |
|---|--|

Explanation:

External Factors (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Resources Unavailable
<input type="checkbox"/> Legal/Legislative Change
<input type="checkbox"/> Target Population Change
<input type="checkbox"/> This Program/Service Cannot Fix The Problem
<input type="checkbox"/> Current Laws Are Working Against The Agency Mission | <input type="checkbox"/> Technological Problems
<input type="checkbox"/> Natural Disaster
<input type="checkbox"/> Other (Identify) |
|--|---|

Explanation:

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Training
<input type="checkbox"/> Personnel | <input type="checkbox"/> Technology
<input type="checkbox"/> Other (Identify) |
|---|--|

Recommendations:

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Dept. of Business and Professional Regulation

Program: Alcoholic Beverages and Tobacco

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of alcoholic beverages and tobacco retailers tested found to be in compliance with underage persons' access

Action:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure | <input type="checkbox"/> Revision of Measure |
| <input type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input checked="" type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards | |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
89%	87%	(2)%	2.25%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|---|--|
| <input checked="" type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input type="checkbox"/> Previous Estimate Incorrect | <input checked="" type="checkbox"/> Other (Identify) |

Explanation:

Law enforcement personnel have been conducting more targeted compliance checks, verses the random approach of past years. When suspected violators are tested there is a greater chance of a “non compliance” outcome. Therefore, the bureau’s efforts this past year had fewer retailers in compliance than the approved standard.

External Factors (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input type="checkbox"/> Natural Disaster |
| <input type="checkbox"/> Target Population Change | <input type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix The Problem | |
| <input type="checkbox"/> Current Laws Are Working Against The Agency Mission | |

Explanation:

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|------------------------------------|--|
| <input type="checkbox"/> Training | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Personnel | <input checked="" type="checkbox"/> Other (Identify) |

Recommendations:

Recommend deletion. This measure will be replaced with two measures splitting out the alcoholic beverage retailers tested from the tobacco retailers tested and reporting their compliance separately. This difference is not a negative issue on the part of the bureau or its personnel, but on the part of retailers instead. Bureau personnel will continue to provide training to retailers to assist them in staying in compliance.

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Business and Professional Regulation

Program: Alcoholic Beverages and Tobacco

Service/Budget Entity: Bureau of Licensing / Standards & Licensure

Measure: Number of Applications Processed

Action:

- Performance Assessment of Outcome Measure Revision of Measure
 Performance Assessment of Output Measure Deletion of Measure
 Adjustment of GAA Performance Standards

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
38,900	45,143	6,243	16.05%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input type="checkbox"/> Previous Estimate Incorrect | <input type="checkbox"/> Other (Identify) |

Explanation:

External Factors (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input type="checkbox"/> Natural Disaster |
| <input type="checkbox"/> Target Population Change | <input checked="" type="checkbox"/> Other (Economy) |
| <input type="checkbox"/> This Program/Service Cannot Fix The Problem | |
| <input type="checkbox"/> Current Laws Are Working Against The Agency Mission | |

Explanation:

The division processes all applications submitted. The increased submission of applications may be a result of the actions taken by State and Local government to improve the access to business in Florida.

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|--|--|
| <input checked="" type="checkbox"/> Training | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Personnel | <input checked="" type="checkbox"/> Other (Identify) |

Recommendations:

Recommend deletion, this is not an indicator of division performance. The increase in applications and new business ventures with different business plans has highlighted the need to provide updated training to staff to ensure that applications are approved or denied in accordance with statutory requirements.

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Business & Professional Regulation

Program: Florida Condominiums, Timeshares, and Mobile Homes

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of administrative actions resulting in consent orders

Action:

- Performance Assessment of Outcome Measure Revision of Measure
 Performance Assessment of Output Measure Deletion of Measure
 Adjustment of GAA Performance Standards

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
90%	86%	(4)%	4.44%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Personnel Factors
<input type="checkbox"/> Competing Priorities
<input type="checkbox"/> Previous Estimate Incorrect | <input type="checkbox"/> Staff Capacity
<input type="checkbox"/> Level of Training
<input checked="" type="checkbox"/> Other (Identify) |
|---|---|

Explanation:

This measure is for the purpose of tracking the percentage of the division’s administrative cases that are resolved by consent order as opposed to final order as the consent order resolution is less time consuming and more cost effective. The data for this measure is collected by selecting all compliance cases that are recommended for administrative action (Case Status of AA) and comparing it to the number of cases resolved by consent order. For FY 2011-12, 88 cases were recommended for administrative action and 76 cases were resolved with consent orders. However, not all of the recommendations for administrative action actually end up in the administrative process. The number of recommendations for administrative action that did not result in administrative action can be attributed to respondents having no assets to proceed against, repealed jurisdiction or cases resolved by other methods. If the division were to compare only those cases that actually proceeded to administrative action (78 cases) to the number of cases resolved with consent orders (76 cases), the percentage would be 97% which would exceed the division’s approved standard.

External Factors (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Resources Unavailable
<input type="checkbox"/> Legal/Legislative Change
<input type="checkbox"/> Target Population Change
<input type="checkbox"/> This Program/Service Cannot Fix The Problem
<input type="checkbox"/> Current Laws Are Working Against The Agency Mission | <input type="checkbox"/> Technological Problems
<input type="checkbox"/> Natural Disaster
<input type="checkbox"/> Other (Identify) |
|--|---|

Explanation:

Not applicable

Management Efforts to Address Differences/Problems (check all that apply):

Training

Technology

Personnel

Other (Identify)

Recommendations:

Delete measure. This is not a key performance measure for the division.

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Business and Professional Regulation
Program: Florida Condominiums, Timeshares and Mobile Homes
Service/Budget Entity: Compliance and Enforcement
Measure: Action: Number of cases closed (arbitration)

- | | |
|---|---|
| <input type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure | <input type="checkbox"/> Revision of Measure |
| <input checked="" type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input checked="" type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards | |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
550	483	(67)	12%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|---|--|
| <input checked="" type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input type="checkbox"/> Previous Estimate Incorrect | <input type="checkbox"/> Other (Identify) |

Explanation:

During FY 2011-12, only 530 arbitration cases were opened and the arbitration section had a 33% turnover in staff which impacted the number of cases closed.

External Factors (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input type="checkbox"/> Natural Disaster |
| <input type="checkbox"/> Target Population Change | <input type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix The Problem | |
| <input type="checkbox"/> Current Laws Are Working Against The Agency Mission | |

Explanation:

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|------------------------------------|---|
| <input type="checkbox"/> Training | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Personnel | <input type="checkbox"/> Other (Identify) |

Recommendations:

This measure should be deleted. This measure counts the number of cases closed but is not an indication of the effectiveness of the program.

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Business and Professional Regulation
Program: Florida Condominiums, Timeshares, and Mobile Homes
Service/Budget Entity: Compliance and Enforcement
Measure: Total number of filings and licenses processed

Action:

- Performance Assessment of Outcome Measure Revision of Measure
 Performance Assessment of Output Measure Deletion of Measure
 Adjustment of GAA Performance Standards

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
4,000	2,145	(1,855)	46.38%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input type="checkbox"/> Previous Estimate Incorrect | <input type="checkbox"/> Other (Identify) |

Explanation:

External Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input type="checkbox"/> Natural Disaster |
| <input type="checkbox"/> Target Population Change | <input checked="" type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix The Problem | |
| <input type="checkbox"/> Current Laws Are Working Against The Agency Mission | |

Explanation:

The real estate market as a whole and particularly Florida's condominium market has been in decline as reflected by the number of filings received over the last five years: FY 2007-08 – 4,684 filings received; FY 2008-09 – 3,144 filings received; FY 2009-10 - 2,521 filings received and; FY 2010-11 – 2,339 filings received and; FY 2011-12 – 2,051. While it had been expected that the market would have made a greater recovery than it has to date, there are indicators, from various media outlets, that previously developed and currently unsold condominium units are running low in south Florida. This coupled with rising rental costs for apartment units suggests that condominium development may increase. This will impact the overall number of filings received.

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|------------------------------------|--|
| <input type="checkbox"/> Training | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Personnel | <input checked="" type="checkbox"/> Other (Identify) |

Recommendations:

Delete measure. This is not a measurement of performance.



Performance Measure Validity and Reliability – LRPP Exhibit IV

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LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business Professional and Regulation

Program: Office of the Secretary and Administration

Service/Budget Entity: Executive Direction and Support Services

Measure: Agency administration and support costs as a percent of total agency costs

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Glossary

Exhibit B – A report generated from the State budget system (LAS/PBS) which reflects expenditures for the Department.

FLAIR – Florida Accounting Information Resource, which is the State’s accounting database.

LAS/PBS – Legislative Appropriation System / Planning and Budgeting Subsystem, which is the State’s budgeting computer system.

Data Sources and Methodology:

The Division of Administration, Bureau of Finance and Accounting enters every financial transaction into the FLAIR System throughout the year. At the end of each fiscal year, after a series of checks and balances, the Executive Office of the Governor uploads this information into LAS/PBS. Staff within the Department’s Office of Policy and Budget generates an “Exhibit B” from LAS/PBS, which reflects total actual expenditures, excluding fixed capital outlay, for the previous fiscal year, by budget entity. Total actual expenditures (excluding fixed capital outlay) for the Executive Direction and Support Services (Administration) is then divided by the total actual expenditures (excluding fixed capital outlay) for the Department and multiplied by 100 to determine administrative costs, as a percent of total agency costs.

Validity:

The measure is valid in that it provides an accurate percentage of Administrative Costs compared to Total Agency Costs. A series of internal and external checks and balances are conducted to ensure that all transactions are entered into the FLAIR System. This measure does not necessarily indicate how successful the agency is at keeping administrative costs down nor necessarily provide an accurate year-to-year comparison because a decrease in the agency’s overall budget could cause a substantial increase in the percent of administrative costs compared to total agency costs, without an actual increase in administrative costs.

Reliability:

Historical files are maintained in LAS/PBS and an Exhibit B report can be generated repeatedly, producing the same expenditure data at any time.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business Professional and Regulation

Program: Office of the Secretary and Administration

Service/Budget Entity: Executive Direction and Support Services

Measure: Agency administration and support positions as a percent of total agency positions

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Glossary:

People First – The State personnel system/database

Exhibit B – A report generated from the State budget system (LAS/PBS) which reflects expenditures for the Department.

LAS/PBS – Legislative Appropriation System / Planning and Budgeting Subsystem, which is the State's budgeting computer system.

Data Sources and Methodology:

Each year, the Florida Legislature appropriates positions to the Department by budget entity. The Bureau of Human Resources, within the Division of Administration, maintains information regarding Department positions in the People First database. This information is reconciled internally and by the Executive Office of the Governor. The Department's Office of Policy and Budget generates an "Exhibit B" from LAS/PBS, which reflects total positions for the previous fiscal year, by budget entity. Total positions for the Executive Direction and Support Service is then divided by the total positions for the Department and multiplied by 100 to determine administrative positions, as a percent of total agency positions.

Validity:

The measure is valid in that it provides an accurate percentage of Administrative Positions compared to Total Agency Positions. It does not necessarily indicate how successful the Agency is at keeping administrative positions down nor necessarily provide an accurate year-to-year comparison because a decrease in the number of positions within the agency as a whole could cause a substantial increase in the percent of administrative positions compared to total agency positions, without an actual increase.

Reliability:

Historical files are maintained in People First as well as in LAS/PBS. The Exhibit B report can be generated in LAS/PBS and repeatedly, producing the same figures.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Office of the Secretary and Administration

Service/Budget Entity: Executive Direction and Support Services

Measure: Percentage of time information infrastructure, scheduled computer hours and access is available

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Data for this measure is collected and measured through the Department's computer hardware and software monitoring systems (Solar Winds Orion). The monitoring system records and reports outages to systems, allowing the agency to calculate availability of services. Availability is expressed as a percentage of uptime in a given year. Availability of systems is calculated by taking the total of amount of system and /or service uptime (as reported by Solar Winds Orion) divided by the difference of the number of hours in a year minus the hours of scheduled downtime for services.

$$\text{System Uptime} / ((\text{total hours in a year}) - (\text{planned downtime hours})) = \text{Availability \%}$$

This methodology excludes scheduled downtime from availability calculations, as scheduled downtime has little or no impact upon the computing user community.

Validity:

Data collected for this measure is valid, monitored continuously and analyzed annually. This information is vitally important to the Department of Business and Professional Regulation as unplanned service downtime directly affects the Department's ability to license and regulate in a timely and efficient manner.

Reliability:

Data collected for this measure is reliable, monitored continuously and analyzed annually. Since the individual components of the critical infrastructure are monitored continuously, any outages are recorded, even if the disruption is too brief/minimal to impact services. The monitoring system has been configured to create reports as requested. Reports are run at the end of the month to assure that the service is meeting expectations, and the final report is run annually.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business Professional and Regulation

Program: Service Operations

Service/Budget Entity: Customer Contact Center

Measure: Percentage of calls transferred to call agent that are answered before call is abandoned

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Customer Contact Center (CCC) serves as the primary source of interaction with the Department's core constituents –licensees, applicants and general public. The CCC was established to provide around the clock access licensure information to license holders, applicants and the general public. The CCC call agent staff answer inquires by telephone and e-mail. The objective of this measure is to measure the percentage of calls that are transferred to a call agent that are answered.

The report in the UCCX system that will provide the data is called the Contact Service Queue Summary Report. Information in this measure is derived from Cisco Unified Contact Center Express (UCCX) using the Historical Reporting Reports Viewer. Data is collected and stored in the UCCX database as calls come into the Customer Contact Center's Interactive Voice Response (IVR) System. Historical Reports Report Viewer is a reporting tool used to analyze and measure historical performance of each call center agent, each team, the organization, and the agent queues. The data can be displayed in a real time reporting system referred to as Cisco UCCX Administration. This information is used by the Customer Contact Center to establish and revise strategic performance objectives and drive performance improvement measures.

The data collection begins when UCCX receives an inbound call into the Department's main number (850.487.1395). The UCCX (or Interactive Voice Response) captures data based on the customer's interaction. There are essentially two actions that can be taken. One being, the self serve functionality within UCCX that allows a customer to obtain licensure information or make a payment and two, the caller can elect to speak to an agent. If an agent's assistance is requested the server logic determines the appropriate agent queue the call must be route to and then the call is delivered to an agent's Cisco Agent Desktop. The Cisco Agent Desktop (CAD) is used to retrieve the call by each call agent. The agent then uses the Microsoft Customer Relationship Management (MSCRM) computer application to enter further information concerning the call.

Once the caller has selected the option to speak to an agent, there is the possibility of the caller hanging up if the wait time is too long. Such calls would be considered abandoned calls. Additionally, there are licensure renewal periods and peak hours during each work day that contribute to the abandoned call levels. Peak time hours are between 10:00 a.m. and 2:00 p.m.

daily, and the renewal periods can be referenced at the following link:
<http://www.dbpr.state.fl.us/servop/ciu/documents/BiennialSchedule10-11.xls>.

This measure is calculated by dividing the total calls answered by call agents, by the total calls presented to the agent queues and multiplied by one hundred to get the percentage.

Validity:

This measure reflects the Division's core value of providing accurate and timely response to our customers. The UCCX systems design and purpose is to capture data related to calls in order to facilitate this measure. This Cisco UCCX system identifies real-time historical call data that is also used by the Department to set staffing needs, training and strategic planning for peak workload periods such as license renewal on a daily basis.

Reliability:

The UCCX system was designed by CISCO Systems. CISCO Systems is one of the industry leaders in telephone and Voice over IP technology. The UCCX system's design and purpose is to capture data related to calls in order to facilitate this measure. The Cisco UCCX system automatically collects and stores the call data daily and consistently reports the call data accurately.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business Professional and Regulation

Program: Service Operations

Service/Budget Entity: Customer Contact Center

Measure: Percent of calls transferred to a call agent that are answered within 5 minutes

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Customer Contact Center (CCC) serves as the primary source of interaction with the Department's core constituents – licensees, applicants and general public. The CCC was established to provide around the clock access to licensure information to license holders, applicants and the general public. The CCC call agent staff answer inquires by telephone and e-mail. The objective of this measure is to provide that calls are answered in a timely manner.

The report in the UCCX system that will provide the data is called the Service Level Priority Summary Report. Information in this measure is derived from Cisco Unified Contact Center Express (UCCX) using the Historical Reporting Reports Viewer. Data is collected and stored in the UCCX database as calls come into the Customer Contact Center's Interactive Voice Response (IVR) System. Historical Reports Report Viewer is a reporting tool used to analyze and measure historical performance of each call center agent, each team, the organization and the agent queues. The data can be displayed in a real time reporting system referred to as Cisco UCCX Administration. This information is used by the Customer Contact Center to establish and revise strategic performance objectives and drive performance improvement. Various reports may be run on demand.

The data collection begins when UCCX receives an inbound call into the Department's IVR. Time specific data is collected for every call that enters the system, such as; which agent a call is transferred to, the time the call was transferred, the time the agent answered the call, the duration of the call and how long the caller had to hold. When a customer elects to speak with an agent, the system will match the caller's prompt selection with the appropriate agent's queue. Although there is no statutory requirement to answer the call within five minutes, the Department has a self imposed standard of responding to calls within five minutes.

There are licensure renewal periods and peak hours during each work day that contributes to how long a customer may need to wait to speak with an agent. During these periods the call volume may increase the wait time levels beyond five minutes. Peak time hours are between 10:00 a.m. and 2:00 p.m. daily, and the renewal periods can be referenced at the following link:

<http://www.dbpr.state.fl.us/servop/ciu/documents/BiennialSchedule10-11.xls>.

The measure is calculated by dividing the number of calls answered within the five minutes by the total calls presented to the agent queues. The number derived is then multiplied by one hundred to get the percentage.

Validity:

We use this measure because it allows us to set a baseline for the percent of agent assisted calls answered within five minutes. The data collected from the UCCX consistently provides the information necessary to support this measure. The UCCX captures real time and historical call data to set staffing needs, training and strategic planning for peak workload periods such as license renewal.

Reliability:

The UCCX system was designed by CISCO Systems. CISCO Systems is one of the industry leaders in the telephony and Voice over IP technology. The UCCX system's design and purpose is to capture data related to calls in order to facilitate this measure. The Cisco UCCX system automatically collects and stores the call data daily and consistently reports the call data accurately.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business Professional and Regulation

Program: Service Operations

Service/Budget Entity: Customer Contact Center

Measure: Percentage of satisfied customers based on survey

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Information for this measure is derived from the Customer Satisfaction Survey. A surveying agent accesses the Customer Relationship Management System (CRM) where all call center contacts are recorded. A list of all incoming calls for the previous business day is exported from the CRM to Excel. A surveying agent then calls a random sample of customers from that list and asks them to participate in a survey. The data provided by the survey participants is recorded by the surveying agent in individual Excel forms. This data is also compiled on a daily, weekly and monthly basis in a master excel report.

The customer satisfaction measure is calculated based on the first and second questions of the Customer Satisfaction Survey, which asks: "How would you rate the professionalism and courtesy of the call agent?" and "Please rate your overall level of satisfaction with the customer service you received from our Contact Center." The rating scale is one through three (with one being below average, two being average and three being above average). The above average rating will indicate the agents have gone above and beyond the callers' expectation and will not be counted for this measure. The average rating is considered a positive rating and will be counted as a satisfied customer. The below average rating will indicate an unsatisfied customer.

The calculation is as follow: first the number of customers who rate the professionalism and courtesy of the call agent as "average" are added with the number of customers who rate their overall level of satisfaction as "above average." This would designate the total number of satisfied customers. Then the total number of satisfied customers will be divided by the total number of survey participants and then multiplied by one hundred to obtain the "percentage of satisfied customers based on survey."

Validity:

This measure reflects the Division's core value of providing accurate and timely response to our customers. This measures the Customer Contact Center's (CCC) effectiveness in meeting and exceeding customer's standards of service. High customer satisfaction rates indicate that the CCC is successful in providing the citizens of Florida information in an efficient and courteous manner.

Reliability:

This measure is reliable because the questions used in the methodology consistently yielded the same results. Supervisors ensure that the information recorded is accurate and reserve the right to call back any survey participant for verification of accuracy. Customer Satisfaction Survey results have been consistent across different surveying agents and are in accord with other satisfaction indicators such as customer feedback and e-mail surveys.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business Professional and Regulation

Program: Service Operations

Service/Budget Entity: Customer Contact Center

Measure: Percent of calls answered

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Data Source - DBPR KPI (Key Performance Indicator) Maintenance Page.

Data is collected and stored in Brio Reports using Genesys software. Brio Reports is a reporting tool used to analyze and measure historical performance of each call center agent, each team, the organization and the caller Virtual queues. It is displayed in a real time reporting system referred to as Call Center Pulse. This historical information is used by the Customer Contact Center to establish and revise strategic performance objectives and drive performance improvement. Various reports may be run on demand by any employee having access to Brio Reports.

The data collection begins with the incoming call arriving in the Edify server. The call is then routed to the Genesys server that identifies the call and other relevant information. The server logic then reviews the routing criteria, determines where to route the call and delivers the call to an agent's desktop. The caller may use the self-serve feature through the Interactive Voice Response System instead of requesting an agent. In addition, after being routed to the agent's desktop, the agent uses a Siebel Customer Relationship Management computer application to enter further information concerning the call.

Validity:

These tools measure the percent of agent assisted calls answered by DBPR. The Customer Contact Center is the single point of contact for answering incoming calls for various licensing and professions associated with DBPR. This measure facilitates the identification of real-time and historical call volume, staffing needs, training and strategic planning for peak workload periods such as license renewal.

Reliability:

Real-time and historical data is accurate, reliable, and relevant to performance measurement and reporting.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Service Operations

Service/Budget Entity: Customer Contact Center

Measure: Number of calls answered

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Data Source - DBPR KPI (Key Performance Indicator) Maintenance Page.

Data is collected and stored in Brio Reports using Genesys software. Brio Reports is a reporting tool used to analyze and measure historical performance of each agent, each team, the organization and the caller Virtual queues displayed in Call Center Pulse. This historical information is used by the Customer Contact Center to establish and revise strategic performance objectives and drive performance improvement. Any employee having access to Brio Reports may run various reports on demand.

The data collection begins with the incoming call arriving in the Edify server. The call is then routed to the Genesys server that identifies the call and other relevant information. The logic then reviews the routing criteria, determines where to route the call and then routes the call to an agent's desktop. The caller may use the self-serve feature through the Interactive Voice Response System instead of requesting an agent. In addition, after arriving at the agent's desktop, the agent uses a Siebel Customer Relationship Management computer application to enter further information concerning the call.

Validity:

These tools measure the number of calls received by DBPR, including those that are self-serviced via the automated phone system and the calls that are agent assisted. Since the Customer Contact Center is responsible for answering incoming calls for various licensing and professions associated with DBPR, this measure facilitates the identification of real time and historic performance and strategic planning for peak workload periods such as license renewal. This measure is a factor in determining staffing needs and cost allocations among the department's divisions and boards.

Reliability:

Real-time and historical data is accurate, reliable, and relevant to performance measurement and reporting.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Service Operations

Service/Budget Entity: Central Intake

Measure: Percent of completed applications approved or denied within 90 days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The purpose of this measure is to provide the percentage of complete applications approved or denied according to statutory requirements in Section 120.60, Florida Statutes.

The Bureau of Central Intake and Licensure (CIU) is responsible for the intake of licensure applications and payments for 24 professions regulated by the department. Pursuant to Section 120.60(1) F.S., the department must notify the applicant within 30 days after receipt of the application of any errors or omissions. An application is complete upon receipt of all requested information and correction of any error or omission for which the applicant was timely notified or when the time for such notification has expired. An application for a license must be approved or denied within 90 days after receipt of a completed application.

Time for this measure is calculated from receipt (stamp date) of a completed application to the date of approval.

If the application is complete upon initial review, CIU staff will approve the application for those professions where such authority has been delegated to the bureau, or send completed applications to the appropriate licensing boards for approval.

For applications that were initially deficient, the application will be deemed complete upon receipt of all requested information and correction of any errors or omissions. CIU staff will then approve the application for those professions where such authority has been delegated to the bureau, or send completed applications to the appropriate licensing boards for approval.

The bureau has no authority to deny applications.

Data is collected utilizing the “Percent of completed applications approved or denied within 90 days” Report, which is housed in the department’s web based Business Objects Info View Reporting System’s Public Folder / CIU Folder.

The measure is calculated by dividing the total number of applications approved within 90 days by the total number of applications approved. The number derived is then multiplied by 100 to get the percentage.

Validity:

This performance measure calculates the percent of applications approved within 90 days. The statutory reference for this is Ch. 120.60, F.S. Pursuant to Section 120.60(1) F.S., the department must notify the applicant within 30 days after receipt of the application of any errors or omissions. An application is complete upon receipt of all requested information and correction of any error or omission for which the applicant was timely notified or when the time for such notification has expired. An application for a license must be approved or denied within 90 days after receipt of a completed application.

Reliability:

This measure is reliable because the data is cross referenced on a regular basis by queries of our document imaging and workload management software. Reports are run within the Report Services interface on a daily basis to assess the status of our application processing queues.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Service Operations

Service/Budget Entity: Central Intake

Measure: Percent of applications processed within 90 days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Data Source -The Single Licensing System (LicenseEase) data yields the number of licensure and examination applications processed for each board over a given period of time (day, week, month, quarter, and year). Based on the nature of an applicant's request, the licensing system has designated transaction codes that allow the department to determine the various applications that are processed for each board. Through an in-depth study that was conducted, the department also has designated specific timings for each transaction.

The production data is collected utilizing a Sequel Rule (SQL) that considers various types of transactions that are processed by the bureau. The SQL evaluates the categories of work type that is organized by program areas

Validity:

This performance measure calculates the percent of applications processed within 90 days. The statutory reference for this is Ch. 120.60, F.S. "Processed" is defined as receiving, initially reviewing, and determining if the application is complete or incomplete. If the application is incomplete, a request for additional information (deficiency letter) is mailed to the applicant.

This is a valid and reliable measure to determine if the department is meeting the statutory obligation to licensees. The initial review of an application is completed within 30 days of receipt of the application. If the application is complete at that time, the request is processed; however, the department has 90 days to either approve or deny an application if further review of the application is necessary.

Reliability:

The use of SQL Rule is a reliable tool to determine performance numbers that does not require manual tabulation of data. This particular performance data, percent of applications processed within 90-days, is an accurate, dependable indicator, and consistent performance measure. The economic trends and conditions have a serious impact on the number of applications that are received each year. However, the applications processed are reported in a percent value and is a reliable compliance measure that comparable year to year.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Service Operations

Service/Budget Entity: Central Intake

Measure: Percent of renewals mailed no less than 90 days prior to license expiration dates

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Data Source - DBPR KPI (Key Performance Indicator) Maintenance Page and Renewal Administration and Distribution manual count (RAD).

This data is compiled manually by the RAD unit and reported monthly, subtotaled by profession, and then grand totaled. The monthly reports are then summarized quarterly and yearly.

Validity:

This performance measure of application processing activity measures a statutorily mandated performance timeline directly addressing notification of licensees whose licenses are approaching expiration.

This measure calculates the percent of license renewal notices which are processed and mailed to the licensees scheduled for license renewal, within 90 calendar days of the date that the license is due to expire. This consistent with Ch. 455.273 (1), F.S., which states in relevant part: "At least 90 days before the end of a licensure cycle, the Department of Business and Professional Regulation shall: (a) Forward a licensure renewal notification to an active or inactive licensee at the licensee's last known address of record with the department. (b) Forward a notice of pending cancellation of licensure to a delinquent status licensee at the licensee's last known address of record with the department."

Reliability:

The data source, the RAD manual count, is a reliable source of performance data as it is collected at regular intervals. This measure has been used for numerous years to document the number of license renewal notifications mailed out with no sustained challenge to the data accuracy. This data is an accurate, dependable and consistent performance measure.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Service Operations

Service/Budget Entity: Central Intake

Measure: Number of initial applications processed

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Data Source -The Single Licensing System (LicenseEase) provides the number of licensure and examination applications processed for each board over a given period of time (day, week, month, quarter, and year). Based on the nature of an applicant's request, the licensing system has designated transaction codes that allow the department to determine the various applications that are processed for each board. Through an in-depth study that was conducted, the department also has designated specific timings for each transaction.

The production data is collected utilizing a Sequel Rule (SQL) that considers various types of transactions that are processed by the bureau. The SQL evaluates the categories of work type that is organized by program areas

Validity:

This performance measure counts the number of initial applications processed. For the purposes of the measure, "processed" in this sense is defined as receiving, initially reviewing, and determining if the application is complete or incomplete. If the application is incomplete, a request for additional information (deficiency letter) is mailed to the applicant. For the purpose of this measure, "initial application" means the first time an application is submitted to the department for licensure.

Reliability:

The use of SQL Rule is a reliable tool to determine performance numbers that does not require manual tabulation of data. This particular performance data, number of initial applications processed, is an accurate, dependable indicator, and consistent performance measure. The economic trends and conditions have a serious impact on the number of applications that are receive each year.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of required inspections completed

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

This data is a measurement of the inspections completed compared to the inspections required during the fiscal year. Inspection staff captures data regarding the results of statutorily authorized inspections of licensed barber (s.476.184(2)), veterinary (s.455.243), and cosmetology (s.477.025(2)) establishments. Florida rules (FAC 61G3-19.015 barber, 61G18-15.005-veterinary, and 61G5-20.003 cosmetology) mandate barber, cosmetology and veterinary establishments be inspected once every two years. The inspector completes an inspection form on a mobile PDA (personal data assistant) or manually that captures data regarding the licensee that was inspected and the type of inspection. Thereafter, the data is uploaded or manually entered into the LicenseEase database. Data is validated by daily and monthly review by a supervisor in each office. Deficiencies are corrected upon discovery. The Division of Real Estate and Division of Certified Public Accounting do not perform statutorily mandated inspections, so this measure only includes data from the Division of Regulation.

At the beginning of each fiscal year, a report that lists all current active licensed barber, veterinary and cosmetology establishments is generated from LicenseEase. Barber, cosmetology and veterinary establishments with an active license require inspection biennially; plus an additional one percent of the total veterinary establishment active licensees require inspection during the current fiscal year. Additionally, barber and cosmetology establishments that obtained initial licensure during the fiscal year require inspection in that fiscal year. Three reports are generated from LicenseEase at the close of the fiscal year: 'Inspections remaining Barbers, Cosmetology and VET'. The reports list all active barber, cosmetology, and veterinary establishment licensees that were not inspected during the fiscal year. Thereafter, the number of barber, cosmetology and veterinary establishment inspections performed, obtained from the Inspections Completed query/report, is divided by the sum of the number inspections performed and the number of required inspections that were not inspected at the close of the fiscal year. The number derived will be multiplied by 100% in order to obtain the percent of required inspections performed.

Validity:

This measure reflects the division's ability to achieve an increase in the compliance of standards by licensees through regular inspections and/or audits. The authority for the Division of Regulation to conduct inspections can be found in s. 455.223, Florida Statutes which further

states that each professional practice act shall authorize inspections for its profession. The statutes for the Boards of Cosmetology, Veterinary Medicine and Barber, s. 477.025, s. 455.243 and s. 476.184, Florida Statutes respectively, give authority for the boards to establish, by rule, minimum sanitary and safety requirements for each establishment and their rules describe an inspection process to make sure compliance is achieved.

Reliability:

Information is maintained and retrieved from the LicenseEase system designed for the agency to accurately document licensure actions. The division's data steward has been trained to query data for performance measures as well as other required reporting. Inspectors capture inspection information on a PDA that is uploaded or manually entered into the LicenseEase database. A supervisor in each office approves coding accuracy.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of licensees that correct violations through alternative means (notices of non-compliance, citations or alternative dispute resolution)

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The information originates from complaints initiated by the public, other regulatory agencies, licensees, and/or the department that are received in the central office or any of multiple regional offices. Information is maintained and retrieved from the tracking system (LicenseEase and OnBase database). This measure is calculated by dividing the cases resolved by means of citation, notice of non-compliance, or alternative dispute resolution (ADR) by the number of legally sufficient cases. Upon initiation of the complaint, a complaint analyst reviews the case and codes are assigned to delineate the profession to which the complaint pertains, the nature of the violation, the source of the complaint, and various other identifying information.

Subsequently, status codes and disposition codes are assigned to denote when a particular matter has been resolved to denote the issuance of a notice of non-compliance, a citation, or through alternative dispute resolution. A notice of non-compliance is issued as a first response to a minor violation of a rule, as established by each professional board or the department, when there is no board, in any instance in which it is reasonable to assume that the violator was unaware of the rule or how to comply with it. A citation is issued in matters when a board, or the department when there is no board, has adopted rules to designate as citation violations those violations for which there is no substantial threat to the public health, safety, and welfare.

Alternative Dispute Resolution pertains to the mediation of complaints as a method of dispute resolution between a licensee and someone who is complaining regarding the licensees' actions or conduct. ADR is only a viable option where mediation rules exist and the allegations pertain to economic harm to the consumer or harm that is otherwise addressable by the licensee. The sum of the number of files resolved through alternative means will be compared to the legally sufficient caseload. The legally sufficient caseload is comprised of all legally sufficient files not finalized at the end of the prior fiscal year, plus the number of legally sufficient files opened during the current fiscal year.

All code assignments are input into a database application system known as the LicenseEase system. All complaints are stored and retrieved in the OnBase system.

Thereafter, a query is made for the number of notices of non-compliance by which compliance was obtained, the number of citations filed, and the number of successful Alternative Dispute Resolutions finalized. The SQL Navigator queries used to gather this data by the data steward are entitled 'NNCs Completed', 'Citations Completed', and 'Mediations Completed'. All of the foregoing actions must occur during the current fiscal year. The sum of those numbers will be divided by the legally sufficient caseload for the current fiscal year. The number derived will be multiplied by 100 to obtain the percent of licensees that corrected violations through alternative means.

Validity:

This measure addresses the department's ability to achieve an increase in the compliance of standards by licensees. Resolution of files by alternative means is more expedient and cost effective in obtaining compliance with standards and satisfying consumers. Expediency in case resolution increases compliance with all standards by quickly informing licensees that they are in violation of applicable statutes or rules, so that they can engage in immediate corrective action. Further, punitive or remedial actions are more readily associated with the act that resulted in the punitive or remedial action when it occurs soon thereafter. The intent of the legislature can be found in s. 120.695, Florida Statutes, which states, in part, that the purpose of regulation is to protect the public by attaining compliance. An increase in the percentage of licensees that correct violations through alternative means results in an increase in compliance with all standards.

Reliability:

This measure is reliable in that information is maintained and retrieved from the tracking system (LicenseEase and OnBase database) designed for the agency to accurately document case status history. The division's data steward has been trained to query data for performance measures as well as other required reporting. Complaint analysts create unique data files for every complaint received and coding is validated by a supervisor or by legal staff in each office. Data regarding the resolution of a case by alternative means is input by complaint analysts or administrative staff.

Data is validated by daily and monthly review by a supervisor and/or attorney in each office or by sample reviews twice annually by a supervisor in each office. Deficiencies are corrected upon discovery.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of complete board referred applications approved or denied within 90 days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The purpose of this measure is to provide the percentage of complete applications approved or denied by the professional boards in a timely manner. The time period to approve or deny an application is 90 days. The starting time for this process begins on the day a complete application is received by the department and ends on the day the applicant is approved for licensure/licensure examination, denied licensure, or the applicant withdraws the application.

A complete application is defined as an application for licensure which contains all of the information requested as part of the application process, the required fee(s), where applicable, and all supporting documentation required by statute or rule. An application is also deemed complete when the statutory deadline tolls. Pursuant to Section 120.60(1), F.S., the department must notify the applicant within 30 days after receipt of the application of any errors, omissions, and/or additional information required. Otherwise, the application is considered complete.

An applicant is determined eligible for licensure/licensure examination when all criteria set forth by statute or rule are fulfilled, or when the statutory deadline tolls. Pursuant to Section 120.60(1), F.S., all applications must be approved or denied within 90 days of receipt of a complete application. Applicants that are not approved or denied within this timeframe are deemed eligible for licensure/licensure examination.

For incomplete applications, the measurement of the application processing time begins with the date that all information, documents and/or required fees are received in full. If the department fails to notify the applicant of deficiencies in the application within the statutory deadline, the beginning date of the application processing would be the 31st day after the initial receipt of the application. The ending date for measuring the time to process an application is the date an applicant's request for licensure or licensure examination is denied or approved as noted on the application or when an application is withdrawn by the applicant.

The percent of complete board referred applications approved or denied within 90 days will be obtained from a LicenseEase report entitled 'Applications Approved or Denied within 90 Days'. The percentage will be arrived at by taking the number of complete board referred applications approved, denied, or withdrawn within 90 days of an application being deemed complete,

divided by the total number of complete board referred applications approved, denied, or withdrawn. The Division of Professions, Division of Certified Public Accounting, and Division of Real Estate statistics are included in this measure.

Validity:

This measure determines the percentage of board referred applications that are approved or denied in a timely manner. The 90-day turn around timeframe is statutorily mandated pursuant to Section 120.60(1), F.S. The department has 30 days to notify an applicant that an application is not complete. This measure monitors statutory compliance and provides an accurate method of counting the processing days for an application. Tracking this data is useful in evaluating the department’s business processes and licensing requirements for consistency with its mission to “License Fairly and Efficiently.” The measure only includes applications that go before a professional board for approval or denial. Applications that are processed by the Central Intake Unit are measured in a separate calculation. Since the measure only considers complete applications, there are no shared responsibilities and the results are within the control of the three divisions.

Reliability:

An “OnBase” report entitled the Thirty-Sixty-Ninety Day report is used to capture applications with no license status code. The report also details applications that are thirty (30), sixty (60) or ninety (90) days old based on “the last working date” (the date the last applicant supporting documentation arrived in the Central Intake Unit).

Applications are examined monthly to determine if there are applications that are ninety days old without a license status code. Applications that are ninety days old with no license status code are sent to the respective board office’s government analyst. The government analyst is required to provide an adequate explanation for each ninety-day-old application. This process is to determine whether the application was ninety days old or if it was improperly coded in OnBase. The government analyst researches and reviews supporting documentation to establish the correct timeframe and status of these applications. The results of the research and review by the government analyst is sent to the respective Executive Director and then to the Division Director to ensure actions taken comport with Section 120.60(1), F.S. Finally, the government analyst inputs the required data into OnBase.

This measure is a dependable and consistent measure for determining that applications are processed within the statutory timeframes.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of licensees in compliance with inspection laws and regulations

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

This measure is calculated by using SQL queries against License Ease data that looks for citations and notices of non-compliance (NNC's) that are issued during statutorily mandated inspections of cosmetology, veterinary and barbershop establishments by Division of Regulation staff. Citations and NNC's are issued by the Inspector who is conducting their rule mandated bi-annual inspection for the minimum health and safety requirements. The non-compliant issues are tracked in LicenseEase and OnBase. Citations are a civil monetary penalty and NNC's are a non-disciplinary warning for minor violations.

The Inspectors conduct their inspections using a department issued Personal Data Assistant (PDA) and the results are uploaded weekly into LicenseEase. The measure is calculated by dividing the total number of inspections completed during the year by the number of citations and NNC's issued.

Validity:

This measure addresses the division's ability to achieve an increase in the compliance of standards by licensees. The division's authority to conduct inspections can be found in s. 455.223, Florida Statutes. The compliance rate relies on the assumption that licensees that were not disciplined through the issuance of a citation or NNC are in compliance with all inspection laws and regulations.

Reliability:

Information is maintained and retrieved from the tracking system (License Ease System) designed for the agency to accurately document inspection history/status. The division's data steward has been trained to query data for performance measures as well as other required reporting. Data regarding the issuance of citations and NNC is input by the division's Complaint Analysts or administrative staff and is validated by daily and monthly reports which are reviewed in each region by the Regional Program Administrator. All citations and NNC's are also scanned into OnBase for assignment and retrieval. The case in OnBase can be compared and tied to the information in LicenseEase because of the case number used in both systems.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of Florida resident prescription drug wholesale distributor/permit holders inspected (Drugs, Devices, Cosmetics and Household Products Regulation)

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

This measure addresses the percentage of Florida resident prescription drug wholesale distributors that are inspected for the deterrence of violations of, and the assurance of compliance with, standards and laws in order to promote the health and safety of the public.

The Division of Drugs, Devices, and Cosmetics is charged with enforcing the laws pertaining to licensed prescription drug wholesale distributors and their physical establishments as outlined in Chapters 465, 499 and 893, Florida Statutes.

Division drug inspectors visit the Florida resident licensed establishments or establishments seeking licensure and review the business practices regarding the handling of regulated products, the maintaining of appropriate records, and other requirements outlined in the aforementioned statutes. In addition, the inspectors ensure that the establishments continue to meet requirements as outlined in those statutes for the permit category that has been issued. A person at the establishment is notified of the outcome of the inspection and, if applicable, is told how to come into compliance regarding any noted violations. The inspection findings are documented during the inspection on an electronic device.

Data, and the electronic inspection, are uploaded to LicenseEase (the department's licensing system) and OnBase (the department's electronic document management system), via synchronization software/hardware.

At the close of the fiscal year, the number of Florida resident establishments licensed to wholesale distribute prescription drugs that were inspected (PDWI) and the number of Florida resident establishments licensed to wholesale distribute prescription drugs, whether they were inspected or not (PDWNI), during the fiscal year is obtained via LicenseEase queries.

This measure is calculated as follows:

The numerator for this measure is comprised of the number of Florida resident establishments licensed to wholesale distribute prescription drugs that were inspected

(PDWI) during the fiscal year. The denominator for this measure is comprised of the total number of Florida resident establishments licensed to wholesale distribute prescription drugs, whether they were inspected or not (PDW).

[% Florida resident prescription drug wholesale distributors inspected = PDWI / PDW]

At the close of the fiscal year, the percentage of the Florida resident prescription drug wholesale distributors inspected is calculated as set forth above. The number derived is multiplied by one hundred to obtain the percentage inspected.

Validity:

This measure is used because it addresses the division's efforts regarding the identification and deterrence of violations of, and the assurance of compliance with, standards and laws pertaining to prescription drug wholesale distributors set forth in Chapters 465, 499, and 893, Florida Statutes.

This measures the divisions effectiveness in providing continuing education to applicants and licensees regarding statute and rule requirements, and promoting the health and safety of the public. A high percentage of prescription drug wholesale distributor licensees inspected indicates that the division was successful in these endeavors.

Reliability:

This measure is reliable because the methodology is sound and consistent. The inspection results are documented during the course of the inspection, verified and uploaded to License Ease and OnBase. Data is obtained directly from the uploaded inspections. Additionally, the program conducts ongoing (monthly) training and inspection standardization to ensure enforcement is conducted uniformly.

Inspection reports are spot checked by program supervisors for quality, consistency, and accuracy. Reports are run weekly, monthly, annually, and on demand to obtain inspection information from License Ease.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Business & Professional Regulation

Program: Drugs, Devices, and Cosmetics

Service/Budget Entity: 79700100

Measure: Percent of complete license applications approved or denied within 90 days (Drugs, Devices, Cosmetics and Household Products Regulation)

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

This measures the percentage of completed applications that the division approves or denies according to statutory requirements in Section 120.60, Florida Statutes.

The Division of Drugs, Devices, and Cosmetics is charged with licensing and regulating entities that manufacture and distribute drugs (prescription and over-the-counter), devices, and cosmetics into and in the state of Florida, as set forth in Chapters 465, 499 and 893, Florida Statutes.

A complete application is defined as an application for licensure which contains all of the information requested as part of the application process, the required fee(s), where applicable, and all supporting documentation required by statute or rule. Pursuant to Section 120.60(1), F.S., the department must notify the applicant within 30 days after receipt of the application of any errors, omissions, and/or additional information required. Otherwise, the application is considered complete. A complete application must be approved or denied within 90 days after receipt.

Time for this measure is calculated from receipt (stamp date) of a completed application to the date of approval.

DBPR's single licensing system (License Ease) serves as the repository of the department's licensing and enforcement information. The information in the system is entered contemporaneously with licensure or enforcement transactions that are being conducted by DBPR employees.

Data is collected utilizing the "Percent of completed applications approved or denied within 90 days" report, which is housed in the department's web based Business Objects Info View Reporting System's Public Folder / DDC Folder.

The measure is calculated by dividing the total number of applications approved within 90 days by the total number of applications approved. The number derived is then multiplied by 100 to get the percentage.

Validity:

The 90-day time period is statutorily mandated by section 120.60, Florida Statutes. This measure monitors statutory compliance and provides an accurate method of counting the processing days for an application. This measure was chosen because it will reflect the division's compliance with Florida law.

The data entered into License Ease is monitored and analyzed at least quarterly. The data is verified by the division users of the reports to ensure the accuracy of the information.

Reliability:

This measure is reliable because the data is cross referenced on a regular basis by queries of our document imaging and workload management software. Reports are run within the Report Services interface on a daily basis to assess the status of our application processing queues.

Supervisors run a daily report (DDC/Completed Applications Not Closed) that shows which complete applications have not been acted upon (approved or denied). Supervisors perform audits of individual application processor activity to ensure reliability and integrity of the data.

The data entered into License Ease is entered contemporaneously at the time of the transaction. Employees are trained on importance of timely entering the correct information into the system.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of licensees in compliance with all laws and regulations

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

This data is a measurement of the number of citations and final orders filed against licensees compared to the total licensee population. Data originates by complaints initiated by the public, regulatory agencies, licensees and/or the department which are received in the central office or any of multiple regional offices. Upon initiation of a complaint, a review is made by a complaint analyst and codes are assigned to delineate the profession to which the complaint pertains, the nature of the violation, the source of the complaint, and various other identifying information. Subsequently, status codes and disposition codes are assigned to denote when a particular matter has been resolved with a Citation or Final Order. A Citation is issued in matters when a board, or the department when there is no board, has adopted rules to designate as citation violations those violations for which there is no substantial threat to the public health, safety, and welfare. If the subject of the citation fails to dispute the allegations contained therein within 30 days, the citation is filed with the department's agency clerk. Upon the filing of a citation with the clerk, it becomes a final order effecting discipline. Also, when a complaint is investigated and sent to the legal section for possible prosecution for any violation that a citation cannot be issued, it may result in a final order being issued by the board or department. The divisions of Professions, Real Estate, and Certified Public Accounting effect discipline against licensees through the issuance of citations and final orders. All three divisions are included in this measure.

All code assignments are input into a database application system known as the LicenseEase System. Data is validated by daily and monthly review by a supervisor and/or attorney in each office or by random sample reviews twice annually by a supervisor in each office. Deficiencies are corrected upon discovery.

Thereafter, a query will be made for the number of citations and final orders filed by the three participating divisions during the current fiscal year. The SQL Navigator query/report that is run by the data steward to obtain the data is entitled 'Disposition Count by Board'. The sum of those numbers will be subtracted from the sum of the active licensee populace at the close of the fiscal year for those Divisions. The difference is to be divided by the total number of active licensees at the close of the fiscal year. The number derived will be multiplied by 100 in order to obtain the percent of licensees that are in compliance with all laws and regulations.

Validity:

This measure addresses the department's ability to achieve an increase in the compliance of standards by licensees. Further, it relies on the assumption that licensees that were not disciplined through the issuance of a citation or final order are in compliance with all laws and regulations. An increase in the percent of licensees in compliance with all laws and regulations results in an increase in the compliance of standards by licensees. The citations are mostly handled in the pre-legal stages while final orders are often a result of litigation by the legal staff. The number of final orders issued is a shared responsibility and the results are not completely within the control of the three divisions.

Reliability:

Information is maintained and retrieved from the tracking system (LicenseEase System) designed for the agency to accurately document case history/status. Users have been trained to query data for performance measures as well as other required reporting. Departmental complaint analysts create unique data files for every complaint received and coding is validated by a supervisor or by legal staff in each office. Data regarding the filing of citations and final orders is input by complaint analysts or administrative staff and is validated by daily and monthly review by a supervisor or by legal staff.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Compliance and Enforcement

Measure: Number of enforcement actions (Regulation, Real Estate and CPA)

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The number of enforcement actions is the sum of the number of complaints received, number of investigations completed, number of notices of non-compliance (NNC's), number of citations filed, number of inspections completed, number of mediations completed, number of legal insufficiency dismissals and pending caseload. This measure includes data for the Division of Regulation, Division of Certified Public Accounting, and the Division of Real Estate.

The date for this performance measure originates from two places; complaint intake and inspections. Complaints are received by the central office and can come from consumers, other government agencies, license holders or can be generated internally by the department. All complaints are input into the department's single licensing system, LicenseEase, and are analyzed for legal sufficiency. Key dates and status changes are input into LicenseEase by the staff person responsible for the case at each step of the investigation. Specific codes are also used to classify the type of case in LicenseEase by staff, such as mediation, NNC, citation, under investigation or dismissed.

Data regarding inspections is originated by the inspector who captures data regarding the result of statutorily mandated inspections of licensed barber, cosmetology and veterinary establishments. Data regarding the number of inspections performed is captured on personal data assistants (PDA's) or performed manually and is stored in the LicenseEase database.

The number of complaints received pertains to the number of complaints input into the database during the fiscal year. The complaints pertain to the various professions licensed and regulated by the department. The SQL Navigator query used to pull this information from the database by the data steward is titled 'Complaints Added'

The number of investigations completed refers to the number of files in which an investigation was performed and completed for the above referenced professions. An investigation is considered complete when an investigator has finished his or her written report that is submitted for legal review during the fiscal year. The SQL Navigator query used to pull this information from the database by the data steward is titled 'Invs Completed'.

The number of notices of non-compliance refers to the number of files in which we have obtained evidence that compliance has been received after notification to the licensee during the fiscal year. The SQL Navigator query used to pull the NNC information from the database by the data steward is titled 'NNCs Completed'.

The number of citations filed refers to files in which a citation was issued and not disputed within the allotted time frame and, therefore, was filed during the fiscal year with department's agency clerk as a final order affecting, at minimum, a disciplinary fine. The SQL Navigator query used to pull this information from the database by the data steward is titled 'Citations Completed'.

The number of inspections completed refers to the number of statutorily mandated inspections of licensed barber, veterinary and cosmetology establishments completed during the fiscal year. Inspections are performed to ensure that compliance with all applicable statutes and/or rules is met. The SQL Navigator query used to pull this information from the database by the data steward is titled 'Insp Completed'.

The number of mediations completed refers to the number of files in which a consumer has been made whole or has otherwise resolved the issues, which resulted in the filing of the complaint. The resolution must occur during the fiscal year. The SQL Navigator query used to pull this information from the database by the data steward is titled 'Mediations Completed'.

The number of legal insufficiency dismissals pertains to the number of files dismissed during the fiscal year that did not meet the level of legal sufficiency. A file is determined to be legally insufficient if the department does not regulate the activities in question, or the acts alleged, if assumed to be true, do not constitute a violation of the applicable statutes and/or rules. The SQL Navigator query used to pull this information from the database by the data steward is titled 'Legally Insuff'.

The pending caseload pertains to all files which are either awaiting initial analysis regarding legal sufficiency, have yet to be finalized by obtaining compliance through a notice of non-compliance, mediation, the filing of a citation, or completion of an investigation. The SQL Navigator query used to pull this information from the database by the data steward is titled 'Open in Reg'.

Thereafter, a query will be made for the number of complaints received, the number of investigations completed, inspections completed, the number of notices of non-compliance, the number of citations filed, the number of mediations completed, the number of legal insufficiency dismissals and pending caseload.

Validity:

This performance measure captures the totals for the various means of handling complaints. Chapter 455, Florida Statutes, describes the disciplinary process and it also allows the boards to make rules to handle minor violations in an alternative manner such as mediation, citations and NNC's. This measure allows division management to make sure that cases are being handled in

the proper manner. For example, if the number of mediations is low, investigators may need additional training in mediations.

Reliability:

Information is maintained and retrieved from the tracking system (LicenseEase System) designed for the agency to accurately document case history/status. Complaint analysts create unique data files for every complaint received and coding is validated by a supervisor or by legal staff in each office. Reports are generated by LicenseEase which allows management to look at lists sorted by type and date to see abnormalities to correct. All data is validated by weekly and monthly review by a supervisor in each office.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of complete applications approved or denied within 90 days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The purpose of this measure is to provide the percentage of complete applications approved or denied by the professional boards in a timely manner. The time period to approve or deny an application is 90 days. The starting time for this process begins on the day a complete application is received by the department and ends on the day the applicant is approved for licensure/licensure examination, denied licensure, or the applicant withdraws the application.

A complete application is defined as an application for licensure which contains all of the information requested as part of the application process, the required fee(s), where applicable, and all supporting documentation required by statute or rule. An application is also deemed complete when the statutory deadline tolls. Pursuant to Section 120.60(1), F.S., the department must notify the applicant within 30 days after receipt of the application of any errors, omissions, and/or additional information required. Otherwise, the application is considered complete.

An applicant is determined eligible for licensure/licensure examination when all criteria set forth by statute or rule are fulfilled, or when statutory deadline tolls. Pursuant to Section 120.60(1), F.S., all applications must be approved or denied within 90 days of receipt of a complete application. Applicants that are not approved or denied within this timeframe are deemed eligible for licensure/licensure examination.

For incomplete applications, the measurement of the application processing time begins with the date that all information, documents and/or required fees are received in full. If the department fails to notify the applicant of deficiencies in the application within the statutory deadline, the beginning date of the application processing would be the 31st day after the initial receipt of the application. The ending date for measuring the time to process an application is the date an applicant's request for licensure or licensure examination is denied or approved as noted on the application or when an application is withdrawn by the applicant.

The percent of applications approved or denied within 90 days will be obtained from a Crystal Report entitled 'Applications Approved or Denied within 90 Days'. The percentage will be arrived at by taking the number of complete applications approved, denied, or withdrawn within 90 days of an application being deemed complete, divided by the total number of complete

applications approved or denied. The Division of Professions, Division of Certified Public Accounting, and Division of Real Estate statistics are included in this measure.

Validity:

This measure determines the percentage of applications that are approved or denied in a timely manner. The 90-day turn around timeframe is statutorily mandated. The department has 30 days to notify an applicant that an application is not complete. This measure monitors statutory compliance and provides an accurate method of counting the processing days for an application. The measure only includes applications that go before a professional board for approval or denial. Applications that are processed by the Central Intake Unit are measured in a separate calculation. Since the measure only considers complete applications, there are no shared responsibilities and the results are within the control of the three divisions.

Reliability:

Supervisors in the divisions' respective licensing units randomly spot check files as part of normal operating procedures. In addition, supervisors will perform post-audit procedures to test the reliability of the data used in this measurement.

This measure is a dependable and consistent measure for determining if applications are processed within the statutory timeframes.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budge Entity: Compliance and Enforcement

Measure: Number of licensees

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

A query of the department's licensing database (LicenseEase) is obtained as of the last day of the fiscal year, June 30. The SQL Navigator query used by the data steward to obtain the data is entitled 'License Count'. The licensee data includes current, probationary, and suspended licenses in a status of active or inactive. Licensees for the Division of Professions, Division of Real Estate, and Division of Certified Public Accounting are included in this measure. Licensees with a status of delinquent and null/void are not included.

Validity:

The licensee count is a measure of the population of licensees who are able to practice regulated professions in the State of Florida, and whose records require maintenance by the department. Active and inactive licenses are included in this output measure. The services provided by the department generally focus on and accrue to the benefit of the active and inactive licensee population. Depending on the professional trends, the population results are not always within control of the department.

Reliability:

The statistical information queried from the department's database has a high degree of reliability. The licensing issuance and renewal process is automated. The greatest probability for error is derived from the manual input of license changes (i.e., change of address, status changes, etc.). Staff who are responsible for performing data entry and manually inputting changes to the database receive comprehensive in-house training and on-the-job training. The data entry process is procedurally regimented and there are electronic rules that prohibit certain errors. Since the department has tracked licensee information for many years and has established baseline data, statistical aberrations can be easily isolated and investigated.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Florida Boxing Commission

Measure: Percent of complete applications approved and or denied within 90 days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Pursuant to Chapter 548, Florida Statutes, the Florida State Boxing Commission regulates professional boxing, kickboxing and mixed martial arts and approves and monitors amateur boxing, kickboxing and mixed martial arts sanctioning organizations.

The Commission processes applications for licensure pursuant to Chapter 120.60, Florida Statutes. Upon receipt of a licensure application the application is reviewed by staff within 30 days after such receipt. If there are omissions the applicant is notified in writing of the deficiencies. If the application is complete and meets all licensure requirements a license number is assigned and a licensure card is mailed.

The license application categories include: Live Event Permit, Participant, Second, Trainer, Manager, Manager Companies, Promoter, Officer of Promoter Company, Matchmaker, Judges, Referee, Announcer, Concessionaire, Booking Agent, Timekeeper, Ringside Physician, and Amateur Sanctioning Organization.

Not all applications for licensure are received by mail. The majority of participants, seconds, and trainers applications are submitted to the Commission at the official event weigh-in. The official weigh-in is held the day prior to the event, and the applications are collected by the OPS event coordinator and approved by the Executive Director or his assigned onsite representative. Applicants that are approved are granted a temporary license to participate at the event. Applicants that are not approved are advised verbally of the reason for disapproval. Following the event the denied applicant will receive a notice of intent to deny within 30 days of the verbal notice.

Listed below are the procedures used to process an application received by mail.

1. Upon receipt of an application the staff date stamps the application, and a revenue receipt is manually processed using a receipt booklet that is per-numbered in sequential form.
2. A copy of the receipt is attached to the application for verification of licensure payment.
3. Licensure fees are prepared for deposit by using a form prepared by the staff and approved by supervisor.
4. Staff deposits revenue and enter deposit into LicenseEase.

5. Staff evaluates the application to determine if there are any deficiencies.
6. Staff enters application information into LicenseEase.
7. Staff assigns the license fee to the application.
8. Staff sends a written notification of omissions.
9. Applications approved for licensure are issued a license number generated by LicenseEase.
10. A licensure card is generated by the technology office and hand delivered to the Commission office.
11. Staff reviews the licensure card for accuracy and mail card.
12. Staff returns the licensure cards to technology if errors are noted.
13. Staff scans the application and supporting documentation into Onbase for record archive.

Listed below are the procedures used to process an application received at the official weigh-in.

1. Upon receipt of an application the application is considered received the date of the official weigh-in and the staff issues a revenue receipt manually by using a receipt booklet. A copy of the receipt is attached to the application to verify licensure fee has been paid.
2. The event coordinator presents the applications to the Executive Director or commission representative onsite to review for approval or denial. If omissions are determined the application is disapproved and is provided verbal notification of the reasons for disapproval. If approved a temporary license is granted and the applicant is allowed to participate at the event.
3. Following the event the Executive Director or commission representative hand delivers the event folder to the Tallahassee office. The Tallahassee office staff reconciles the event folder to ensure all applications, license fees, and supporting documentation received at the weigh-in and event have been received.
4. Staff deposits the revenue and enters deposit into LicenseEase.
5. Staff processes the application to determine if there are any deficiencies.
6. Staff enters the application information into LicenseEase.
7. Staff assign license fee to the application.
8. Staff sends written notification of omissions.
9. Applications approved for licensure are issued a license number generated by LicenseEase.
10. A licensure card is generated by the technology office and hand delivered to the Commission office.
11. Staff reviews the licensure card for accuracy and mail card.
12. Staff returns the licensure cards to technology if errors are noted.
13. The application and supporting documentation is then scanned into Onbase for record archive.

The measure is calculated as follows:

This measure is comprised of the total applications received within the reporting time period, and the sum of time to review each application from receipt to approval (non-deficient) or deficiency notification. The sum of the total time divided by the total number of applications will capture the average time it takes to process an application.

Validity:

This measure is used because the percent of applications processed within 90 days demonstrates how the Commission has continuously improved business processes and provided quality assistance to its customers.

Reliability:

The performance measure will produce accurate and uniform results on a continuing basis.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Florida State Boxing Commission

Measure: Number of scheduled boxing, kickboxing and mixed martial arts bouts

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The number of scheduled bouts is a result of reviewing and approving or disapproving a match or fight card based on, but not limited to, the prospective participant's: weight, ability, record, and physical condition. The match or fight card is submitted by the licensed matchmaker of record, and the review process of the match or fight card is conducted by the Executive Director. Due to participant injuries, the matchmakers are allowed to propose additional matches prior to the conclusion of the weigh-in if participant records can be verified to the satisfaction of the Executive Director. The match and/or fight card data is maintained in the event folder, and the data is collected by tallying the total number of scheduled bouts approved by the Executive Director following each event.

Validity:

The number of scheduled boxing, kickboxing, and mixed martial arts bouts is a measure of event workload and compliance with Section 61K1-1.003 (2) (b), Florida Administrative Code.

Reliability:

The data related to the number of scheduled bouts is maintained accurately in an Excel spreadsheet. The measure will produce the same results for any given period of time. In terms of comparing data on an annual basis, this can be misleading as there is no accurate predictor in terms of the number of bouts scheduled as required by Chapter 548, Florida Statutes.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Florida State Boxing Commission

Measure: Number of automatic medical suspensions as a result of injury or suspected injury sustained during a match.

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The number of automatic medical suspensions is a result of injuries or a suspected injury sustained during a match and the data is maintained by staff in an Excel spreadsheet. A copy of the automatic medical suspension form issued to the participant is maintained in the participants application file and is reported to a national database. The data is collected by tallying the total number of automatic medical suspensions issued by the Executive Director following each event.

Validity:

The number of automatic medical suspensions is a measure of events workload and compliance with Section 61K1-1.037, Florida Administrative Code.

Reliability:

The data related to the number of automatic medical suspensions is maintained accurately in an Excel spreadsheet. The measure will produce the same results for any given period of time. In terms of comparing data on an annual basis, this can be misleading as there is no accurate predictor in terms of the outcome of a match requiring a mandatory suspension due to knockout or technical knockout as required by Chapter 548, Florida Statutes.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Florida State Boxing Commission

Measure: Number of scheduled boxing, kickboxing and mixed martial arts events

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The commission maintains a file for each event permit approved by the commission. The measurement is an account of all pugilistic event permits applications approved by the commission.

Validity:

This measure captures the number of approved permit applications and scheduled events. The number of scheduled events is a reliable number to measure the workload related to scheduled events.

Reliability:

The data related to the number of scheduled boxing, kickboxing and mixed martial arts events are maintained accurately in an Excel Spreadsheet. The measure will produce the same results for any given period of time.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Florida Boxing Commission

Measure: Percent of applications processed within 30 days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The data to capture the number of applications, date application received, and date license was issued is maintained in LicenseEase. Once an application is processed and the license/permit is issued, a date of issue is maintained in the database. The number of applications processed in 30 days is divided by the total number of completed applications processed to produce the percent processed within 30 days. As a point of information, the majority of the license applications received are processed in terms of approval/disapproval in the field at the time of the weigh-in associated with a live event permit. Very few license applications are received in the commission's headquarters in Tallahassee such as those pertaining to a promoter's license. Applications such as these are processed in less than 10 days if there are no deficiencies. As to permit applications, the commission's administrative rule provides that permit applications are not completely approved until such time as the executive director and/or commission representative in the field has verified that all requirements have been met. These requirements cannot be verified until an actual physical inspection has occurred in the field.

Validity:

The percent of completed applications processed within 30 days is a measure of customer service. When the percentage associated with this measure is high, the commission is operating efficiently relative to the customer's expectations.

Reliability:

The applicant enters the application date on the application from which is in turn, entered into LicenseEase; the issue date reflects the date the application is approved in the field (license has been issued). The performance measure will produce accurate and uniform results on a continuing basis.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Florida State Boxing Commission

Measure: Number of enforcement actions.

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The number of enforcement actions is the sum of the number of complaints received, number of investigations completed, number of legal insufficiency dismissals and pending caseload. This measure includes data for the Division of Regulation.

The date for this performance measure originates from complaint intake. Complaints are received by the Boxing Commission office and can come from consumers, other government agencies, license holders or can be generated internally by the department. All complaints are tracked by the department's licensing system, LicenseEase, and are analyzed for legal sufficiency. Key dates and status changes are entered into LicenseEase by the staff person responsible for the case at each step of the investigation. Specific codes are also used by staff to classify the type of case in LicenseEase under investigation or dismissed.

The number of complaints received pertains to the number of complaints entered into the database during the fiscal year.

The number of investigations completed refers to the number of cases in which an investigation was performed and completed for the above referenced profession. An investigation is considered complete when an investigator has finished his or her written report that is submitted for legal review during the fiscal year.

The number of legal insufficiency dismissals pertains to the number of files dismissed during the fiscal year that did not meet the level of legal sufficiency. A case is determined to be legally insufficient if the department does not regulate the activities in question, or the acts alleged, if assumed to be true, do not constitute a violation of the applicable statutes and/or rules.

The pending caseload pertains to all files which are either awaiting initial analysis regarding legal sufficiency or completion of an investigation.

Validity:

This performance measure captures the totals for the various means of handling complaints. Chapter 455, Florida Statutes, describes the disciplinary process and it also allows the Commission to make rules to handle minor violations in an alternative manner such as

mediation. This measure allows division management to make sure that cases are being handled in the proper manner.

Reliability:

Information is maintained and retrieved from the tracking system (LicenseEase System) designed for the department to accurately document case history/status. Complaint analysts create unique data files for every complaint received and coding is validated by a supervisor or by legal staff in each office. Reports are generated by LicenseEase which allows management to look at lists sorted by type and date to spot abnormalities and to make needed corrections. All data is validated weekly and monthly by a supervisor.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Testing and Continuing Education

Measure: Percent of complete provider and individual course applications approved or denied within 90 days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Data Source – License Ease System, On-Base, and Crystal Reports

The Bureau of Education and Testing (BET) reviews and determines compliance with the specific board rule or statutory requirements when receiving provider and course applications per Sections 455.2177 and 455.2179, F.S.

When the applications are received the top page is date stamped with the receiving date. The applications are scanned into the On-Base Document System and a quality control check is conducted to verify all documents were scanned properly. The documents are routed through On-Base to the assigned staff member's queue for review and processing in LicenseEase. Once information is entered into LicenseEase and On-Base, LicenseEase begins tracking time to completion. Applications are placed on hold status in the LicenseEase if the application needs board approval or if additional review by a department consultant is required. Such actions may occur outside the 90 day processing window as this may include the time period the application was placed on hold for board or consultant review. Applications that are deficient are also placed on hold status and a letter is sent to the applicant detailing the deficiency. The applicant is given an opportunity to respond to deficiency notifications and submit supplemental information to make the application complete. Once the application is deemed complete by staff, a letter is sent to the applicant with the results of the review indicating the approval or denial of the provider or course application.

Pursuant to Section 120.60(1) F.S., the department must notify the applicant within 30 days after receipt of the application of any errors or omissions. An application is complete upon receipt of all requested information and correction of any error or omission for which the applicant was timely notified or when the time for such notification has expired. An application must be approved or denied within 90 days after receipt of a completed application.

If the application is complete upon initial review, BET staff will approve the application for those professions where such authority has been delegated to the bureau, or send completed applications to the appropriate consultant or board for approval.

For applications that were initially deficient, the application will be deemed complete upon receipt of all requested information and correction of any errors or omissions. BET staff will then approve the application for those professions where such authority has been delegated to the bureau, or send completed applications to the appropriate consultant or board for approval.

The application date is captured in LicenseEase to track the length of processing time for each application. A query report entitled “BET Fiscal Year Performance Measures Using Non-Deficient Applications” is utilized to assist with the calculation associated with this measure. This report can be tailored to include any date range required

The “BET Fiscal Year Performance Measures Using Non-Deficient Applications” report contains individual data on each application including the profession, application file number, application type (provider or course), the date received and the date completed. A summary is provided at the end of the report that contains the total number of applications, number of applications closed over 90 days, number of application closed less than 91 days, number of applications closed over 30 days, and number of applications closed in less than 31 days. To check the accuracy of the reporting data, a report is run monthly and all entries over the 90 day criteria are reviewed to determine if the application was profiled properly and if the application status tracking mechanism was utilized properly. All inaccuracies are deducted from the total number of applications closed over 90 days and the figures are re-calculated.

To determine the percentage complete provider and individual course applications processed within 90 days, the entry listed on the report for applications closed over 90 days is divided by the total application count. The performance measures are reviewed on a monthly basis to ensure we are meeting our performance measures and to ensure staff is performing in an acceptable manner.

Validity:

Pursuant to Sections 455.2177 and 455.2179, F.S., the Bureau of Education and Testing is responsible for processing Continuing Education (CE) provider and course applications for the various boards and councils with the Division of Professions, the Division of Real Estate and the Division of Certified Public Accounting. The applications are required to be processed and completed within 90 days pursuant to Section 120.60(1), F.S.

Processing the applications prior to the 90 days requirement allows the bureau to provide quality and timely assistance to our customers and provide faster approval of courses that will be conducted for our licensees, which will provide a greater selection of courses offered.

A non-deficient application is an application that is complete at the time of receipt and can be processed immediately as meeting all requirements as set forth by board rule or statute. A deficient application needs additional information from the provider and must be updated to ensure it meets applicable requirements before the application is deemed complete.

This measure provides for the percentage of complete continuing education and provider applications processed within 90 days of receipt. The intent is to ensure compliance with processing requirements as established in performance measures, meet the statutory requirements

of Section 120.60(1), F.S., and reflect the effectiveness of staff members to process applications timely.

Reliability:

The results of the reports are consistent each time the reports are run.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Testing and Continuing Education

Measure: Percent of non-deficient, complete provider and individual course applications processed within 90 days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Data Source – License Ease System and Crystal Reports

The Bureau of Education and Testing reviews and determines compliance with the specific board rule or statutory requirements when receiving provider and course applications. Once information is entered into the licensing system, the system begins tracking time to completion. Applications are placed on hold status in the licensing system if the application needs board approval or if additional review by a department consultant is required. Such actions may occur outside the 90 day processing window. Applications that are deficient are also placed on hold status to allow providers an opportunity to respond to deficiency notifications and submit supplemental information to make the application complete.

Validity:

A non-deficient application is one that is complete at the time of receipt and can be processed immediately as meeting all requirements as set forth by board rule or statute.

A deficient application needs additional information from the provider and must be changed or corrected so it meets applicable requirements.

This measure provides for the percentage of non-deficient continuing education and provider applications processed within 90 days of receipt. The intent is to ensure compliance with processing requirements as established in performance measures.

Reliability:

Application date is captured in the licensing system to track the length of processing time for each application and a system generated report is utilized to produce quarterly and annual reporting figures.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Testing and Continuing Education

Measure: Number of candidates tested

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The number of candidates tested is collected from various data sources, including utilizing the CAT Global software and manual counts. The figures for computer based testing figures (CBT) are obtained from the CAT Global software program through Bureau of Education and Testing's CBT vendor, Pearson Vue. The candidate counts for the paper and pencil examination are compiled from the manual examination reports that are prepared at each examination administration at each site.

Validity:

A candidate tested is an applicant that has been approved either by the Board or department, scheduled for a specific testing date and time, and takes the licensure examination for which he/she was scheduled.

This measure provides the number of candidates tested on a quarterly or annual basis (depending on the report due date) of eligible applicants that have been approved, scheduled, and have taken a licensure examination that is required in order to obtain a license for a specific profession. Licensure examinations are conducted to ensure that the applicant has an acceptable knowledge or competency level for the profession which he/she is seeking licensure.

Reliability:

The CBT candidate counts are obtained from the CAT Global System, whereas the paper and pencil examination counts are collected manually at the exam site. An Excel spreadsheet is maintained to track all candidate count figures for paper and pencil examinations. The spreadsheet reduces the number of errors in calculating the total counts manually.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Testing and Continuing Education

Measure: Number of non-deficient, complete provider and individual course applications processed within 90 days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Data Source - LicenseEase System and Crystal Reports

The Bureau of Education and Testing reviews and determines compliance with the specific board rule or statutory requirements when receiving providers and course applications. Once information is entered into the licensing system, the system begins tracking time to completion. Applications are placed on hold status in the licensing system if the application needs board approval or if additional review by a department consultant is required. Applications that are deficient are also placed on hold status to allow providers an opportunity to respond to deficiency notifications and submit supplemental information to make the application complete. A system generated report is utilized to produce quarterly and annual reporting figures.

Validity:

A non-deficient application is one that is complete at the time of receipt and can be processed immediately as meeting all the requirements as set forth by board rule or statute.

A deficient application needs additional information from the provider and must be changed or corrected so it does meet applicable requirements.

This measure provides for the number of non-deficient continuing education and provider applications processed within 90 days of receipt. The intent is to ensure compliance with processing requirements as established in our performance measures.

Reliability:

Application data is captured in the licensing system to track the length of processing time for each application and a system generated report is utilized to produce quarterly and annual reporting figures.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of farm labor contractors inspected found to be in compliance with the law

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Data for this measure is obtained from the Farm Labor Program's LicenseEase reports. The information is then matched with documents and reports from the field investigators which are submitted to the Central Office on a weekly & monthly basis. These reports include the number of farm labor contractors inspected for compliance with the Florida farm labor law, number of warnings issued, field citations issued, cases of unregistered activity developed, complaints received, wages recovered, money penalties assessed, money penalties received, and mediations completed.

Compliance & Enforcement activity are generated through two (2) sources. First, The department may receive a complaint (written or verbal) from a farm worker or other sources, of unregistered activity or non-compliance with the farm labor laws. These complaints are logged and assigned to an investigator in the geographical area nearest to the complainant or the site of the allegation. Investigators are located in agriculturally significant areas throughout the state. Second, the investigator, through routine canvassing of their assigned area, may observe non-compliance of the laws when conducting field compliance inspections of farm labor contractor activity. Compliance inspections include; safety/health inspections, payroll audits, passenger vehicle inspections, and field sanitation inspections. Depending on the nature, severity and number of violation(s), the investigator may elect to issue a warning, field citation, or develop a case to be sent to legal for prosecution. In all instances, these actions are properly documented and forwarded to the Central office for recording and maintenance. Penalties for non-compliance with farm labor laws include a warning for a "first-time offense, money penalties up to \$2,500 per violation, per day; suspension and revocation of registration. Penalties and sanctions are progressive, with repeat violators/offenders receiving the harshest penalties.

Validity:

The measure is a valid indicator of overall program effectiveness and goals because it captures all key performance indicators and justifies the program's responsibility to enforce the farm labor laws, through education, routine field inspections, and prosecution. Through the monitoring of enforcement activity data, the program can document the number of field compliance inspections, warnings issued, field citations issued, cases developed, type of violation, amount of money penalties assessed and collected. The overall compliance rate is a

percentage of the number of inspections performed, minus exemptions, versus the number of inspections resulting in non-compliance.

Reliability:

The raw data from field investigators is compiled and sent to the central office for recording and maintenance. Factors include crop yields, market trends, weather/crop damage/diseases, worker availability and wages. A farm labor contractor may be inspected for compliance with the farm labor law on several occasions during the growing season. There are five main activities associated with farm labor that may present the investigator with opportunities to conduct field inspections. Those activities are pre-harvesting, which include field preparation, planting, cultivating, harvesting and post-harvesting.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of employers brought into compliance with child labor laws on follow-up investigations

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Beginning in FY 2007-08, the data for this measure has been maintained and tracked on the department's license system (LicenseEase). It is designed to track the entire complaint process, and all complaint actions are entered / controlled through input by the staff in the central office. Program data used to compile the measure is collected from investigative reports prepared by child labor investigators in response to alleged child labor law violations.

An initial complaint is generated from information received in the central office. The cases are entered into the LE database and assigned to the field investigator. A Notification of Investigation which requests specific employment records is sent to the employer. The investigator reviews the documentation and completes an on site audit. Once an investigation is completed, the investigator sends the report to the Tallahassee Central Office indicating the status of the violation (compliance or noncompliance). The action is entered into the LE database system after review by the program administrator.

Validity:

The measure is a valid indicator of overall program results. It is also an appropriate measure of ensuring that employers are brought into compliance with the law and represents the program's overall objective. LicenseEase captures and reports data based on information gathered by child labor investigators as investigations are completed, verified and entered by the Tallahassee Central Office.

Investigators use data that is taken directly from the payroll/time records supplied by the employer to determine if the employer is violating the law. Follow-up investigation reviews verify that the employer's employment practices are in compliance with the law.

The outcome result will be determined by dividing the number of investigations in compliance (no CMP's), by the total number of investigations conducted.

Reliability:

Source data is captured by each investigator at the time of the investigation, and reported to the central office as an investigation. Reliability is determined by consistent application of

measurement procedures used to compile data and limited access by staff to the database. All data is carefully controlled through centralized procedures. Data can also be manually assembled, and rolled up and tallied collectively for each investigator on a monthly and annual basis. Hard copy source data (compliance and investigative forms) are also maintained at the local and central office.

The data is reliable and year-to-year data can be replicated with accuracy.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Compliance and Enforcement

Measure: Number of investigations and inspections – farm labor

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Data for this measure is collected by investigators who perform field inspections of farm labor contractors. Information regarding inspections and any violations are entered into the single licensing system LicenseEase (LE) by investigators and verified by supervisors in the Tallahassee Central Office. This information is matched for accuracy with the field inspection reports and other documentation submitted to the Central office on a weekly and monthly basis by the field Investigators.

The information captured includes the number of farm labor inspections performed and the number of farm labor contractors found in non-compliance with the Farm labor law. Historically and for FY 2005-06, data for this measure was compiled in several database software including Word, Access and Excel. Beginning fiscal year 2006-07, this data has been captured and maintained in LicenseEase.

Investigations: Investigations are typically initiated from two sources. In most cases, violations are observed in the field by investigators performing routine inspections. In some cases, a complaint of a violation is received by the central office or from other sources. Investigations include wage complaints, field sanitation, passenger vehicle safety and authorization, worker safety, unregistered activity, failure to disclose/post terms & conditions of employment, improper payroll records, and failure to comply with other State & Federal Laws.

Inspections: The Farm Labor Program effects compliance through education and field inspections. The investigator is required to routinely canvass his/her geographically assigned area for farm labor activity, and to enter onto farms, ranches, and groves; and to physically inspect farm labor contractors for full compliance with the Florida farm labor law. Each field inspection is recorded on a department inspection form and following the completion of the inspection, a copy of the form is given to the farm labor contractor. A copy of each inspection is forwarded to the central office for proper recording. The field inspection includes: presentation of a valid and adequate certificate of licensure, department authorization to perform the identified activities, payroll audits for adequate wage requirements and payments, field sanitation inspections, child labor violations and worker abuses.

Validity:

This measure is valid as it properly captures the number of farm labor contractor inspected for compliance, the number of farm labor contractors out of compliance, type of violations and the number of violations. Investigators record on a daily basis, their enforcement activity and monthly submit to the central office, their number of inspections and total enforcement activity. Monthly submissions are validated by a Program Lead in Tallahassee using the LicenseEase single licensing system.

Reliability:

The monthly reports of each investigator detail the actual number of inspections and investigations performed each month. The total number of inspections and investigations can be verified by a supervisor by physically counting the paper inspection forms (3601s) submitted, and match those to the number of inspections and cases entered into License Ease. As a result, an accurate measure of investigator productivity can be measured and verified.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budget Entity: Compliance and Enforcement

Measure: Number of investigations and inspections – child labor

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The data for this measure has been maintained and tracked on the department's license system – LicenseEase (LE) beginning in FY 2007-08.

Investigations: The number of completed investigations is pulled from the LE database. The data base has the capability to track the entire complaint process. When an investigation is complete, the investigator closes out the investigation and sends the report to the central office indicating the status of the investigation. All case actions are entered in LE by the staff in the central office.

Inspections/Training: The number of inspections/training is tracked separately. A major portion of the investigator's time is spent conducting proactive enforcement activities. Investigators target businesses that employ minors and conduct walk-in visits. This is a proactive activity to ensure that employers are aware of their responsibilities under the child labor law. During a visit, the investigator will check businesses employing minors for an updated child labor poster. The investigator will attempt to conduct a visual safety inspection of the facility, and provide training guides, child labor self-assessment packages, and any technical assistance needed. If apparent child labor violations exist, cases are opened.

The information is manually recorded in the field on the investigators tracking log, then entered into LE. The program data used to compile the inspections/training data is then extracted from LE.

Validity:

The measure is an output of both proactive and reactive enforcement activities performed during personal contact with employers. It is also an appropriate customer service output measure to ensure the program's overall objective of bringing employers into compliance with child labor law. The system of capturing and reporting data is valid based on source data generated by investigator activities and reported by them on a daily/monthly basis.

Reliability:

Investigations:

Each investigator records their case activity at the time of the investigation into LE. Reliability is determined by consistent application of procedures used by investigators to record their data, enter data correctly into LE, and reviewed by Tallahassee staff. All case sensitive data is reviewed through centralized procedures. Hard copy source data (working papers including documents submitted by employers) are maintained at the local level. Beginning fiscal year 2008-09, all new cases are maintained in the paperless Onbase filing system. Data is comparable from year to year.

Inspections/Training:

The source data is recorded by each investigator at the time of the “walk-in” on a log and entered into LE upon return from the field. Reliability is determined by consistent application of measurement procedures, collected on a daily basis using the walk-in tracking log. Hard copy source data is maintained at the local level and a copy forwarded to the central office. Data would be comparable from year to year, and can be replicated comparing the investigator logs to the data investigators have entered into LE.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Pari-Mutuel Wagering

Service/Budget Entity: Pari-Mutuel Wagering

Measure: Percent of races and games that are in compliance with all laws and regulations

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Each statute/rule violation is listed on the DBPR PMW-3340, Notice of Violation and Hearing form. Hearing Officers in each region conduct hearings for violations related to greyhound racing when necessary. Division Hearing Officers and stewards can either conduct a hearing and issue a ruling, or send the respondent a consent order to address violations. Each Division Steward and Hearing Officer is responsible for entering all enforcement actions (i.e. rulings and consent orders) into the department's LicenseEase database. Each enforcement case includes the violation and disciplinary action imposed. The Office of Operations refers cases to the Office of Investigations for further action if an investigation is warranted. These violations are documented in a Report of Investigation, which is provided to the appropriate Division Hearing Officer or Steward, or the Division of Administrative Hearings for adjudication.

The Stewards and Hearing Officers assess penalties for all statute/rule violations, as set forth in law [Section 120.80(4), Florida Statutes], by issuing either a Ruling of the Judges/Stewards or a Consent Order. The number of rulings and consent orders issued is added for each facility monthly and forwarded to the respective Regional Manager who calculates the total number for the region. The Regional Managers then report the number on the PMW Form 524 - Monthly Reporting Form for Regional Managers and forward it to the Office of Operations in Tallahassee. The Chief of Operations adds the number of rulings and consent orders issued by the Hearing Officers and Stewards. The sum is then divided by the number of races and games monitored. The resultant quotient is the percentage of games and races not in compliance with pari-mutuel statutes or rules. The percentage not in compliance is then subtracted from 1, the result multiplied by 100 to arrive at the percentage in compliance.

Validity:

This measure documents the Division of Pari-Mutuel Wagering (PMW) regulatory responsibilities in addressing alleged violations of Chapter 550, F.S., and Chapter 61D, Florida Administrative Code. The division has little, if any, control over whether licensees commit violations of the statutes and rules. This measure will indicate the extent to which the Division is able to influence the persons who participate in races (licensees) to comply with the applicable laws and rules.

Reliability:

This measure is reliable because the data (rulings, consent order, final orders, administrative complaints, etc.) are maintained in the department's LicenseEase database. All other violations of Chapters 550 and 849, F.S., and Chapter 61D, F.A.C. (Rules) are investigated by the Office of Investigations, are heard by Division Hearing Officers or Stewards, or the Division of Administrative Hearings, and are subject to appeal at all levels. All violations are recorded in the LicenseEase database for tracking purposes. The data accumulated by the Office of Operations is reliable because the monthly reports generated to extract data from the LicenseEase computer system have been configured and tested.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Pari-Mutuel Wagering

Service/Budget Entity: Pari-Mutuel Wagering

Measure: Percent of complete Pari-Mutuel Wagering applications approved or denied within 90 days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Chapter 550.102, Florida Statutes, requires each person connected with a pari-mutuel facility must obtain an annual occupational license from the division. Applications received at the field offices are reviewed by the Chief Inspector for completeness. The licensee's history is checked both in the division's database and the national database for any disqualifying factors. A criminal history background check is conducted upon initial licensure and every five licensing years thereafter. Applicants who report no criminal convictions on their application, and are required to have a criminal history check, receive a 90-day temporary license upon receipt of a completed application and the appropriate fees. Once the results of the criminal history are received, a permanent license is issued if there are no disqualifying convictions. If the criminal history results contain a disqualifying conviction, the permanent license is denied. Applicants renewing their license who report no criminal convictions, and are not required having a criminal history background check, receiving a permanent license. Applicants who list a criminal conviction may be required to request a waiver and are not issued a license until a waiver is granted by the Director. Every application is entered into the licensing database (LicenseEase), processed by a Division Official, and is approved or denied within 90 days. A cash batch is created daily in LicenseEase for the fees collected and are sent to the Licensing Section in Tallahassee. Upon receipt of the cash batch, the licensing staff ensures it is ready for deposit and hand-delivers it to the Bureau of Central Intake and Licensure's Revenue Unit.

The Office of Operations' Licensing Section in Tallahassee reviews every application processed in the field for completeness and accuracy, and the Auto Apply Cash batch run that automatically assigns the fees paid to the appropriate license issued in the system. The Licensing Section is also responsible for forwarding the fingerprint cards to the Florida Department of Law Enforcement for processing. Deficient applications are handled appropriately for further action either through direct contact to the licensee or through the field office (depending on where the licensee is located). Applications requiring a waiver from the Director are either approved or denied within 90 days from the date of the waiver interview.

The LicenseEase database is queried every month by using two reports: a Crystal Report stored in InfoView that provides the number of applications processed within and over 90 days; and an SQL query that identifies the records that were closed (i.e. approved or denied) over 90 days.

The report is reviewed to determine whether action taken to the record was a data correction, a bad check or an actual approval/denial over 90 days. The majority of records found to be over 90 days are either a data correction or bad check (neither are counted as approved/denied over 90 days). The number of applications actually processed over 90 days is subtracted from the total number of applications processed and that total is divided by the total number of applications processed. That quotient is then subtracted from one (1) and then multiplied by 100 to produce the percentage of applications processed within 90 days.

Validity:

This measure will determine if the division met its requested standard for FY 12-13 of 100 percent of pari-mutuel applications processed within 90 days.

Reliability:

This measure is reliable because licensing data referenced above is maintained in the department's LicenseEase database. The data accumulated by the Office of Operations is reliable because the monthly reports generated to extract data from the LicenseEase computer system have been configured and tested.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Pari-Mutuel Wagering

Service/Budget Entity: Pari-Mutuel Wagering

Measure: Pari-Mutuel Wagering collections per dollar of revenue unit expenditures

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

On a daily basis, wagering data is entered or downloaded from tote systems into the division's Central Management System (CMS). Division auditors reconcile wagering data for each race and/or game. The tax liability is automatically calculated by CMS based on demographics and wagering data. Actual revenue collections for each month is extracted from the accounting system (CMS) and reconciled against FLAIR and the monthly remittance reports submitted by pari-mutuel permitholders. The monthly and year-end FLAIR Reports are used to obtain expense figures. The level 4 Tax Collection budget entity Flair report is used to determine those resources utilized for revenue collection (category 010000, 040000, 030000). An allocation method is used and a percent is applied to the expense for CMS (109062) and those additional positions that are utilized for revenue collection which are not included in the level 4 Tax Collection Flair report.

Validity:

This measure will allow the division to determine if it meets its requested standard for FY 12-13 of \$35 dollars of revenue collected per \$1 dollar of expenditures associated with revenue collections.

Reliability:

This measure is reliable because each month the division reconciles the data in CMS with the Monthly Remittance Reports submitted by each permitholder. The division reconciles the data in CMS against FLAIR reports monthly and at year-end. CMS and FLAIR are two separate accounting systems. Three independent systems are being reconciled: The tote, CMS, and FLAIR. Expenses are from the monthly and final year-end FLAIR reports.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Pari-Mutuel Wagering

Service/Budget Entity: Pari-Mutuel Wagering

Measure: Percent of compliance audits conducted

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Florida statutes and rules provide the guidelines for the type of audits to perform. Data is provided by the permitholder and audited by the Division of Pari-Mutuel Wagering personnel. The division uses established audit programs and procedures to perform these functions. The following audits compose the total number of audits:

- **Greyhound Purse** audits ensure that the permitholders are paying the minimum statutory purse requirements.
- **Charity Proceeds** audits ensure that each permitholder that conducted Charity/Scholarship performances distribute the amounts which would otherwise have been tax revenues to a bona fide charitable organization.
- **30-Day Report** audits include reconciling each permitholder's monthly remittance reports for pari-mutuel, cardroom, and slot gaming revenue to the division's accounting database to ensure proper gaming data.
- **Uniform Financial Report** audits ensure compliance with the reporting requirements set forth by rules/statutes.
- **Greyhound Adoption Units** and **National Association of Jai Alai Frontons** audits are conducted to ensure that the proper amounts of funds are distributed.
- **Malfunction** audits ensure that any unusual incidents are reported correctly, and that the pools are distributed according to the rules.
- **Escheat** payments, reports, and tickets which were cashed from the end of the last live performance of a meet to the time the escheat payment is due is audited to ensure all money due has been paid.
- **Mutuels Compliance** audits include several smaller sections such as Board of Relief Fund reviews, W2-G reviews, pool calculations, random teller audits, sample payout calculations, sample outstanding ticket account calculations, internal performance reviews, jai alai prize payouts (if applicable), and several specific statutory requirements affecting the operations and public welfare.
- **Cardroom** audits include several smaller sections such as sample chip count calculations, internal performance reviews, jackpot payout audits, cardroom surveillance, and several specific statutory requirements affecting cardroom operations and public welfare, including new surveillance and security requirements.

- **Breeders' Awards** audits verify the eligibility of winners, confirm that awards meet statutory requirements, and review the accounting and internal audit procedures of the associations.
- **Slot Audits** include reviews of internal controls, notifications, books, records, logs, surveillance and security, personnel files, player's club/promotions, and other requirements to ensure compliance with rules and statutes as it relates to slot gaming.

Each year prior to July 1, an audit plan is created which projects audits by type and total, on a monthly and annual basis. The audit plan is based on the number of operating licenses that have been issued to par-mutuel permitholders and will be conducted for the upcoming fiscal year. The number of audits actually conducted will be divided by the number of audits planned to determine the percentage of audits completed.

Validity:

This measure will determine the percentage of audits conducted during the fiscal year, in comparison to the planned number of audits projected to be conducted for the fiscal year.

Reliability:

This measure is reliable because daily pari-mutuel wagering activity is recorded into the Central Management System (CMS). Permitholders also file monthly a 30 day report monthly, which includes races and games. PMW revenue employees compare and reconcile with the CMS database system again, and any discrepancies are handled appropriately with required amendments to CMS or the permitholder's 30 day report. This procedure would indicate that the 30-day report reconciliation process is a highly accurate and reliable measure.

The number of all other audits is maintained in Microsoft Excel spreadsheets and in the LicenseEase/OnBase system. The number is highly accurate due to on-going management review.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Professional Regulation

Service/Budge Entity: Pari-Mutuel Wagering

Measure: Number of races and games monitored

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Division of Pari-Mutuel Wagering (PMW) monitors all pari-mutuel events conducted in Florida to ensure compliance with Florida Pari-Mutuel Statutes and Rules. To accomplish this task, PMW ensures:

- 1) Division stewards are on site to monitor and officiate in the running of each horse race and to conduct hearings into alleged violations;
- 2) Chief inspectors at each facility are on site for the licensing of all participants as well as conducting inspections of racing animal compounds;
- 3) Division personnel collect urine/blood samples of racing greyhounds and horses for analysis of potential illegal substances; and
- 4) Pari-mutuel auditors conduct sample calculations to verify price payouts, reconcile sales, and ensure all races and games performed are accounted for electronically in the Central Monitoring System (CMS). PMW personnel may query CMS at any time to extract data concerning any races and games conducted by any permitholder.

Validity:

This measure will determine the number of pari-mutuel races and games monitored during the fiscal year.

Reliability:

Division field personnel monitor and enter the number of performances conducted by each permitholder into CMS daily. Each week the division reconciles the tax and fee liability to weekly permitholder tax and fee payments which are based on races and games performed. Permitholders also file a 30 day report which includes the number of races and games performed. This number is compared and reconciled by the division personnel to the CMS database system. This procedure would indicate that the number of races and games is a highly accurate and reliable measure and all races and games performed have been monitored.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Pari-Mutuel Wagering

Service/Budget Entity: Pari-Mutuel Wagering

Measure: Percent of applications processed within 90 days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Each person connected with a pari-mutuel facility must obtain an annual occupational license from the Division. Applications received at the field offices are reviewed by the Chief Inspector for completeness. The licensee's history is checked both in the Division's database and the national database for any disqualifying factors. A criminal history background check is conducted upon initial licensure and every five licensing years thereafter. Applicants who report no criminal convictions on their application, and are required to have a criminal history check, receive a 90-day temporary license upon receipt of a completed application and the appropriate fees. Once the results of the criminal history are received, a permanent license is issued if there are no disqualifying convictions. If the criminal history results contain a disqualifying conviction, the permanent license is denied. Applicants renewing their license who report no criminal convictions, and are not required having a criminal history background check, receiving a permanent license. Applicants who list a criminal conviction may be required to request a waiver and are not issued a license until a waiver is granted by the Director. Every application is entered into the licensing database (LicenseEase), processed by a Division Official, and is approved or denied within 90 days. A cash batch is created daily in LicenseEase for the fees collected and are sent to the Licensing Section in Tallahassee. Upon receipt of the cash batch, the licensing staff ensures it is ready for deposit and hand-delivers it to the Bureau of Central Intake and Licensure's Revenue Unit.

The Office of Operations' Licensing Section in Tallahassee reviews every application processed in the field for completeness and accuracy, and the Auto Apply Cash batch run that automatically assigns the fees paid to the appropriate license issued in the system. The Licensing Section is also responsible for forwarding the fingerprint cards to the Florida Department of Law Enforcement for processing. Deficient applications are handled appropriately for further action either through direct contact to the licensee or through the field office (depending on where the licensee is located). Applications requiring a waiver from the Director are either approved or denied within 90 days from the date of the waiver interview.

The LicenseEase database is queried every month by using two reports: a Crystal Report stored in InfoView that provides the number of applications processed within and over 90 days; and an SQL query that identifies the records that were closed (i.e. approved or denied) over 90 days. The report is reviewed to determine whether action taken to the record was a data correction, a

bad check or an actual approval/denial over 90 days. The majority of records found to be over 90 days are either a data correction or bad check (neither are counted as approved/denied over 90 days). The number of applications actually processed over 90 days is subtracted from the total number of applications processed and that total is divided by the total number of applications processed. That quotient is then subtracted from one (1) and then multiplied by 100 to produce the percentage of applications processed within 90 days.

Validity:

This measure allows the Division to evaluate its work performance in processing license applications; as well as evaluate the amount of time elapsed in issuing a license to the applicant.

Reliability:

Licensing data referenced above in the Methodology Section is maintained in the department's LicenseEase database. The data accumulated by the Office of Operations is reliable because the monthly reports generated to extract data from the LicenseEase computer system have been configured and tested. It is the intent of Chapters 550.105 and 849.086, F.S., that each person connected with a racetrack or jai-alai fronton shall purchase from the Division a pari-mutuel occupational license. Also, Chapter 120.60(1), F.S., stipulates that each person who applies for a license must receive it within 90 days of receipt of a completed application.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Pari-Mutuel Wagering

Service/Budget Entity: Pari-Mutuel Wagering

Measure: Number of Applications Processed

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Each person connected with a pari-mutuel facility must obtain an annual occupational license from the Division of Pari-Mutuel Wagering. Applications received at the field offices are reviewed by the division staff for accuracy and completeness. The licensee's history is checked both in the division's database and the national database for any disqualifying factors. A criminal history background check is conducted upon initial licensure and every five licensing years thereafter. Applicants who report no criminal convictions on their application, and are required to have a criminal history check, receive a 90-day temporary license upon receipt of a completed application and the appropriate fees. Once the results of the criminal history are received, a permanent license is issued if there are no disqualifying convictions. If the criminal history results contain a disqualifying conviction, the permanent license is denied. Applicants renewing their license who report no criminal convictions, and are not required having a criminal history background check, receiving a permanent license. Applicants who list a criminal conviction may be required to request a waiver and are not issued a license until a waiver is granted by the director of the Division of Pari-Mutuel Wagering. Every application is entered into the licensing database (LicenseEase), processed by a Division Official, and is approved or denied within 90 days. A cash batch is created daily in LicenseEase for the fees collected and are sent to the Licensing Section in Tallahassee. Upon receipt of the cash batch, the licensing staff ensures it is ready for deposit and hand-delivers it to the Bureau of Central Intake and Licensure's Revenue Unit.

The LicenseEase database is queried every month by a Crystal Report stored in InfoView, which provides the total number of applications processed.

Validity:

This measure allows the division to evaluate its performance in processing license applications; as well as evaluate the amount of time elapsed in issuing a license to the applicant.

Reliability:

Licensing data referenced above in Data Sources and Methodology is maintained in the department's LicenseEase database. The data accumulated by the Office of Operations is reliable because the monthly reports generated to extract data from the LicenseEase computer system have been configured and tested. It is the intent of Sections 550.105 and 849.086,

Florida Statutes, that each person connected with a racetrack or jai-alai fronton shall purchase from the Division a pari-mutuel occupational license.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Pari-Mutuel Wagering

Service/Budget Entity: Pari-Mutuel Wagering

Measure: Number of audits conducted

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure

Data Sources and Methodology:

Florida statutes and rules provide the guidelines for the type of audits to perform. Data is provided by the permitholder and audited by Division of Pari-Mutuel Wagering personnel. The division uses established audit programs and procedures to perform these functions. The following audits compose the total number of audits:

- **Greyhound Purse** audits ensure that the permitholders are paying the minimum statutory purse requirements.
- **Charity Proceeds** audits ensure that each permitholder that conducted Charity/Scholarship performances distributes the amounts which would otherwise have been tax revenues to a bona fide charitable organization.
- **30-Day Report** audits include reconciling each permitholder's monthly remittance reports for pari-mutuel, cardroom, and slot gaming revenue to the division's accounting database to ensure proper gaming data.
- **Uniform Financial Report** audits ensure compliance with the reporting requirements set forth by rules/statutes.
- **Greyhound Adoption Units** and **National Association of Jai Alai Frontons** audits are conducted to ensure that the proper amounts of funds are distributed.
- **Jai Alai Prize Money** audits ensure that the jai alai permitholders are paying the minimum statutory supplement to prize money from cardroom gross receipts as required by statute.
- **Cardroom Jackpot Payout** audits ensure the jackpots, prizes, giveaways the handling of revenue from jackpots, and the related accounts meet all rule and statute requirements.
- **Cardroom Surveillance Tape** audits ensure the counts are performed according to rule and that the revenue is accurate as reported and no illegal activity is occurring in the cardrooms.
- **Slot Facility Players Club and Promotions** audits are performed to ensure the managing of e-promotions and reward events are not abused.
- **Malfunction** audits ensure that any unusual incidents are reported correctly, and that the pools are distributed according to the rules.

- **Escheat** payments, reports, and tickets which were cashed from the end of the last live performance of a meet to the time the escheat payment is due is audited to ensure all money due has been paid.
- **Mutuels Compliance** audits include several smaller sections such as Board of Relief Fund reviews, W2-G reviews, pool calculations, random teller audits, sample payout calculations, sample outstanding ticket account calculations, internal performance reviews, and several specific statutory requirements affecting the operations and public welfare.
- **Cardroom** audits include several smaller sections such as sample chip count calculations, internal performance reviews, jackpot payout audits, and several specific statutory requirements affecting cardroom operations and public welfare, including new surveillance and security requirements.
- **Breeders' Awards** audits verify the eligibility of winners, confirm that awards meet statutory requirements, and review the accounting and internal audit procedures of the associations.
- **Races and Games** audits ensure that all handle, races, and games are captured by the totalisator, verified, and is entered into the Division's accounting system.
- **Slot Audits** include reviews of internal controls, notifications, books, records, logs, surveillance and security, personnel files, and other requirements to ensure compliance with rules and statutes as it relates to slot gaming.

Validity:

This measure will determine the number of audits conducted during the fiscal year.

Reliability:

Pari-Mutuel field personnel enter the number of performances, races and games into the Central Management System (CMS) daily. Each week the division reconciles the tax and fee liability to the weekly permitholder tax and fee payments which are based on races and games. Permitholders also file monthly a 30 day report which includes the number of races and games. This number is compared and reconciled by the division personnel to the CMS database system. This procedure would indicate that the number of races and games is a highly accurate and reliable measure.

The number of all other audits is maintained in Microsoft Excel spreadsheets and in the LicenseEase/OnBase system. The number is highly accurate due to on-going management review.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Pari-Mutuel Wagering

Service/Budget Entity: Slot Machine Regulation

Measure: Percent of slot tax dollars collected compared to permitholder liability

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Daily slot activity reports are obtained from the slot monitoring systems located at each slot facility by division auditors. The auditor analyzes each report and enters the information into the division's Central Management System (CMS). CMS automatically calculates a daily tax liability for each slot licensee. Each slot facility provides a monthly remittance report to Tallahassee PMW revenue staff which includes daily slot revenue activity and amount of taxes to be paid. PMW revenue staff reconciles the monthly remittance report, the CMS liability reports, and the payments. If discrepancies exist between these reports, Tallahassee revenue personnel will contact the field auditors to determine whether the slot facility's data or CMS data is correct. If the slot facility's data is incorrect, Tallahassee revenue personnel will contact the slot facility and ask them to submit a revised monthly remittance report to Tallahassee and the reconciliation will be completed and finalized. If the CMS data is incorrect and auditors verified a report from the slot monitoring system, field personnel will make the corrections in CMS and Tallahassee revenue staff will rerun the corrected CMS report and complete reconciliation process. Actual revenue collections for each month is extracted from CMS and reconciled against FLAIR, including a year-end reconciliation.

Validity:

This measure will allow PMW to determine slot revenue collected compared to slot licensee liability and ensure 100 percent collection.

Reliability:

This measure is reliable because division field personnel enter slot activity information into PMW's accounting system (CMS) daily. Slot licensees submit monthly slot activity reports. These figures are reviewed and reconciled by in-house revenue accounting personnel to ensure accurate revenue reporting. Once reconciled and balanced, PMW revenue staff will utilize actual tax and fee data from CMS and will reconcile this data against monthly revenue FLAIR reports, including a year-end reconciliation. The information is very reliable because three independent systems are being reconciled: the slot monitoring system, CMS, and FLAIR.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Pari-Mutuel Wagering

Service/Budget Entity: Standards and Licensure

Measure: Percent of complete slot applications approved or denied within 90 days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Chapter 551, Florida Statutes, requires each person who works at a slot machine facility must obtain an annual slot machine occupational license from the division. Applications received at the field offices are reviewed by the Slot Operations Specialists for completeness. The licensee's history is checked on the division's database and, when applicable, the other gaming jurisdictions where the applicant was previously licensed, for any disqualifying factors. Applicants are fingerprinted upon initial licensure and every three licensing years thereafter. Each application is entered into the licensing database (LicenseEase), and then forwarded to the Licensing Section in Tallahassee via the departments imaging database, OnBase. A corresponding cash batch is also created daily in LicenseEase for the fees collected and deposited locally. Upon receipt of the application, the applicant's criminal history results are matched to their application which is either approved, denied, or forwarded to Investigations for further review (depending on the results of the criminal history search).

The Office of Operations' Licensing Section reviews every application processed in the field for completeness and accuracy, reviews the Auto Apply Cash batch run which automatically assigns the fees paid to the appropriate license issued in the system. The Licensing Section is also responsible for matching the criminal history results from the Florida Department of Law Enforcement. Deficient applications are handled appropriately for further action either through direct contact to the licensee or through the field office (depending on where the licensee is located).

The LicenseEase database is queried every month by using two reports: a Crystal Report stored in InfoView that provides the number of applications processed within and over 90 days; and an SQL query that identifies the records that were closed (i.e. approved or denied) over 90 days. The report is reviewed to determine whether action taken to the record was a data correction, a bad check or an actual approval/denial over 90 days. The majority of records found to be over 90 days are either a data correction or bad check (neither are counted as approved/denied over 90 days). The number of applications actually processed over 90 days is subtracted from the total number of applications processed and that total is divided by the total number of applications processed. That quotient is then subtracted from one (1) and then multiplied by 100 to produce the percentage of applications processed within 90 days.

Validity:

This measure will determine if the division met its requested standard for FY 12-13 of 100 percent of slot applications processed within 90 days.

Reliability:

This measure is reliable because licensing data referenced above is maintained in the department's LicenseEase database. The data accumulated by the Office of Operations is reliable because the monthly reports generated to extract data from the LicenseEase computer system have been configured and tested.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Pari-Mutuel Wagering

Service/Budget Entity: Slot Machine Regulation

Measure: Slot tax collection per dollar of revenue unit expenditure

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

On a daily basis, slot auditors reconcile slot wagering data that comes from the slot facility based monitoring system. The slot wagering data is then manually entered into the division's Central Monitoring System (CMS). Actual revenue collections are extracted from the accounting system (CMS) and reconciled against FLAIR. The monthly and year end FLAIR reports are used to obtain expense figures. An expense allocation is calculated to determine only those resources utilized for revenue collection by dividing the number of slot full-time positions associated with slot revenue collection by the average number of slot full-time positions from the previous year. That allocation method is applied to the level two slot machine budget entity Flair report for slot expenses (040000), slot OPS expense (030000), and the expense for CMS (109062). A percentage is determined based on each full-time position revenue collection responsibility, and then is applied to actual salary and benefits expense of each of those full-time positions. This calculation is total revenue collected per CMS/FLAIR, divided by adjusted revenue expenditures per FLAIR reports. The output for the calculation will be a dollar collected per dollar expended amount.

Validity:

This measure will allow the Division of Pari-Mutuel Wagering (PMW) to determine its average activity cost: amount of revenue collections versus revenue expenditures.

Reliability:

This measure is reliable because the division reconciles the data in CMS with the monthly remittance reports submitted by each slot machine licensee. The division reconciles the data in CMS against the FLAIR reports. CMS and FLAIR are two separate accounting systems. Three independent systems are being reconciled: the slot monitoring system, CMS, and FLAIR.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Pari-Mutuel Wagering

Service/Budget Entity: Standards and Licensure

Measure: Percent of slot applications processed within 90 days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Each person who works at a slot machine facility must obtain an annual slot machine occupational license from the Division. Applications received at the field offices are reviewed by the Slot Operations Specialist for completeness. The licensee's history is checked on the division's database and, when applicable, the other gaming jurisdictions where the applicant was previously licensed, for any disqualifying factors. Applicants are fingerprinted upon initial licensure and every three licensing years thereafter. Each application is entered into the licensing database (LicenseEase), and then forwarded to the Licensing Section in Tallahassee. A corresponding cash batch is also created daily in LicenseEase for the fees collected and are sent to the Licensing Section in Tallahassee. When the cash batch is received, the licensing staff ensures it is ready for deposit and hand-delivers it to the Bureau of Central Intake and Licensure's Revenue Unit. Upon receipt of the application, the applicant's criminal history results are matched to their application which is either approved, denied, or forwarded to Investigations for further review (depending the results of the criminal history search).

The Office of Operations' Licensing Section reviews every application processed in the field for completeness and accuracy, reviews the Auto Apply Cash batch run which automatically assigns the fees paid to the appropriate license issued in the system. The Licensing Section is also responsible for matching the criminal history results from the Florida Department of Law Enforcement. Deficient applications are handled appropriately for further action either through direct contact to the licensee or through the field office (depending on where the licensee is located).

The LicenseEase database is queried every month by using two reports: a Crystal Report stored in InfoView that provides the number of applications processed within and over 90 days; and an SQL query that identifies the records that were closed (i.e. approved or denied) over 90 days. The report is reviewed to determine whether action taken to the record was a data correction, a bad check or an actual approval/denial over 90 days. The majority of records found to be over 90 days are either a data correction or bad check (neither are counted as approved/denied over 90 days). The number of applications actually processed over 90 days is subtracted from the total number of applications processed and that total is divided by the total number of applications processed. That quotient is then subtracted from one (1) and then multiplied by 100 to produce the percentage of applications processed within 90 days.

Validity:

This measure allows the Division to evaluate the division's work performance in processing license applications; as well as evaluate the amount of time elapsed in issuing a license to the applicant.

Reliability:

Licensing data referenced above in the Methodology Section is maintained in the department's LicenseEase database. The data accumulated by the Office of Operations is reliable because the monthly reports generated to extract data from the LicenseEase computer system have been configured and tested. Chapter 551.107, F.S., requires that each person who needs access to a slot facility as part of his/her job, obtain a slot machine occupational license prior to working. Also, Chapter 120.60(1), F.S., stipulates that each person who applies for a license must receive it within 90 days of receipt of a completed application.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Pari-Mutuel Wagering

Service/Budget Entity: Slot Machine Regulation

Measure: Number of slot applications processed

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Each person connected with a pari-mutuel facility must obtain an annual occupational license from the Division of Pari-Mutuel Wagering. Applications received at the field offices are reviewed by the slot operations specialists for completeness. The licensee's history is checked on the division's database and, when applicable, the other gaming jurisdictions where the applicant was previously licensed, for any disqualifying factors. A criminal history background check is conducted for every applicant upon initial licensure and every three licensing years thereafter. Each application is entered into the licensing database (LicenseEase), and then forwarded to the Licensing Section in Tallahassee. A corresponding cash batch is also created daily in LicenseEase for the fees collected and are sent to the Licensing Section in Tallahassee. When the cash batch is received, the licensing staff ensures it is ready for deposit and hand-delivers it to the Bureau of Central Intake and Licensure's Revenue Unit. Upon receipt of the application, the result of the applicant's criminal history is matched to the application and is either approved, denied, or forwarded to Investigations for further review (depending upon the results of the criminal history search).

The LicenseEase database is queried every month by using a Crystal Report stored in InfoView, which provides the total number of applications processed.

Validity:

This measure allows the division to evaluate its work performance in processing license applications; as well as evaluate the amount of time elapsed in issuing a license to the applicant.

Reliability:

Licensing data referenced above in Data Sources and Methodology is maintained in the department's LicenseEase database. The data accumulated by the Office of Operations is reliable because the monthly reports generated to extract data from the LicenseEase computer system have been configured and tested. Chapter 551.107, F.S., requires each person who needs access to a slot facility as part of his/her job, obtain a slot machine occupational license prior to working.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Pari-Mutuel Wagering

Service/Budget Entity: Slot Machine Regulation

Measure: Total slot revenue collections compared to slot revenue expenditures

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

On a daily basis, field slot auditors reconcile slot wagering data that comes from the independently owned facility based monitoring system of the slot facilities. That slot wagering data is then manually entered into the Division's Central Monitoring System (CMS). Actual revenue collections are extracted from the accounting system (CMS) and reconciled against FLAIR. The monthly and year end FLAIR report is used to obtain expense figures. A percentage of 9% is calculated by taking the number of slot F.T.E. positions associated with slot revenue collection, and dividing it by the average number of slot F.T.E. positions from the previous year. The percentage of 9% is applied to slot expenses, slot OPS expense, and the expense for CMS. A percentage is determined based on each F.T.E.'s revenue collection responsibility, and then is applied to actual salary and benefits expense of each F.T.E. This calculation is total revenue collected per CMS/FLAIR, divided by adjusted revenue expenditures per FLAIR reports. The output for the calculation will be a dollar collected per dollar expended amount.

Validity:

This measure will allow the Division of Pari-Mutuel Wagering (PMW) to determine its average activity cost: amount of revenue collections versus revenue expenditures.

Reliability:

On a monthly basis, the division reconciles the data in CMS with the monthly remittance reports submitted by each slot machine licensee. The division reconciles the data in CMS against the FLAIR reports. CMS and FLAIR are two separate accounting systems. Three independent systems are being reconciled: the slot monitoring system, CMS, and FLAIR.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Pari-Mutuel Wagering

Service/Budget Entity: Slot Machine Regulation

Measure: Number of slot operating days (total of all slot facilities)

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

According to Florida Statutes, Pari-Mutuel facilities in Broward and Miami Dade counties with approved slot machine licenses may be open daily 365 days a year. The slot machine gaming areas may be open a cumulative amount of 18 hours per day on Monday through Friday and 24 hours per day on Saturday and Sunday and on those holidays specified in statute chapter 110.117 (1). Each day, Division of Pari-Mutuel Wagering (PMW) slot operation auditors obtain daily slot activity reports from the slot licensees facility based monitoring systems. The slot operation auditors enter the information from the slot activity into PMW's Central Management System (CMS). The CMS generates a report in which the number of operating days can be tabulated by summing the number of daily slot operating activity entries. Each month, the CMS system is reconciled with the slot operator's monthly slot activity report which indicates the number of days in which slot operations occurred.

Validity:

This measure will determine the actual number of slot operating days. The number of slot operating days has a direct relationship with the amount of taxes PMW collects from the industry.

Reliability:

On a daily basis, slot operation auditors enter slot activity information into PMW's accounting system (CMS). The slot licensee provides a monthly remittance report to PMW which details the slot revenue activity and the amount of taxes liability incurred. PMW reconciles the monthly remittance report, the CMS revenue and liability reports, and the payments to each other. The number of slot operating days is highly accurate and a reliable measure because of the independent reconciliation of CMS with the slot operators monthly report.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Pari-Mutuel Wagering

Service/Budget Entity: Slot Machine Regulation

Measure: Percent of operating days inspected

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

In order to achieve efficient, effective and fair regulation to ensure integrity of authorized slot machine gaming at licensed pari-mutuel facilities in Broward and Miami Dade counties, slot operation personnel conduct daily inspections of each slot facility. Those inspections will be recorded in the department's OnBase system for recording of the total number of inspections completed. The slot operation auditors enter the information from the slot activity into PMW's Central Management System (CMS). The CMS generates a report in which the number of operating days can be tabulated by summing the number of daily slot operating activity entries. Each month, the CMS system is reconciled with the slot operator's monthly slot activity report which indicates the number of days in which slot operations occurred. The number of daily inspections is divided by the actual number of operating days to determine the amount of operating days inspected.

Validity:

This measure will allow PMW to determine if the facility inspection was conducted for each operating day for each facility

Reliability:

Inspections will be recorded in the departments OnBase system for recording of the total number of inspections completed and PMW will have tax information from the facilities monitoring system which will verify operating days. This procedure will indicate that the percent of operating days inspected is highly accurate and reliable measure.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of food establishments inspected according to statute

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Information in this measure is derived from the electronic single licensing system (SLS), the data management system used by the department to coordinate regulatory functions. Inspection data is collected on a mobile electronic device or a paper form by division inspectors. Inspection results are subsequently uploaded directly into the single licensing system daily, or manually data entered from paper forms.

Section 509.032(2), Florida Statutes, requires public food service establishments be inspected twice annually by the Division of Hotels and Restaurants. For the purposes of meeting mandatory requirements, the division counts routine unannounced inspections, full complaint inspections and licensing inspections.

The percent of food service establishments inspected according to statute is computed by dividing the number of establishments that meet or exceed annual inspection requirements into the total number of establishments subject to inspection at the time of the report. Inspection results are calculated and reported on a CrystalReport entitled "HR503A-SUM Public Food Service and Lodging Inspection Statutory Performance Statewide Summary." Due to the high volume of inspections completed each month and the division's commitment to spacing out required inspections over the year, this percentage usually does not increase significantly until the last few months of the year.

Validity:

We use this measure because it reflects the overall level of performance by the division to meet statutory requirements for inspections. It is the division's goal to inspect food establishments according to statutory requirements provided in Section 509.032(2)(a), Florida Statutes. It is an important measure because it holds licensees accountable while protecting the health and safety of the public.

Reliability:

This performance standard is measurable and can be verified by comparing reports generated by the single licensing system and OnBase document management system with a random sampling of inspection records. Supervisors also perform a random sampling of inspection reports to ensure that individual inspectors are following inspection protocol and standards. Data is

obtained directly from reports generated from inspection data in the department's single licensing system. Additionally, the division conducts ongoing training and inspector standardization to ensure enforcement is conducted uniformly statewide. Inspection results are calculated and reported on a CrystalReport entitled "HR503A-SUM Public Food Service and Lodging Inspection Statutory Performance Statewide Summary." Program staff runs these reports weekly, monthly, annually and on demand to obtain inspection information from the single licensing system.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of lodging establishments inspected according to statute

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Information in this measure is derived from the electronic single licensing system (SLS), the data management system used by the department to coordinate regulatory functions. Inspection data is collected on a mobile electronic device or a paper form by division inspectors. Inspection results are subsequently uploaded directly into the single licensing system daily, or manually data entered from paper forms.

Section 509.032(2), Florida Statutes, requires lodging establishments classified as hotels, motels and bed and breakfasts to be inspected twice annually. Lodging establishments classified as transient and non-transient apartments are required to be inspected once annually. Lodging establishments classified as vacation rentals are not subject to annual inspection but must be available for inspection upon request by the division. For the purposes of meeting mandatory requirements, the division counts routine unannounced inspections, full complaint inspections and licensing inspections.

The percent of lodging establishments inspected according to statute is computed by dividing the number of establishments that meet or exceed annual inspection requirements into the total number of establishments subject to inspection at the time of the report. Since vacation rentals are not subject to statutorily mandated inspection, they are not included in this performance measure. Inspection results are calculated and reported on a CrystalReport entitled "HR503A-SUM Public Food Service and Lodging Inspection Statutory Performance Statewide Summary." Due to the high volume of inspections completed each month and the division's commitment to spacing out required inspections over the year, this percentage usually does not increase significantly until the last few months of the year.

Validity:

We use this measure because it reflects the overall level of performance by the division to meet statutory requirements for inspections. It is the division's goal to inspect lodging establishments according to statutory requirements provided in Section 509.032(2)(a), Florida Statutes. It is an important measure because it holds licensees accountable while protecting the health and safety of the public.

Reliability:

This performance standard is measurable and can be verified by comparing reports generated by the single licensing system and OnBase document management system with a random sampling of inspection records. Supervisors also perform a random sampling of inspection reports to ensure that individual inspectors are following inspection protocol and standards. Data is obtained directly from reports generated from inspection data in the department's single licensing system. Additionally, the division conducts ongoing training and inspector standardization to ensure enforcement is conducted uniformly statewide. Inspection results are calculated and reported on a CrystalReport entitled "HR503A-SUM Public Food Service and Lodging Inspection Statutory Performance Statewide Summary." Program staff runs these reports weekly, monthly, annually and on demand to obtain inspection information from the single licensing system.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of elevators, escalators and other vertical conveyance devices inspected according to statute

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Information in this measure is derived from the electronic single licensing system (SLS), the data management system used by the department to coordinate regulatory functions. Annual renewal applications and fee payments are received and initially processed by contract with the Department of Revenue, directly by the department's Central Intake Unit, or electronically transmitted by the applicant using the department's online application system. Mandatory annual inspections are submitted by private inspectors to the division's Bureau of Elevator Safety on Optical Mark Reader (OMR) scan forms, which are scanned or manually entered into the single licensing system.

Section 399.07(1), Florida Statutes, requires each elevator, escalator, and other vertical conveyance device be inspected once annually, unless otherwise exempted. The Division of Hotels and Restaurants issues certificates of operation on an annual basis and requires an inspection to be completed within the renewal year. Proof of satisfactory inspection (no violations) within one year is required at initial licensure and each year upon renewal payment.

This measure is calculated by dividing the number of elevators currently compliant into the total number of elevators. This standard is evaluated using a CrystalReport called "EL401A-SUM Elevator Account Summary." These reports are run by program staff monthly, quarterly and on demand

Validity:

We use this measure to reflect statewide elevator licensees' compliance with the licensing and inspection requirements of Chapter 399, Florida Statutes, and Rule 61C-5, Florida Administrative Code, and the effectiveness of the privatized elevator inspection program. It is an important measure because it holds licensees and regulated entities accountable while protecting the health and safety of the riding public.

Reliability:

Data is obtained directly from reports generated from license and inspection data in the department's single licensing system. Supervisors monitor accuracy daily through direct supervision of data entry and in response to complaints. In addition, division managers review

reports monthly and investigate any perceived anomalies to ensure reliability. Additionally, the division conducts ongoing inspector training to ensure enforcement is conducted uniformly statewide. Inspection oversight and contract monitoring activities are an integral component of daily operations to ensure consistent and dependable data integrity.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of complete public food establishment license applications approved or denied within ninety (90) days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The purpose of this measure is to provide the percentage of public food establishment license applications approved or denied by the Division of Hotels and Restaurants in a timely manner. Section 509.241(1), Florida Statutes, requires all food establishments to obtain a license to operate, and renew that certificate annually. The time period to approve an application is 90 days. The starting time for this process begins on the day a complete application is received by the division and ends on the day the applicant is approved or denied for licensure.

Public food service establishments include seating restaurants, non-seating restaurants (such as take-out and delivery), caterers, mobile food dispensing vehicles, hot dog carts, theme park food carts, and vending machines that dispense potentially hazardous foods. A complete application is defined as an application for licensure which contains all of the information requested as part of the application process, the required fee(s), where applicable, and all supporting documentation required by statute or rule. An application is also deemed complete when the statutory deadline tolls. Pursuant to Section 120.60(1), F.S., the department must notify the applicant within 30 days after receipt of the application of any errors, omissions, and/or additional information required. Otherwise, the application is considered complete.

An applicant is determined eligible for licensure when all criteria set forth by statute or rule are fulfilled, or when statutory deadline tolls. Pursuant to Section 120.60(1), F.S., all applications must be approved or denied within 90 days of receipt of a complete application

Information in this measure is derived from the electronic single licensing system (SLS), the data management system used by the department to coordinate regulatory functions. New and change of owner license applications and fee payments are received and initially processed by the department's Central Intake Unit, or electronically transmitted by the applicant using the department's online application system. The Division of Hotels and Restaurants' Licensing Section evaluates the application according to statutory and rule requirements and completes initial processing. Division licensing staff records new license and change of ownership application information, reconciles license fees, resolves licensing problems and provides license information to the public and the division's field staff. For most food service establishments, an

opening inspection is then scheduled and completed by division inspectors before the application is approved and a license is issued.

Public food service establishment licenses expire annually according to a bi-monthly schedule set by Rule 61C-1.002(6), Florida Administrative Code, depending on location within the division's seven districts. About two months before expiration, the division mails notices to expiring licensees requiring payment of an annual license fee. Operators remit payment along with any address changes through Department of Revenue (contracted by DBPR for this purpose), directly to Central Intake Unit, or online. If there are no changes to license information, automated batch processes approve the renewal transaction and issue the license. For renewals requiring additional processing, division licensing staff records changes, reconciles fees and resolves problems before issuing the license.

The percent of public food establishment licenses processed within 90 days is computed by counting the number of licenses issued that meet the standard for timely processing and dividing that number by the total number of licenses issued. Data is obtained directly from reports generated from license application data in the department's single licensing system. This standard is evaluated using a CrystalReport called "HR420A-SUM Food Service and Lodging License Processing Time Summary." These reports are run by program staff monthly, quarterly and on demand.

Validity:

This measure reflects the division's achievement in processing complete license applications in a timely manner as required by Section 120.60(1), Florida Statutes. Since initial intake and processing are completed by the department's Central Intake Unit, processing time for that unit is measured separately. Faster approval of licenses allows food service establishment to open business quicker, and promotes the department's goal to remove barriers to business and enhance Florida's pro-business climate.

Reliability:

Requested information on license application forms is checked annually and as needed by division management and legal staff to ensure conformity with requirements of relevant Florida statutes and rules. Division license processors routinely compare incoming documentation for all applications received in the document management system queues with initial data input by Central Intake Unit to confirm data accuracy. Division processors enter additional data needed according to strict guidelines for data integrity and standardization, as documented by licensing supervisors to ensure uniformity in daily execution. Electronic data transactions for processing applications are provided with automated rules, triggers and alerts when possible to ensure users correctly enter all requirements before approval. Licensing supervisors monitor accuracy daily through direct supervision of data entry, examine weekly ad hoc queries and reports to correct erroneous information, and investigate and make corrections in response to licensee complaints. In addition, division managers review processing time reports monthly, and investigate and correct any perceived anomalies to ensure reliability.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of complete public lodging establishment license applications approved or denied within ninety (90) days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The purpose of this measure is to provide the percentage of public lodging establishment license applications approved or denied by the Division of Hotels and Restaurants in a timely manner. Section 509.241(1), Florida Statutes, requires all lodging establishments to obtain a license to operate, and renew that license annually. The time period to approve an application is 90 days. The starting time for this process begins on the day a complete application is received by the division and ends on the day the applicant is approved or denied for licensure.

Public lodging establishments include hotels, motels, apartments, bed and breakfasts and vacation rentals. A complete application is defined as an application for licensure which contains all of the information requested as part of the application process, the required fee(s), where applicable, and all supporting documentation required by statute or rule. An application is also deemed complete when the statutory deadline tolls. Pursuant to Section 120.60(1), F.S., the department must notify the applicant within 30 days after receipt of the application of any errors, omissions, and/or additional information required. Otherwise, the application is considered complete.

An applicant is determined eligible for licensure when all criteria set forth by statute or rule are fulfilled, or when statutory deadline tolls. Pursuant to Section 120.60(1), F.S., all applications must be approved or denied within 90 days of receipt of a complete application

Information in this measure is derived from the electronic single licensing system (SLS), the data management system used by the department to coordinate regulatory functions. New and change of owner license applications and fee payments are received and initially processed by the department's Central Intake Unit, or electronically transmitted by the applicant using the department's online application system. The Division of Hotels and Restaurants' Licensing Section evaluates the application according to statutory and rule requirements and completes initial processing. Division licensing staff records new license and change of ownership application information, reconciles license fees, resolves licensing problems and provides license information to the public and the division's field staff. For most lodging service establishments, an opening inspection is then scheduled and completed by division inspectors before the application is approved and a license is issued.

Public lodging establishment licenses expire annually according to a bi-monthly schedule set by Rule 61C-1.002(6), Florida Administrative Code, depending on location within the division's seven districts. About two months before expiration, the division mails notices to expiring licensees requiring payment of an annual license fee. Operators remit payment along with any address changes through Department of Revenue (contracted by DBPR for this purpose), directly to Central Intake Unit, or online. If there are no changes to license information, automated batch processes approve the renewal transaction and issue the license. For renewals requiring additional processing, division licensing staff records changes, reconciles fees and resolves problems before issuing the license.

The percent of public lodging establishment licenses processed within 90 days is computed by counting the number of licenses issued that meet the standard for timely processing and dividing that number by the total number of licenses issued. Data is obtained directly from reports generated from license application data in the department's single licensing system. This standard is evaluated using a CrystalReport called "HR420A-SUM Food Service and Lodging License Processing Time Summary." These reports are run by program staff monthly, quarterly and on demand.

Validity:

This measure reflects the division's achievement in processing complete license applications in a timely manner as required by Section 120.60(1), Florida Statutes. Since initial intake and processing are completed by the department's Central Intake Unit, processing time for that unit is measured separately. Faster approval of licenses allows lodging establishment to open business quicker, and promotes the department's goal to remove barriers to business and enhance Florida's pro-business climate.

Reliability:

Requested information on license application forms is checked annually and as needed by division management and legal staff to ensure conformity with requirements of relevant Florida statutes and rules. Division license processors routinely compare incoming documentation for all applications received in the document management system queues with initial data input by Central Intake Unit to confirm data accuracy. Division processors enter additional data needed according to strict guidelines for data integrity and standardization, as documented by licensing supervisors to ensure uniformity in daily execution. Electronic data transactions for processing applications are provided with automated rules, triggers and alerts when possible to ensure users correctly enter all requirements before approval. Licensing supervisors monitor accuracy daily through direct supervision of data entry, examine weekly ad hoc queries and reports to correct erroneous information, and investigate and make corrections in response to licensee complaints. In addition, division managers review processing time reports monthly, and investigate and correct any perceived anomalies to ensure reliability.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of elevator certificates of operation applications approved or denied within 90 days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The purpose of this measure is to provide the percentage of elevator certificates of operation approved or denied by the Division of Hotels and Restaurants in a timely manner. Section 399.07(1), Florida Statutes, requires all elevators to obtain a certificate of operation, renew that certificate according to rule, and obtain a satisfactory inspection annually. The time period to approve an application is 90 days. The starting time for this process begins on the day a complete application is received by the division and ends on the day the applicant is approved or denied for licensure.

The term “elevator” includes all vertical conveyances in Florida, such as passenger elevators, freight elevators, escalators and dumbwaiters. The division has contracted elevator regulation in the following areas, so they are not included in this measure: City of Miami, City of Miami Beach, Miami-Dade County, Broward County, and Reedy Creek Improvement District.

A complete application is defined as an application for licensure which contains all of the information requested as part of the application process, the required fee(s), where applicable, and all supporting documentation required by statute or rule. An application is also deemed complete when the statutory deadline tolls. Pursuant to Section 120.60(1), F.S., the department must notify the applicant within 30 days after receipt of the application of any errors, omissions, and/or additional information required. Otherwise, the application is considered complete.

An applicant is determined eligible for licensure when all criteria set forth by statute or rule are fulfilled, or when statutory deadline tolls. Pursuant to Section 120.60(1), F.S., all applications must be approved or denied within 90 days of receipt of a complete application

To obtain an elevator certificate, a registered elevator company must first obtain a permit to install from the division. When this is issued, the company completes construction according to their time schedule. When construction is complete, an initial inspection is requested and completed by a private certified elevator inspector, who sends the completed inspection report to the division. Upon receipt of the application, required license fee and satisfactory inspection, the division issues the certificate of operation to the building owner.

Information in this measure is derived from the electronic single licensing system (SLS), the data management system used by the department to coordinate regulatory functions. License applications and fee payments are received and initially processed by the department's Central Intake Unit. The Division of Hotels and Restaurants' Licensing Section evaluates the application according to statutory and rule requirements and completes initial processing. Division licensing staff records new license application information, reconciles license fees, resolves licensing problems and provides license information to the public and the division's field staff.

Rule 61C-5.006(3), Florida Administrative Code, sets expiration for all certificates on August 1 of each year. About three months before expiration, the division mails notices to expiring licensees requiring payment of an annual license fee and satisfactory (no violation) inspection. Operators remit payment along with any address changes through Department of Revenue (contracted by DBPR for this purpose), directly to Central Intake Unit, or online. Private elevator inspectors send inspection reports to the division during the course of the previous year, and division staff scans or data enters these inspection results into the data management system. If there are no changes to license information and the satisfactory inspection is on file, automated batch processes approve the renewal transaction and issue the certificate. For renewals requiring additional processing, division licensing staff records changes, reconciles fees and resolves problems before issuing the certificate. If there is a deficiency, such as an inadequate fee payment, missing inspection or failed inspection, an automated letter is produced advising the licensee of the additional requirements. When payment or satisfactory inspection are received and entered into the system, automated batch processes again run nightly to issue the certificate when all requirements are met.

The percent of elevator certificates processed within 90 days is computed by counting the number of certificates issued that meet the standard for timely processing and dividing that number by the total number of certificates issued. Data is obtained directly from reports generated from license application data in the department's single licensing system. This standard is evaluated using a CrystalReport called "EL420A-SUM Elevator License Processing Time Summary." These reports are run by program staff monthly, quarterly and on demand.

Validity:

This measure reflects the division's achievement in processing complete certificate applications in a timely manner as required by Section 120.60(1), Florida Statutes. Since initial intake and processing are completed by the department's Central Intake Unit, processing time for that unit is measured separately. Faster approval of licenses allows the building industry to open businesses quicker, and promotes the department's goal to remove barriers to business and enhance Florida's pro-business climate.

Reliability:

Requested information on license application forms is checked annually and as needed by division management and legal staff to ensure conformity with requirements of relevant Florida statutes and rules. Division license processors routinely compare incoming documentation for all applications received in the document management system queues with initial data input by Central Intake Unit to confirm data accuracy. Division processors enter additional data needed according to strict guidelines for data integrity and standardization, as documented by licensing

supervisors to ensure uniformity in daily execution. Electronic data transactions for processing applications are provided with automated rules, triggers and alerts when possible to ensure users correctly enter all requirements before approval. Licensing supervisors monitor accuracy daily through direct supervision of data entry, examine weekly ad hoc queries and reports to correct erroneous information, and investigate and make corrections in response to licensee complaints. In addition, division managers review processing time reports monthly, and investigate and correct any perceived anomalies to ensure reliability.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of licensees in compliance with all laws and regulations for food service and public lodging establishments

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

This outcome measure is calculated by comparing the number of delinquent license accounts with all active accounts. Licensed accounts are delinquent when the owners fail to renew their annual license by the expiration date. Food service and lodging accounts are renewed on a staggered schedule five (5) times per year according to geographic area. The number of delinquents is divided by the total number of accounts; the resulting outcome is the percentage out of compliance. The inverse provides the percentage in compliance. All data is collected and stored in LicenseEase, the department's electronic single licensing data management system. The numbers of current and delinquent accounts are shown in a Crystal Report called HR405A-SUM Public Food Service & Lodging Active Account Summary by Status. Program staff runs these reports weekly, annually and on demand to obtain licensing information from the LicenseEase system.

Validity:

This measure reflects the overall effectiveness of the licensing process.

Reliability:

The data is obtained from the database used by the Division of Hotels and Restaurants and is dependable, consistent and comparable year to year.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of licensees in compliance with all laws and regulations for elevators, escalators and other vertical conveyance devices

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The outcome measure is calculated by dividing the number of delinquent license renewals by the total number of licensees, which yields the percentage of licensees in violation. The inverse provides the percentage in compliance. The Division of Hotels and Restaurants can not renew elevator certificates of operation (license) absent proof of a satisfactory inspection within the preceding 12-months. All data is collected and stored in LicenseEase, the department's electronic single licensing data management system.

This measure is reported in a LicenseEase Crystal Report called EL401C-SUM Elevator Account Statewide Summary by Type and Status, which is run by program staff weekly, annually and on demand.

Validity:

This measure reflects the level of compliance for elevators, escalators and other vertical conveyance devices, which indicates the overall effectiveness of the elevator safety program. The division's goal is to identify increased compliance as a result of improvements to oversight and monitoring efforts, such as requiring inspection reports instead of letters of compliance; improved documentation and follow-up; and improved communication with inspection personnel.

Reliability:

The methodology is dependable, and annual account renewal data is obtained from LicenseEase ad hoc reports.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of elevators, escalators and other vertical conveyance devices in delinquent status that were physically observed or served by division resulting in enforcement cases

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The total number of elevators, escalators, and other vertical conveyance devices in delinquent status will be obtained from LicenseEase, the department's electronic single licensing data management system. The number of delinquent vertical conveyances physically observed or served will be collected from bureau records and the Elevator Verification Form completed and returned by the contracted vendor and inspectors physically observing the conveyance. Enforcement cases will be defined as compliance action taken against any elevator, escalator or other vertical conveyance, including warnings.

The percent of elevators, escalators, and other vertical conveyance devices in delinquent status that were physically observed or served and resulted in enforcement cases will be calculated by taking the number of enforcement cases divided by the number of delinquents observed or served.

Validity:

This measure provides the calculated percent of delinquent elevators, escalators and other vertical conveyance devices that were physically observed or served and resulted in an administrative enforcement case. It is the Division of Hotels and Restaurant's goal to have all elevators, escalators, and other vertical conveyance devices in delinquent status physically observed or served and enforcement cases opened on all active conveyances.

Reliability:

The methodology is dependent on accurate, consistent and easily validated data obtained from LicenseEase.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of elevators, escalators and other vertical conveyance devices in sealed status that were physically observed by division

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Sealing is the process of disconnecting electrical service to conveyance equipment and placing a pre-fabricated wire seal over the disconnect control of the equipment to prevent further operation. Sealing the conveyance is performed upon request by an owner/operator and/or by a certified elevator inspector who has determined the equipment to be unsafe. The number of elevators, escalators, and other vertical conveyance devices in sealed status will be obtained from LicenseEase, the department's electronic single licensing data management system. The number of sealed conveyances physically observed will be collected from the contracted vendor and inspectors conducting the observation. Sealed elevator observation inspections are submitted in hardcopy and entered into LicenseEase.

The total number of elevators, escalators, and other vertical conveyance devices in sealed status and the number observed will be obtained from LicenseEase. The percent observed will be determined by dividing the total number observed by the total number of sealed conveyances.

Validity:

This measure provides the calculated percent of the physical observations of elevators, escalators and other vertical conveyance devices that remain in sealed status out of the total sealed population. It is the department's goal to observe all elevators, escalators, and other vertical conveyance devices in sealed status.

Reliability:

The methodology is dependent on accurate, consistent and easily validated obtained from LicenseEase reports.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Number of licensees for elevators, escalators and other vertical conveyance devices

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The output measure is calculated based on the number of active elevator certificates of operation (licenses) at the end of each fiscal year. Data is obtained directly from LicenseEase, the department's electronic single licensing data management system. The measure is derived from a CrystalReport entitled EL401C-SUM: Elevator Account Summary by Type and Status. These reports are run by program staff monthly, annually and on demand. The out years are projected based on a rate of growth from previous years and reduced by 1.5 percent for a slowdown in the economy.

Validity:

This performance measure, the number of licensees for elevators, escalators and other vertical conveyance devices, reflects the actual growth or reduction of the elevator industry in Florida. The department's goal is to identify industry trends and corresponding impact on the management of resource allocation.

Reliability:

The methodology is sound and consistent. Calculations are based on the Division of Hotels and Restaurant's number of elevator licensees, obtained directly from LicenseEase, which is evaluated weekly for reliability and accuracy by trained staff. Data containing all licensee information is obtained directly from LicenseEase ad hoc reports.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of elevator certificates of operation processed within 30 days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The percent of elevator certificates of operation processed within 30 days is computed by counting the number of certificates issued that meet the standard for timely processing and dividing that number by the total number of licenses issued. "Processed timely" means a certificate has been issued within the standard time set by the licensing section. The standard is determined by the number of calendar days from the deposit date, which is the validated date stamped when the payment is deposited by the Bureau of Revenue, or from the date a satisfactory elevator inspection is entered, to the date that the license is sent to the mailroom by the licensing section. The current standard to process a license is thirty days after completion of all requirements. Elevator certificates are produced every day through LicenseEase, the department's electronic single licensing data management system. This standard will be evaluated using a LicenseEase Crystal Report called EL420A-SUM Elevator License Processing Time Summary. This report is run monthly, quarterly and on demand by program staff.

Validity:

This measurement provides the calculated percent of elevator Certificates of Operation processed, to include application receipt, payment posting, LicenseEase data capture, printing the license and mailing within thirty (30) days from date of receipt, which reflects the division's performance to process license applications. It is the division's goal to process complete applications in a timely manner.

Reliability:

The methodology is dependent on accurate, consistent and easily validated data which is the case in each performance measure. Data that contains all accounts and application processing information is obtained directly from LicenseEase.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Number of inspections for food service and public lodging establishments

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Division of Hotels and Restaurants performs routine inspections, temporary event inspections, complaint inspections, and call-back inspections. The division also performs emergency inspections following hurricanes. Inspections are documented on a paper form or a Personal Digital Assistant (PDA) by division inspectors. Paper form inspection results are manually entered and PDA-based inspection results are uploaded directly to LicenseEase, the department's electronic single licensing data management system. The total number of inspections performed, will be obtained from a LicenseEase Crystal Report called HR504A-SUM -- Public Food Service and Lodging Initial, Callback and Credit Inspection Counts by Type Statewide Summary and HR106A-SUM – Temporary Events, which are both run monthly and annually by program staff.

Validity:

This measure provides information regarding the total number of food service and public lodging establishment inspections performed. The upload, automatic entry of data, and use of computer generated reports reduces the risk of error. It is the department's goal to perform, at a minimum, the number of inspections as required by this performance measure.

Reliability:

The methodology is sound and consistent. Data will be obtained directly from LicenseEase reports.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Number of call back inspections for food service and public lodging establishments

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

A “call back inspection” is an inspection performed to verify correction of previous violations. All inspection and enforcement activity is collected and stored in LicenseEase, the department’s electronic single licensing data management system. The number of call back inspections performed is shown on the LicenseEase Crystal Report called HR504A-SUM -- Public Food Service and Lodging Initial, Callback and Credit Inspection Counts by Type Statewide Summary. These reports are run by program staff monthly, annually and on demand.

Validity:

This measure tracks the number of inspector visits to a licensed establishment to verify correction of previous violations. Numerous call backs may result in further education, fines or even closure. This measure reflects the effectiveness of the inspection program. The desired outcome of this measurement is an effective inspection, compliance and enforcement program that is implemented consistently to achieve compliance with regulatory requirements.

Reliability:

The methodology is sound and consistent. Data is obtained directly from LicenseEase, which is compiled from field input. Inspection staff updates the bulk of daily inspection activity through synchronization of mobile inspection devices/PDAs (personal digital assistant).

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of hotel and restaurant licenses processed within thirty (30) days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The percent of hotel and restaurant licenses processed within 30 days is computed by counting the number of licenses issued that meet the standard for timely processing and dividing that number by the total number of licenses issued. "Processed timely" means a license has been issued within the standard time set by the licensing section. The standard is determined by the number of calendar days from the deposit date, which is the validated date stamped when the payment is deposited by the Bureau of Revenue, to the date that the license is printed. The current standard to process a license is thirty days. Hotel and restaurant licenses are produced every day through LicenseEase, the department's electronic single licensing data management system. This standard is evaluated using a CrystalReport called HR420A-SUM Food Service and Lodging License Processing Time Summary. These reports are run by program staff monthly, quarterly and on demand.

Validity:

This measurement reflects the department's level of commitment for processing complete license applications in a timely manner.

Reliability:

The methodology is sound and consistent. Data that contains all accounts and application processing information is obtained directly from LicenseEase.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Number of licensees for public lodging and food service establishments

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

This measure is calculated by counting the number of active food service and lodging licenses as of June 30 each year. Data is obtained directly from LicenseEase, the department's electronic single licensing data management system. The LicenseEase report called HR405A-SUM Public Food Service and Lodging Active Account Summary is run by program staff weekly, annually or on demand.

Validity:

This measurement reflects the actual growth or reduction of the public lodging and food service industry in Florida. The division's goal is to identify industry trends and corresponding impact on the management of resource allocation.

Reliability:

The methodology is sound and consistent. The calculations are based on the division's number of licensees, obtained directly from LicenseEase, which is evaluated weekly for reliability and accuracy by division staff.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Hotels and Restaurants

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of lodging establishments inspected according to statute

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Section 509.032(2)(a), F.S., requires lodging establishments classified as hotel, motel, rooming house, and bed and breakfast to be inspected twice annually. Lodging establishments classified as transient and non-transient apartments are required to be inspected once annually. Lodging establishments classified as resort condominiums and resort dwellings are not subject to annual inspection, however must be available for inspection upon request by the division. Inspections are documented on paper form or a Personal Digital Assistant (PDA) by division inspectors. Inspection results are manually entered or uploaded directly to LicenseEase, the department's electronic single licensing data management system.

The number of lodging establishments subject to inspection and the number of inspections conducted will be obtained from a LicenseEase Crystal Report called HR503A-SUM Public Food Service and Lodging Inspection Statutory Performance Statewide Summary. This report is run monthly and on demand by program staff. The percent of lodging establishments inspected according to statute will be computed by dividing the number of lodging establishments inspected according to statute by the total number of lodging establishments subject to inspection.

Resort condominiums and resort dwellings are not subject to statutorily mandated inspection and are not be included in this performance measure.

Validity:

This measure provides information regarding the percent of lodging establishments inspected according to statute. It is the department's goal to have all lodging establishments inspected according to statute.

Reliability:

The methodology is sound and consistent. Data will be obtained directly from LicenseEase reports.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Alcoholic Beverage and Tobacco

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of total retail alcohol and tobacco licensees and permitholders inspected

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

This measure addresses the percentage of retail alcohol and tobacco licensees and applicants that are inspected for the deterrence of violations of, and the assurance of compliance with, standards and laws in order to ensure a “level playing field” for the alcohol and tobacco industries, and to promote the health and safety of the public.

The Division of Alcoholic Beverages and Tobacco is charged with enforcing the laws pertaining to retail beverage and tobacco licensees and their physical establishments as outlined in Chapter 210, Chapters 561-565 and Chapters 567-569, Florida Statutes.

Division staff, within the Bureau of Law Enforcement, visits the licensed establishments or establishments seeking licensure and reviews the business practices regarding the handling of regulated products, the maintaining of appropriate records, the displaying of required signs, and other requirements outlined in the aforementioned statutes. In addition, the division staff ensures that the establishments continue to meet requirements as outlined in those statutes for the license category that has been issued. A person at the establishment is notified of the outcome of the inspection and, if applicable, is told how to come into compliance regarding any noted violations. The inspection findings are documented during the inspection either on a paper form or an electronic device.

Data pertaining to inspections documented on paper is collected and entered into LicenseEase, the department’s electronic database, by inspection staff, which, each week, inputs data regarding the establishments that were inspected and the results of those inspections. Data, and an electronic rendering of an inspection form, for inspections that were documented through an electronic device, are uploaded to LicenseEase and OnBase, the department’s electronic document management system, via synchronization software/hardware. The paper inspection forms are scanned into OnBase.

At the close of the fiscal year, the number of licensees that were inspected and the number of licensees that are subject to inspection but were not inspected during the fiscal year is obtained via LicenseEase queries. The licensee inspection populace pertains to all retail and tobacco alcohol licensees who are authorized to do business. A licensee that is authorized to do business is defined as those that have a primary license status of “current” or “temporary”. However, it

excludes those that are in a “current” status that are in the process of a transfer, if the buyer has obtained a “temporary” license to operate under that license number.

This measure is calculated as follows:

The numerator for this measure is comprised of the sum of the number of retail alcohol licensees and retail tobacco licensees that were inspected during the fiscal year. The denominator for this measure is comprised of the sum of the number of licensees that were inspected and those that were subject to inspection but were not inspected.

At the close of the fiscal year, the percentage of the total alcohol and tobacco retail licensees and permit holders inspected is calculated by dividing the numerator by the denominator as referenced above. The number derived is multiplied by one hundred to obtain the percentage of retail alcohol and tobacco licensees and permit holders that were inspected.

Validity:

This measure is used because it addresses the division’s efforts regarding the identification and deterrence of violations of, and the assurance of compliance with, standards and laws by retail beverage and tobacco licensees as outlined in Chapter 210, Chapters 561-565 and Chapters 567-569, Florida Statutes.

This measures the Bureau of Law Enforcement’s effectiveness in providing continuing education to licensees regarding statute and rule requirements, ensuring a “level playing field” for the alcohol and tobacco industries, and promoting the health and safety of the public. A high percentage of retail alcohol and tobacco licensees inspected indicate that the Bureau was successful in these endeavors.

Reliability:

This measure is reliable because the inspection results are documented during the course of the inspection and supervisors verify that the data from which it is derived matches the source documentation on paper forms by reviewing the forms and comparing them to the LicenseEase record. The LicenseEase record can be reviewed directly from the LicenseEase inspection module or through use of the AB&T Inspections Detail List for County report which is located in Business Objects (InfoView) under the AB&T Reports Folder\AB&T Enforcement\AB&T Inspection Reports. This report pulls data from LicenseEase and lists the establishments that had an inspection and the results of those inspections. The reconciliation of the source documents to the data record is performed at least on a monthly basis.

In addition, this measure is reliable because reports are run which identify missing or incomplete data; these quality assurance steps reconcile reported information to source documents. The detail field office totals reconcile to summary reports run at the regional and division-wide levels. Discrepancies are noted and corrected.

The official reported figures are derived from LicenseEase via SQL queries located at ABTSharedD02 on Bprtlfp01 in a folder titled LRPP Exhibit IV Queries\Enforcement\LRPP Enforcement\Percentage of Inspections. The query titles are as follows:

Inspection Count (ALC) for Percent of Inspections
Inspection Count (TOB) for Percent of Inspections
Licensees Not Inspected Count (ALC) for Percent of Inspections
Licensees Not Inspected Count (TOB) for Percent of Inspections

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Alcoholic Beverage and Tobacco

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of alcoholic beverage retailers tested found to be in compliance with underage persons' access

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

This measure addresses the compliance rates of undercover compliance checks in order to ascertain the degree of compliance by retail alcoholic beverage licensees with applicable laws and rules regarding the unlawful sale of regulated alcoholic beverage products to persons who are not of a legal age to purchase or possess those products.

The Division of Alcoholic Beverages and Tobacco is charged with enforcing the laws and rules which regulate the retail sale of alcoholic beverages. The sale of alcoholic beverages to those under age 21 is prohibited in accordance with Section 562.11, Florida Statutes.

During each reporting period, a list of alcohol licensees is randomly generated. Those licensees that appear on the list are considered to have an underage compliance check that is mandatory and must be attempted for the integrity of the compliance rate calculation. The list is subdivided into district/office assignments based upon the licensees' county of location. In addition to the random list, underage compliance checks are conducted for other licensees as the result of selection by the division or the result of complaints received.

Sworn personnel within the Division of Alcoholic Beverages and Tobacco, Bureau of Law Enforcement conduct compliance checks of licensed retail establishments by utilizing underage, undercover operatives. The underage, undercover operatives attempt to make a purchase of alcoholic beverages from the licensed establishments under the direct supervision of sworn law enforcement personnel at all times. If the illegal sale of any alcoholic beverages is made in the presence of a sworn law enforcement officer, the person making the sale is criminally charged with a misdemeanor offense and, in some circumstances, administrative charges are levied against the license.

The sworn law enforcement personnel record the results of the compliance checks on paper forms immediately after they are performed. Subsequently the results are input into LicenseEase, the department's electronic database. Supervisors verify that information input into LicenseEase is accurate based upon the source documentation paper forms.

This measure is calculated as follows:

The randomly selected licensed establishments that had a successful compliance check and the result of those compliance checks are obtained by querying LicenseEase. A successful compliance check means that the undercover, underage operative did attempt to purchase regulated alcohol products. The numerator for this measure is comprised of the number of randomly selected alcohol licensees that had a successful compliance check which had a negative result. A negative result means the establishment did not sell alcohol to the underage, undercover operative. The denominator for this measure encompasses all randomly selected licensees that had negative compliance check results and those that had a positive compliance check results. A positive result means that the underage, undercover operative was sold alcohol products by a person at a licensed premise.

At the close of the fiscal year, the percentage of alcoholic beverage retailers tested found to be in compliance with underage persons' access is calculated by dividing the numerator by the denominator as referenced above. The number derived is multiplied by one hundred to obtain the percent of alcoholic beverage retailers tested found to be in compliance with underage persons' access.

Validity:

This measure is used because it addresses the division's efforts regarding the deterrence of underage persons' access to alcoholic beverage. Sale of alcoholic beverages to those under age 21 is prohibited in accordance with Section 562.11, Florida Statutes.

This measures the Bureau of Law Enforcement's effectiveness in promoting an increase in compliance with applicable laws and rules regarding underage access to alcohol. High compliance rates indicate that the bureau is successful in deterring underage access to alcohol.

Reliability:

This measure is reliable because supervisors verify that the data from which it is derived matches the source documentation on paper forms by reviewing the forms and comparing them to the LicenseEase record. The LicenseEase record can be reviewed directly from the LicenseEase inspection module or through use of the YSS - Surveys Detail List for County or YSS – Surveys Detail List for County Excel Extract reports which are located in Business Objects (InfoView) under the AB&T Reports Folder\AB&T Enforcement\AB&T YSS Reports. These reports pull data from LicenseEase and list the establishments that had a compliance check and the results of those compliance checks. The reconciliation of the source documents to the data record is performed at least on a monthly basis.

In addition, this measure is reliable because reports are run which identify missing or incomplete data; these quality assurance steps reconcile reported information to source documents. The detail field office totals reconcile to summary reports run at the regional and division-wide levels. Discrepancies are noted and corrected.

This information is dependable because the compliance check results are captured on paper forms immediately after they are performed and the results are input into LicenseEase. The data pertaining to the results of the compliance checks are verified by comparing regularly

promulgated reports to the sworn law enforcement agent's daily activity sheets, thereby, promoting the reliability of the data.

The official reported figures are derived from LicenseEase via SQL queries located at ABTSharedD02 on Bprt1fp01 in a folder titled LRPP Exhibit IV Queries\Enforcement\LRPP Enforcement\Percentage of Compliance. The query title is as follows:

Survey Compliance Rate YAM

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Alcoholic Beverage and Tobacco

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of tobacco retailers tested found to be in compliance with underage persons' access

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

This measure addresses the compliance rates of undercover compliance checks in order to ascertain the degree of compliance by retail tobacco licensees with applicable laws and rules regarding the unlawful sale of regulated tobacco products to persons who are not of a legal age to purchase or possess those products.

The Division of Alcoholic Beverages and Tobacco is charged with enforcing the laws and rules which regulate the retail sale of tobacco. The sale of tobacco products to those under age 18 is prohibited by Florida law in accordance with Section 569.14(1), Florida Statutes.

During each reporting period, a list of tobacco licensees is randomly generated. Those licensees that appear on the list are considered to have an underage compliance check that is mandatory and must be attempted for the integrity of the compliance rate calculation. The list is subdivided into district/office assignments based upon the licensees' county of location. In addition to the random list, underage compliance checks are conducted for other licensees as the result of selection by the division or the result of complaints received.

Sworn personnel within the Division of Alcoholic Beverages and Tobacco, Bureau of Law Enforcement conduct compliance checks of licensed retail establishments by utilizing underage, undercover operatives. The underage, undercover operatives attempt to make a purchase of tobacco from the licensed establishments under the direct supervision of sworn law enforcement personnel at all times. If the illegal sale of any tobacco is made in the presence of a sworn law enforcement officer, the person making the sale is criminally charged with a misdemeanor offense and, in some circumstances, administrative charges are levied against the license.

The sworn law enforcement personnel record the results of the compliance checks on paper forms immediately after they are performed. Subsequently the results are input into LicenseEase, the department's electronic database. Supervisors verify that information input into LicenseEase is accurate based upon the source documentation paper forms.

This measure is calculated as follows:

The randomly selected licensed establishments that had a successful compliance check and the result of those compliance checks are obtained by querying LicenseEase. A successful compliance check means that the undercover, underage operative did attempt to purchase regulated tobacco products. The numerator for this measure is comprised of the number of randomly selected tobacco licensees that had a successful compliance check which had a negative result. A negative result means the establishment did not sell tobacco to the underage, undercover operative. The denominator for this measure encompasses all randomly selected licensees that had negative compliance check results and those that had positive compliance check results. A positive result means that the underage, undercover operative was sold tobacco products by a person at a licensed premise.

At the close of the fiscal year, the percentage of tobacco retailers tested found to be in compliance with underage persons' access is calculated by dividing the numerator by the denominator as referenced above. The number derived is multiplied by one hundred to obtain the percent of tobacco retailers tested found to be in compliance with underage persons' access.

Validity:

This measure is used because it addresses the division's efforts regarding the deterrence of underage persons' access to alcoholic beverages and tobacco products. Sale of tobacco products to those under age 18 is prohibited by Florida law in accordance with Section 569.14(1), Florida Statutes.

This measures the Bureau of Law Enforcement's effectiveness in promoting an increase in compliance with applicable laws and rules regarding underage access to tobacco. High compliance rates indicate that the Bureau is successful in deterring underage access to tobacco.

Reliability:

This measure is reliable because supervisors verify that the data from which it is derived matches the source documentation on paper forms by reviewing the forms and comparing them to the LicenseEase record. The LicenseEase record can be reviewed directly from the LicenseEase inspection module or through use of the YSS - Surveys Detail List for County or YSS – Surveys Detail List for County Excel Extract reports which are located in Business Objects (InfoView) under the AB&T Reports Folder\AB&T Enforcement\AB&T YSS Reports. These reports pull data from LicenseEase and list the establishments that had compliance checks and the results of those compliance checks. The reconciliation of the source documents to the data record is performed at least on a monthly basis.

In addition, this measure is reliable because reports are run which identify missing or incomplete data; these quality assurance steps reconcile reported information to source documents. The detail field office totals reconcile to summary reports run at the regional and division-wide levels. Discrepancies are noted and corrected.

This information is dependable because the compliance check results are captured on paper forms immediately after they are performed and the results are input into LicenseEase. The data pertaining to the results of the compliance checks are verified by comparing regularly

promulgated reports to the sworn law enforcement agent's daily activity sheets, thereby, promoting the reliability of the data.

The official reported figures are derived from LicenseEase via SQL queries located at ABTSharedD02 on BprtIfp01 in a folder titled LRPP Exhibit IV Queries\Enforcement\LRPP Enforcement\Percentage of Compliance. The query title is as follows:

Survey Compliance Rate YTM

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Alcoholic Beverage and Tobacco

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of inspections resulting in licensees in compliance with laws and regulations

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

This measure addresses the percentage of alcohol and tobacco licensee inspected where the licensee is found to be in compliance with all standards and laws. Holding all licensees to the same requirements and standards establishes a “level playing field” for the alcohol and tobacco industries, and promotes the health and safety of the public.

The Division of Alcoholic Beverages and Tobacco is charged with enforcing the laws pertaining to retail beverage and tobacco licensees and their physical establishments as outlined in Chapter 210, Chapters 561-565 and Chapters 567-569, Florida Statutes.

Division staff, within the Bureau of Law Enforcement, visits the licensed establishments or establishments seeking licensure and reviews the business practices regarding the handling of regulated products, the maintaining of appropriate records, the displaying of required signs, and other requirements outlined in the aforementioned statutes. In addition, the division staff ensures that the establishments continue to meet requirements as outlined in those statutes for the license category that has been issued. A person at the establishment is notified of the outcome of the inspection and, if applicable, is told how to come into compliance regarding any noted violations. The inspection findings are documented during the inspection either on a paper form or an electronic device.

Data pertaining to inspections documented on paper is collected and entered into LicenseEase, the department’s electronic database, by inspection staff, which, each week, inputs data regarding the establishments that were inspected and the results of those inspections. Data, and an electronic rendering of an inspection form, for inspections that were documented through an electronic device, are uploaded to LicenseEase and OnBase, the department’s electronic document management system, via synchronization software/hardware. The paper inspection forms are scanned into OnBase.

This measure is calculated as follows:

The numerator for this measure is comprised of the number of licensees that had an inspection result that indicates that the establishment is in compliance or where the inspection staff has

taken no action to get them in compliance. The denominator for this measure encompasses all inspections conducted.

At the close of the fiscal year the percentage of inspections resulting in a finding that the licensees are in compliance is calculated by dividing the numerator by the denominator as referenced above. The number derived is multiplied by one hundred to obtain the percent of inspections resulting in a finding that the licensees are in compliance.

Validity:

This measure is used because it addresses the division's efforts regarding the identification and deterrence of violations of, and the assurance of compliance with, standards and laws by beverage and tobacco licensees as outlined in Chapter 210, Chapters 561-565 and Chapters 567-569, Florida Statutes.

This measures the Bureau of Law Enforcement's effectiveness in providing continuing education to licensees regarding statute and rule requirements, ensuring a "level playing field" for the alcohol and tobacco industries, and promoting the health and safety of the public. A high compliance rate indicates the bureau was successful in these endeavors.

Reliability:

This measure is reliable because the inspection results are documented during the course of the inspection and supervisors verify that the data from which it is derived matches the source documentation on paper forms by reviewing the forms and comparing them to the LicenseEase record. The LicenseEase record can be reviewed directly from the LicenseEase inspection module or through use of the AB&T Inspections Detail List for County report which is located in Business Objects (InfoView) under the AB&T Reports Folder\AB&T Enforcement\AB&T Inspection Reports. This report pulls data from LicenseEase and lists the establishments that had an inspection and the results of those inspections. The reconciliation of the source documents to the data record is performed at least on a monthly basis.

In addition, this measure is reliable because reports are run which identify missing or incomplete data; these quality assurance steps reconcile reported information to source documents. The detail field office totals reconcile to summary reports run at the regional and division-wide levels. Discrepancies are noted and corrected.

The official reported figures are derived from LicenseEase via SQL queries located at ABTSharedD02 on Bprtlfp01 in a folder titled LRPP Exhibit IV Queries\Enforcement\LRPP Enforcement\Percentage of Compliance for Inspections. The query title is "Inspection Dispositions Compliance Calc."

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Alcoholic Beverage and Tobacco

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of alcoholic beverages and tobacco retailers tested found to be in compliance with underage persons' access.

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The information by which this measure is derived is obtained via queries from LicenseEase, the department's electronic database.

At the beginning of the reporting period, a list of retail alcohol and tobacco licensees is randomly generated. Those licensees that appear on the list are considered to have a survey that is mandatory (must be attempted) for the integrity of the compliance rate calculation. The lists are subdivided into district assignments based upon the licensees' county location. Thereafter, sworn law enforcement agents visit the establishments with an underage investigative aide and attempt the purchase of alcohol and/or tobacco products from licensed establishments. These attempted purchases are known as "compliance checks". The agents then capture data regarding the compliance checks on a paper form and the results are subsequently input into LicenseEase.

The numerator for this measure is comprised of the number of alcohol and tobacco licensees that were surveyed and which had a negative result. A negative result means that the establishment refused the underage investigative operatives the unlawful access to alcohol and/or tobacco products. The denominator for this measure encompasses all negative survey results and all positive survey results. A positive result means that the underage investigative operative was successful in the unlawful purchase of alcohol and/or tobacco products from a licensed premise.

At the close of the fiscal year the percentage of alcoholic beverages and tobacco retailers tested found to be in compliance with underage persons' access is calculated by dividing the numerator by the denominator as referenced above. The number derived is multiplied by one hundred to obtain the percent of alcoholic beverages and tobacco retailers tested found to be in compliance with underage persons' access.

Validity:

This measure addresses the division's efforts regarding the deterrence of underage persons' access to alcoholic beverages and tobacco products. Unannounced random compliance checks promote an increase in compliance with applicable laws and rules, as licensees are educated regarding requirements. Further, any positive survey results in the arrest of the person who sold the regulated product(s) to the underage person, thereby, sharing the responsibility for

compliance with individuals, as well as, the licensed establishments. High compliance rates indicate that the division is successful in deterring underage access to alcohol and tobacco.

Reliability:

This information is dependable because the survey results are captured on paper forms and the results are input into LicenseEase. The data pertaining to the results of the compliance checks are verified by comparing regularly promulgated reports to the agent’s daily activity sheets, thereby, promoting the reliability of the data.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Alcoholic Beverage and Tobacco

Service/Budget Entity: Compliance and Enforcement

Measure: Number of licensees

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The information by which this measure is derived is obtained via queries from LicenseEase, the department's electronic database.

The data used to calculate the number of licensees authorized to do business in Florida is collected and entered into LicenseEase daily by licensing staff. The categories of licensure include Tobacco Wholesaler's and Distributors, Common Carriers, Alcohol Manufacturers and Distributors, Retail Beverage, Retail Tobacco Products Dealer, Bottle Club licensees, the number of registered salespersons and one, two or three day permits. A licensee that is authorized to do business is defined as those that have a primary license status of "current" or "temporary". However, it excludes those that are in a "current" status, which are in the process of a transfer, if the buyer has obtained a "temporary" license to operate under that license number.

At the close of the fiscal year, the number of licensees is obtained via a LicenseEase query.

Validity:

This measure addresses the Division of Alcoholic Beverages and Tobacco's (AB&T) efforts in processing and maintaining licensure data.

Reliability:

The statistical information queried from the AB&T database has a high degree of reliability as constant (daily) validation is performed by licensing staff and the licensees themselves. There are various levels of "check-points" and validation. Licensing staff receives comprehensive training and their duties are procedurally regimented. Supervisors perform quality control and data validation on a continual basis.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Alcoholic Beverage and Tobacco

Service/Budget Entity: Standards and Licensure

Measure: Percent of license applications processed within 90 days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure

Data Sources and Methodology:

This measure addresses the Division of Alcoholic Beverages and Tobacco compliance with the statutory requirement to process applications for licensure within 90 days of receiving a completed application as delineated in Section 120.60(1), Florida Statutes.

The Division of Alcoholic Beverages and Tobacco processes applications for licensure for alcoholic beverage and tobacco establishments pursuant to Chapter 210, Chapters 561-565 and Chapters 567-569, Florida Statutes and the Florida Administrative Rules promulgated thereunder.

Pursuant to Section 120.60(1) F.S., the Department must notify the applicant within 30 days after receipt of the application of any errors or omissions. An application is complete upon receipt of all requested information and correction of any error or omission for which the applicant was timely notified or when the time for such notification has expired. An application for a license must be approved or denied within 90 days after receipt of a completed application.

Time for this measure is calculated from receipt (stamp date) of a completed application to the date of approval.

Applications are time stamped on the date they are received by the Bureau of Licensing. Thereafter, licensing staff create a data record in LicenseEase, the department's electronic database. The data record includes the date the application was received and the date that it was ultimately processed to completion. An application is considered complete when either an invoice for payment is issued to the applicant or the application is approved or denied. Supervisors receive regular reports regarding pending applications and manage the assignment and progress of applications through "tickler" systems and OnBase, the department's document management system.

At the close of the fiscal year, the number of applications processed with and without an invoice and the time taken to process them is obtained via LicenseEase queries.

This measure is calculated as follows:

The numerator for this measure is comprised of the sum of the number of invoiced applications that were invoiced within 90 days, the number of non-invoiced applications that were approved or denied within 90 days, and the number of quota drawing applications. All quota applications are processed within 90 days. The denominator for this measure is comprised of all applications processed.

The percent of applications processed within 90 days is calculated by dividing the numerator by the denominator as referenced above. The number derived is multiplied by one hundred to obtain the percent of applications processed within 90 days.

Validity:

This measure is used because it gauges the division’s efforts in processing applications efficiently. A completed application must be approved or denied within 90 days pursuant to Section 120.60(1), Florida Statutes.

Reliability:

The statistical information queried from the division’s database has a high degree of reliability as constant (daily) validation is performed by licensing staff and the licensees themselves. There are various levels of “check-points” and validation. Licensing staff receives comprehensive training and their duties are procedurally regimented. Supervisors perform quality control and data validation on a continual basis by reviewing the applications and comparing them to the data records.

Reports pertaining to open applications are run in SQL Navigator (due to their complexity) and are provided to licensing supervisors who review the data and compare it to the application records scanned into OnBase. Any discrepancies are researched and corrected.

The official reported figures are derived from LicenseEase via SQL queries located at ABTSharedD02 on Bprtlfp01 in a folder titled LRPP Exhibit IV Queries\Licensing\LRPP Licensing\Applications Processed. The query titles are as follows:

- Transactions Processed
- Transactions Processed (invoice)
- Pre-quota Allocations

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Alcoholic Beverage and Tobacco

Service/Budget Entity: Standards and Licensure

Measure: Percent of license applications processed within 90 days

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The information by which this measure is derived is obtained via queries from LicenseEase, the department's electronic database and a manual count of lien applications.

The data used to calculate the percent of license applications processed within 90 days is collected and entered into LicenseEase by licensing staff each business day. The data captured includes the number of applications processed and the amount of time taken to process each application. The categories of applications processed pertain to Tobacco Wholesaler's and Distributors, Limited Permits, Permits, Common Carriers, Alcohol Manufacturers and Distributors, Retail Beverage, Pool Buying, Brands, Bonds/Security, Brand Registrants, Retail Tobacco Products Dealers, Salespersons, Bottle Clubs, Quota Licenses and Liens. An application is considered processed when either an invoice for payment is issued to the applicant or the application is approved or denied (whichever occurs first). Brand registrants and brand applications completed using the new Brand Online registration process will be included in the calculation beginning with fiscal year 2010-11. These applications are processed by the applicant, but if not finalized will require interaction with the applicant by an application processor. There will be varying reasons for incomplete applications, some of which could cause the application to exceed 90 days.

At the close of the fiscal year, the number of applications processed with and without an invoice and the time taken to process them is obtained via LicenseEase queries. The number of lien applications processed is obtained from a manual count.

The numerator for this measure is comprised of the sum of the number of invoiced applications that were invoiced within 90 days, the number of non-invoiced applications that were approved or denied within 90 days, the number of lien applications, and the number of quota applications. All lien applications and quota applications are processed within 90 days. The denominator for this measure is comprised of all applications processed. The percent of applications processed within 90 days is calculated by dividing the numerator by the denominator as referenced above. The number derived is multiplied by one hundred to obtain the percent of applications processed within 90 days.

Validity:

This measure addresses the degree of the division's adherence to statutorily mandated application processing timelines.

Reliability:

The statistical information queried from the division's database has a high degree of reliability as constant (daily) validation is performed by licensing staff and the licensees themselves. There are various levels of "check-points" and validation. Licensing staff receives comprehensive training and their duties are procedurally regimented. Supervisors perform quality control and data validation on a continual basis.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Alcoholic Beverage and Tobacco

Service/Budget Entity: Standards and Licensure

Measure: Number of applications processed

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The information for this measure is obtained via queries from LicenseEase, the department's electronic database and a manual count of lien applications.

The data used to calculate the number of applications processed is collected and entered into LicenseEase by licensing staff daily. The categories of applications processed pertain to Tobacco Wholesaler's and Distributors, Limited Permits, Permits, Common Carriers, Alcohol Manufacturers and Distributors, Retail Beverage, Pool Buying, Brands, Bonds/Security, Brand Registrants, Retail Tobacco Products Dealers, Salespersons, Bottle Clubs, Quota Licenses and Liens. An application is considered processed when either an invoice for payment is issued to the applicant or the application is approved or denied (whichever occurs first). Brand registrants and brand applications completed using the new brand online registration process will be included in the calculation beginning with fiscal year 2010-11.

At the close of the fiscal year, the number of applications processed is obtained via LicenseEase queries and the number of lien applications processed is obtained from a manual count. The sum of these categories comprises the total number of applications processed.

Validity:

This measure addresses the workload borne by the Division of Alcoholic Beverages and Tobacco's (AB&T) licensing staff and provides a valuable tool to manage resources efficiently and effectively.

Reliability:

The statistical information queried from the department's licensing system has a high degree of reliability as constant (daily) validation is performed by licensing staff and the licensees themselves. There are various levels of "check-points" and validation. Licensing staff receives comprehensive training and their duties are procedurally regimented. Supervisors perform quality control and data validation on a continual basis.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Alcoholic Beverages and Tobacco

Service/Budget Entity: Tax Collection

Measure: Collections per dollar of auditing expenditure

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Bureau of Auditing within the Division of Alcoholic Beverages and Tobacco is responsible for collecting all excise taxes and surcharge relating to the sale of cigarettes, tobacco products, and alcoholic beverages in Florida. This measure compares the funds spent by the bureau on collecting this revenue, to show a ratio of collections per dollar of auditing expenditure.

Each month, the licensed entities selling cigarettes, tobacco products, and alcoholic beverages in Florida at the wholesale level are required to collect applicable excise taxes and surcharges on the products they sell and report and pay those revenues to the division. The Bureau of Auditing is responsible for receiving those reports and payments, capturing the data from the reports and payments into various division and department systems, and then performing audits and reviews to assure that the correct amount of monies were received. This tax and surcharge money can be received through electronic funds transfers or through payments to the bureau offices. Deposits of any funds received are performed on a daily basis into the state's treasury via bank deposits, with the deposit information being forwarded to the department's revenue office. These deposits are reconciled with the treasury office reports by the department's revenue office, and any discrepancies are forwarded to and corrected by the Bureau of Auditing each month. The total revenues are recorded in the state's FLAIR reports each month.

The bureau's expenses are reported to and reconciled by the Bureau of Auditing central office either monthly or quarterly. The expenditures are compared to the planned budget, and then compared to the state's report of expenditures. The total expenditures are recorded in the state's FLAIR reports each month.

The data source for this measure is the FLAIR reports, "Statement of Revenue" and "Level 2 Summary Accrual Basis". The measure is calculated by comparing the total amount of revenue collected to the revenues expended to collect the revenue. The FLAIR Statement of Revenue gives the amount of money collected and deposited in each revenue category for any trust fund affected by the division's revenue collections. The revenues pertaining to taxes are identified on this report and recorded each month. The FLAIR Level 2 Summary Accrual Basis records all expenditures that the division makes from any trust fund, including distributions to other government agencies. The expenditures pertaining to the Bureau of Auditing are identified on this report and recorded each month. All data is collected for this outcome measurement and

maintained in Central Auditing on a monthly basis, with the information entered into spreadsheets monthly. The measurement results are calculated by dividing the total bureau expenditures into the total bureau collections, as reflected in the FLAIR reports.

Validity:

The Department of Business and Professional Regulation has the mission of “License efficiently. Regulate fairly.” In support of this mission, the agency has the continuing expectation of reducing costs associated with revenue collections. This measurement captures the monetary efficiency of the Bureau of Auditing in its tax collection activities, showing total auditing expenditures compared to total auditing collections. This measurement identifies the cost of collecting the tax revenues. Chapters 210 and 561-565, Florida Statutes, require the Division of Alcoholic Beverages and Tobacco to collect the taxes due the state on any cigarettes, tobacco products, and alcoholic beverages sold in the state. The Bureau of Auditing, within the division, is given a budget each year with which to collect those revenues and perform their associated duties. The method of capturing the success of that collection process is a comparison of revenues collected to revenues spent, and has been in effect since the early days of the division. Although the non-monetary benefits received from auditing processes cannot truly be measured, the monetary costs of collecting tax revenue can be shown. The percentage of costs to collections is very low and represents an efficient tax collection process.

Reliability:

Collection entries into FLAIR can be verified by comparing the FLAIR reports to the monthly reports, audits, district deposits, and deposits by the Bureau of Revenue. Tax receipts are recorded in the department’s LicenseEase system and identified by code. These receipts are validated and captured in the licensing system on a daily basis. The daily deposits of money received reflect what was placed in the state’s bank account each day. The department’s revenue office compares the deposit amounts with the treasury office reports, and any discrepancies are sent to the Bureau of Auditing for corrections each month. These receipts are reconciled with the tax reports each month to verify that the reported payment has been made, and are recorded in the division’s Electronic Data Submission system with the monthly tax and product movement report information.

Expenditures can be compared to lease agreements, travel vouchers, and purchase orders. Information from these documents is recorded in the Bureau of Auditing’s central office in a budget spreadsheet. The amounts spent are rectified with the amounts approved for expenditure, and any differences are corrected. Each month, the amounts recorded in the FLAIR expenditure report are reconciled to the source documents and the budget spreadsheets to assure accurate reporting of the bureau’s expenses.

The FLAIR reports capture both revenues coming into the agency and expenditures going out of the agency. With monthly reconciliations by bureau and department personnel, it is assured that these reports are reliable for measuring the cost/benefit ratio of the agency. Each year, these figures consistently measure the return of investment made by the agency in its tax collection processes.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Alcoholic Beverages and Tobacco

Service/Budget Entity: Tax Collection

Measure: Percent of wholesale licensees providing timely and accurate tax reporting and remittance

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Division of Alcoholic Beverages and Tobacco licenses entities who deal in cigarettes, tobacco products, and alcoholic beverage products within Florida. Each of these entities has specific requirements that must be met to obtain and maintain that license, including product movement and tax payment reporting. The Bureau of Auditing performs tax and regulatory compliance audits to ensure that the licensed entities are following the requirements for those licenses and paying the correct taxes. Audit performance covers the cigarette and tobacco surcharge and excise tax activity, and the alcoholic beverage excise tax activity, as well as compliance reviews at the wholesale level. Audit performance also covers tax and regulation compliance at the retail tobacco level, as well as restaurant and smoking designation requirements at the alcoholic beverage retail level. The audit performance of the monthly reports is at the wholesale level. Audits are performed according to set procedures for each type of audit being performed to determine if the overall tax and regulatory requirements are being met, or if there are non-compliance issues that must be resolved through administrative action.

This measurement compares the number of licensed entities in each of the categories of cigarettes, tobacco products, and alcoholic beverages with the number of entities who are found through audit to be in compliance either with the tax payment and/or reporting requirements, or any regulatory requirements that their license holds. The number of complying entities is found by identifying the non-complying entities from audit results and comparing to the total applicable licensee population.

The data source for the number of non-complying wholesale licensees for monthly reports is from the monthly report activity captured in the electronic data submission (EDS) system. Reporting entities either submit their report electronically or on paper. The EDS system captures the submission date when the report is submitted or amended. As wholesalers' monthly paper reports are received in the appropriate district offices, personnel enter the postmark, date hand delivered, payment date if applicable, and the date the licensee is notified if the report is late on the reports. If the report is mathematically incorrect the date the licensee is notified of the error and the date the amended report is reviewed are recorded on the monthly report. The paper reports are then entered into the EDS system by field or central office staff. Original paper reports are maintained in central auditing during the current fiscal year and then archived. The

EDS system uses the electronic reports as the source for capturing the report information for timely submission requirements. Any resulting issue from monthly report processing that is not rectified is referred to Enforcement as non-compliant and administrative action is taken.

Tax, compliance, and product movement audits are performed at licensed wholesale locations by field auditors. The information pertaining to these audits is currently captured in an audit tracking system called GUIDE. As audits are assigned, they are entered into this system and the progress and final results of the audit are captured for tracking purposes. If the audit has a finding, the entity is notified and given a specific timeframe to resolve the issue with the auditor. If the issue is not rectified, the audit results are referred to Enforcement as non-compliant and administrative action is taken.

The department's LicenseEase system captures each license issued by the division, and the entities that are required to file a monthly report or to be audited can be determined from this system based on their license series.

AB&T obtains information from the EDS data source indicating the non-complying wholesale licensees reporting on a monthly basis. Licensees are considered non-complying if the monthly reports and/or payments are late, incorrect, or not submitted, and must be referred to Enforcement for administrative action. The wholesale reports received are compared to the LicenseEase system's total population of licensees to indicate the number of complying licensees and the number of non-complying licensees for monthly report requirements. The GUIDE program and the referrals to Enforcement are used to indicate the number of complying and non-complying licensees for field audits.

During Fiscal Year 2012-2013, the division will be completing the implementation of the EDS system that can be used by all wholesalers and manufacturers to submit their monthly reports electronically to include audit functions which will capture the compliance data from product audits as well as from the monthly report process.

Validity:

The Department of Business and Professional Regulation has the mission of "License efficiently. Regulate fairly." Encompassed within this mission is the function to hold licensees and regulated entities accountable. We use this measure to reflect the overall level of industry compliance with cigarette, tobacco product, and alcoholic beverage requirements provided in chapters 210, 561-565, and 569, Florida Statutes. Within the Division of Alcoholic Beverages and Tobacco, the Bureau of Auditing performs audits to assure the licensees' compliance with the laws and rules applicable to their licenses types. This measure indicates the number of complying wholesale and retail licensees, once the entities obtain a license to sell cigarettes, tobacco products, or alcoholic beverage in Florida.

The first measured step in compliance is to report and remit the taxes timely. This measurement captures the reporting and remitting function, and determines the rate of compliance for timely reporting. The second measured step in compliance is to report and remit the correct amount of taxes. This function is measured by audit assessments that are not paid and must be referred for administrative actions. The third measured step is compliance with regulatory requirements.

This function is measured by audit assessments also, and referrals for administrative actions. By measuring all functions, the compliance level is captured.

Chapter 210, Part I, Florida Statutes, defines the reporting, tax payment, and regulatory requirements of the entities selling cigarettes in Florida. Chapter 210, Part II, and chapter 569, Florida Statutes, define the reporting, tax payment, and regulatory requirements of the entities selling other tobacco products in Florida. Chapters 561-565, 567-568, Florida Statutes, define the reporting, tax payment, and regulatory requirements of the entities selling alcoholic beverages in Florida. These statutes include who must be licensed, the particular license needed for specific activities, the regulatory requirements for obtaining and maintaining the license, the tax and reporting requirements for each license if applicable, the records requirements for each license type and level, the legal product flow into and through the state, as well as penalties for non-compliance of any of these categories.

By reviewing each licensed entities' activities for regulatory compliance, it can be assured that each entity is operating as the laws specify, and that the cigarette, tobacco, and alcoholic beverage industries are being regulated fairly.

Reliability:

The source data for this measurement is captured from various computer systems. The non-complying monthly reporting data can be verified by comparing the monthly report activity in the division's Electronic Data Submission system to the licenses in the department's LicenseEase system that are required to report each month. The hand delivered date, postmark, and notification dates are noted on the paper monthly reports and in the electronic submission system. This reconciliation is performed on a monthly basis, and any non-compliance is identified and rectified.

Routine tax audits determine if the reported activities and applicable taxes were accurately received. These audits are generally performed on a six-month basis. Audit findings are related to the licensee, and the finding is assessed and paid.

Compliance or special audits then complete the compliance measurement by determining if the regulatory requirements are being met by each licensee. These audits are performed either as a component of the routine tax audits, or as a specific need arises such as a new special restaurant license being issued or an enforcement action requiring an audit be conducted. Any non-compliance found is rectified with the licensee.

Once the Bureau of Auditing has performed their audits and reviews of the report, tax, and compliance requirements for each audited entity, any remaining non-compliance is referred to the Bureau of Enforcement for an administrative action. Referrals by the auditing staff to the enforcement staff for any non-compliance is also recorded in the various systems, and can be compared to the license, report, and audit systems.

A consistent and dependable picture of compliance by the licensees is captured by utilizing source data from the various information systems within the division and department which has been gathered from multiple sources including the licensed entities, division staff, and

department staff. By comparing the resulting instances of non-compliance with the licensed entities in each category, the percentage of compliance can be reliably determined.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Alcoholic Beverages and Tobacco

Service/Budget Entity: Tax Collection

Measure: Percent complying wholesale/retail licenses on yearly basis

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Division of Alcoholic Beverages and Tobacco licenses entities who deal in cigarettes, tobacco products, and alcoholic beverage products within Florida. Each of these entities has specific requirements that must be met to obtain and maintain that license, including product movement and tax payment reporting. The Bureau of Auditing performs tax and regulatory compliance audits to ensure that the licensed entities are following the requirements for those licenses and paying the correct taxes. Audit performance covers the cigarette and tobacco surcharge and excise tax activity, and the alcoholic beverage excise tax activity, as well as compliance reviews at the wholesale level. Audit performance also covers tax and regulation compliance at the retail tobacco level, as well as restaurant and smoking designation requirements at the alcoholic beverage retail level. The audit performance of the monthly reports is at the wholesale level. Audits are performed according to set procedures for each type of audit being performed to determine if the overall tax and regulatory requirements are being met, or if there are non-compliance issues that must be resolved through administrative action.

This measurement compares the number of licensed entities in each of the categories of cigarettes, tobacco products, and alcoholic beverages with the number of entities who are found through audit to be in compliance either with the tax payment and/or reporting requirements, or any regulatory requirements that their license holds. The number of complying entities is found by identifying the non-complying entities from audit results and comparing to the total applicable licensee population.

The data source for the number of non-complying wholesale licensees for monthly reports is from the monthly report activity captured in the electronic data submission (EDS) system. Reporting entities either submit their report electronically or on paper. The EDS system captures the submission date when the report is submitted or amended. As wholesalers' monthly paper reports are received in the appropriate district offices, personnel enter the postmark, date hand delivered, payment date if applicable, and the date the licensee is notified if the report is late on the reports. If the report is mathematically incorrect the date the licensee is notified of the error and the date the amended report is reviewed are recorded on the monthly report. The paper reports are then entered into the EDS system by field or central office staff. Original paper reports are maintained in central auditing during the current fiscal year and then archived. The EDS system uses the electronic reports as the source for capturing the report information for

timely submission requirements. Any resulting issue from monthly report processing that is not rectified is referred to Enforcement as non-compliant and administrative action is taken.

Tax, compliance, and product movement audits are performed at licensed wholesale locations by field auditors. The information pertaining to these audits is currently captured in an audit tracking system called GUIDE. As audits are assigned, they are entered into this system and the progress and final results of the audit are captured for tracking purposes. If the audit has a finding, the entity is notified and given a specific timeframe to resolve the issue with the auditor. If the issue is not rectified, the audit results are referred to Enforcement as non-compliant and administrative action is taken.

The department's LicenseEase system captures each license issued by the division, and the entities that are required to file a monthly report or to be audited can be determined from this system based on their license series.

AB&T obtains information from the EDS data source indicating the non-complying wholesale licensees reporting on a monthly basis. Licensees are considered non-complying if the monthly reports and/or payments are late, incorrect, or not submitted, and must be referred to Enforcement for administrative action. The wholesale reports received are compared to the LicenseEase system's total population of licensees to indicate the number of complying licensees and the number of non-complying licensees for monthly report requirements. The GUIDE program and the referrals to Enforcement are used to indicate the number of complying and non-complying licensees for field audits.

During Fiscal Year 2012-2013, the division will be completing the implementation of the EDS system that can be used by all wholesalers and manufacturers to submit their monthly reports electronically to include audit functions which will capture the compliance data from product audits as well as from the monthly report process.

Validity:

The Department of Business and Professional Regulation has the mission of "License efficiently. Regulate fairly." Encompassed within this mission is the function to hold licensees and regulated entities accountable. We use this measure to reflect the overall level of industry compliance with cigarette, tobacco product, and alcoholic beverage requirements provided in chapters 210, 561-565, and 569, Florida Statutes. Within the Division of Alcoholic Beverages and Tobacco, the Bureau of Auditing performs audits to assure the licensees' compliance with the laws and rules applicable to their licenses types. This measure indicates the number of complying wholesale and retail licensees, once the entities obtain a license to sell cigarettes, tobacco products, or alcoholic beverage in Florida.

The first measured step in compliance is to report and remit the taxes timely. This measurement captures the reporting and remitting function, and determines the rate of compliance for timely reporting. The second measured step in compliance is to report and remit the correct amount of taxes. This function is measured by audit assessments that are not paid and must be referred for administrative actions. The third measured step is compliance with regulatory requirements. This function is measured by audit assessments also, and referrals for administrative actions. By measuring all functions, the compliance level is captured.

Chapter 210, Part I, Florida Statutes, defines the reporting, tax payment, and regulatory requirements of the entities selling cigarettes in Florida. Chapter 210, Part II, and chapter 569, Florida Statutes, define the reporting, tax payment, and regulatory requirements of the entities selling other tobacco products in Florida. Chapters 561-565, 567-568, Florida Statutes, define the reporting, tax payment, and regulatory requirements of the entities selling alcoholic beverages in Florida. These statutes include who must be licensed, the particular license needed for specific activities, the regulatory requirements for obtaining and maintaining the license, the tax and reporting requirements for each license if applicable, the records requirements for each license type and level, the legal product flow into and through the state, as well as penalties for non-compliance of any of these categories.

By reviewing each licensed entities' activities for regulatory compliance, it can be assured that each entity is operating as the laws specify, and that the cigarette, tobacco, and alcoholic beverage industries are being regulated fairly.

Reliability:

The source data for this measurement is captured from various computer systems. The non-complying monthly reporting data can be verified by comparing the monthly report activity in the division's Electronic Data Submission system to the licenses in the department's LicenseEase system that are required to report each month. The hand delivered date, postmark, and notification dates are noted on the paper monthly reports and in the electronic submission system. This reconciliation is performed on a monthly basis, and any non-compliance is identified and rectified.

Routine tax audits determine if the reported activities and applicable taxes were accurately received. These audits are generally performed on a six-month basis. Audit findings are related to the licensee, and the finding is assessed and paid.

Compliance or special audits then complete the compliance measurement by determining if the regulatory requirements are being met by each licensee. These audits are performed either as a component of the routine tax audits, or as a specific need arises such as a new special restaurant license being issued or an enforcement action requiring an audit be conducted. Any non-compliance found is rectified with the licensee.

Once the Bureau of Auditing has performed their audits and reviews of the report, tax, and compliance requirements for each audited entity, any remaining non-compliance is referred to the Bureau of Enforcement for an administrative action. Referrals by the auditing staff to the enforcement staff for any non-compliance is also recorded in the various systems, and can be compared to the license, report, and audit systems.

A consistent and dependable picture of compliance by the licensees is captured by utilizing source data from the various information systems within the division and department which has been gathered from multiple sources including the licensed entities, division staff, and department staff. By comparing the resulting instances of non-compliance with the licensed entities in each category, the percentage of compliance can be reliably determined.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Alcoholic Beverages and Tobacco

Service/Budget Entity: Tax Collection

Measure: Percent of retail and wholesale tax dollars identified by audit that were collected

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Division of Alcoholic Beverages and Tobacco licenses entities who deal in cigarettes, tobacco products, and alcoholic beverage products within Florida. Each of these entities has specific requirements that must be met to obtain and maintain that license, including product movement and tax payment reporting. The Bureau of Auditing performs tax and regulatory compliance audits to ensure that the licensed entities are following the requirements for those licenses and paying the correct taxes. Audit performance covers the cigarette and tobacco surcharge and excise tax activity, and the alcoholic beverage excise tax activity, as well as compliance reviews. Audits are performed according to set procedures for each type of audit being performed to determine if the overall tax and regulatory requirements are being met, or if there are non-compliance issues that must be resolved through administrative action.

As audits on the monthly reports are completed, any liabilities found are communicated with the licensed entities, and rectification of the reports is obtained. As audits of the product movement and tax requirements are completed, any liabilities found are communicated with the licensed entities, and any taxes due are collected within a short period of time. Any uncollected liabilities are then referred to Enforcement for collection and further administrative action.

The data source for the number of audits for monthly reports is from the monthly report activity captured in the electronic data submission (EDS) system and the FLAIR revenue reports. Reporting entities either submit their report electronically or on paper. Audit staff enters the paper reports into the system. The EDS system captures the information when the report is submitted or amended. Auditing personnel audit the reports for accuracy and completeness. If the report is mathematically incorrect the licensee is notified of the error and an amended report is remitted. The EDS system uses the electronic reports as the source for capturing the report information for accuracy requirements. Tax report assessments are made and collected with the monthly reports. Any resulting issue from monthly report processing that is not rectified is referred to Enforcement as non-compliant and administrative action is taken.

Tax, compliance, and product movement audits are performed at licensed wholesale locations by field auditors. The information pertaining to these audits is currently captured in an audit tracking system called GUIDE. As audits are assigned, they are entered into this system and the progress and final results of the audit are captured for tracking purposes. If the audit has a

finding, the entity is notified and given a specific timeframe to resolve the issue with the auditor. If the issue is not rectified, the audit results are referred to Enforcement as non-compliant and administrative action is taken. Each audit and all monetary components; principal, interest, and penalties assessed are entered into this system.

Validity:

The Department of Business and Professional Regulation has the mission of “License efficiently. Regulate fairly.” Encompassed within this mission is the function to hold licensees and regulated entities accountable. We use this measure to reflect the audits of overall level of industry compliance with cigarette, tobacco product, and alcoholic beverage requirements provided in chapters 210, 561-565, and 569, Florida Statutes. Within the Division of Alcoholic Beverages and Tobacco, the Bureau of Auditing performs audits to assure the licensees’ compliance with the laws and rules applicable to their licenses types. This measurement captures the tax reporting and remitting function and the audit of substantiating records for the amounts that should have been paid, and indicates the percentage of audit findings that are collected.

Chapter 210, Part I, Florida Statutes, defines the reporting, tax payment, and regulatory requirements of the entities selling cigarettes in Florida. Chapter 210, Part II, and chapter 569, Florida Statutes, define the reporting, tax payment, and regulatory requirements of the entities selling other tobacco products in Florida. Chapters 561-565, 567-568, Florida Statutes, define the reporting, tax payment, and regulatory requirements of the entities selling alcoholic beverages in Florida. These statutes include who must be licensed, the particular license needed for specific activities, the regulatory requirements for obtaining and maintaining the license, the tax and reporting requirements for each license if applicable, the records requirements for each license type and level, the legal product flow into and through the state, as well as penalties for non-compliance of any of these categories.

By auditing each licensed entities’ reports and activities for tax compliance, it can be assured that each entity is operating as the laws specify, and that the cigarette, tobacco, and alcoholic beverage taxes are being paid fairly. The monthly report audit assessments are collected monthly with adjusted reports. The field product audit assessments are collected after all the field work is complete. The measure encompasses both the type of audits and the collection processes of each, capturing the complete audit process. This gives a good indication of the agency’s success in collecting all taxes due the state.

Reliability:

The source data for this measurement is captured from various computer systems. The monthly reporting data can be verified by reviewing the monthly report activity in the division’s Electronic Data Submission system. This reconciliation is performed on a monthly basis, and any non-compliance is identified and rectified.

Routine tax audits determine if the reported activities and applicable taxes were accurately received. These audits are generally performed on a six-month basis. The audit information is captured in the division’s GUIDE system. A consistent and dependable picture of compliance by the licensees is captured by auditing the reported data and the source data from the licensees. Various information systems within the division and department contain data which has been

gathered from multiple sources including the licensed entities, division staff, and department staff. By capturing all audit activity from the systems, the audit assessments and audit collections can be determined.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Alcoholic Beverages and Tobacco

Service/Budget Entity: Tax Collection

Measure: Number of audits conducted

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Division of Alcoholic Beverages and Tobacco licenses entities who deal in cigarettes, tobacco products, and alcoholic beverage products within Florida. Each of these entities has specific requirements that must be met to obtain and maintain that license, including product movement and tax payment reporting. The Bureau of Auditing performs tax and regulatory compliance audits to ensure that the licensed entities are following the requirements for those licenses and paying the correct taxes. Audit performance covers the cigarette and tobacco surcharge and excise tax activity, and the alcoholic beverage excise tax activity, as well as compliance reviews at the wholesale level. Audit performance also covers tax and regulation compliance at the retail tobacco level, as well as restaurant and smoking designation requirements at the alcoholic beverage retail level. The audit performance of the monthly reports is at the wholesale level. Audits are performed according to set procedures for each type of audit being performed to determine if the overall tax and regulatory requirements are being met, or if there are non-compliance issues that must be resolved through administrative action.

The data source for the number of wholesale licensees for monthly reports is from the monthly report activity captured in the electronic data submission (EDS) system. Reporting entities either submit their report electronically or on paper. The EDS system captures the information when the report is submitted or amended. As wholesalers' monthly paper reports are received in the appropriate district offices, personnel audit the reports for accuracy and completeness. If the report is mathematically incorrect the licensee is notified of the error and the amended report is reviewed. The paper reports are then entered into the EDS system by field or central office staff. Original paper reports are maintained in central auditing during the current fiscal year and then archived. The EDS system uses the electronic reports as the source for capturing the report information for accuracy requirements. Any resulting issue from monthly report processing that is not rectified is referred to Enforcement as non-compliant and administrative action is taken.

Tax, compliance, and product movement audits are performed at licensed wholesale locations by field auditors. The information pertaining to these audits is currently captured in an audit tracking system called GUIDE. As audits are assigned, they are entered into this system and the progress and final results of the audit are captured for tracking purposes. If the audit has a finding, the entity is notified and given a specific timeframe to resolve the issue with the auditor.

If the issue is not rectified, the audit results are referred to Enforcement as non-compliant and administrative action is taken.

Validity:

The Department of Business and Professional Regulation has the mission of “License efficiently. Regulate fairly.” Encompassed within this mission is the function to hold licensees and regulated entities accountable. We use this measure to reflect the audits of overall level of industry compliance with cigarette, tobacco product, and alcoholic beverage requirements provided in chapters 210, 561-565, and 569, Florida Statutes. Within the Division of Alcoholic Beverages and Tobacco, the Bureau of Auditing performs audits to assure the licensees’ compliance with the laws and rules applicable to their licenses types. This measure indicates the number of complying wholesale and retail licensees, once the entities obtain a license to sell cigarettes, tobacco products, or alcoholic beverage in Florida.

The first step in the division’s auditing function is to audit the monthly reports for compliance with reporting and tax payment requirements. This measurement captures the reporting and remitting function, and determines the number of entities audited for reporting compliance. The second step in the audit function is to perform location audits and review records that are maintained by the licensed entity to determine compliance with the regulatory requirements as well as verify that the correct amount of taxes and product movement has been reported. By auditing all functions, the compliance level is captured.

Chapter 210, Part I, Florida Statutes, defines the reporting, tax payment, and regulatory requirements of the entities selling cigarettes in Florida. Chapter 210, Part II, and chapter 569, Florida Statutes, define the reporting, tax payment, and regulatory requirements of the entities selling other tobacco products in Florida. Chapters 561-565, 567-568, Florida Statutes, define the reporting, tax payment, and regulatory requirements of the entities selling alcoholic beverages in Florida. These statutes include who must be licensed, the particular license needed for specific activities, the regulatory requirements for obtaining and maintaining the license, the tax and reporting requirements for each license if applicable, the records requirements for each license type and level, the legal product flow into and through the state, as well as penalties for non-compliance of any of these categories.

By auditing each licensed entities’ reports and activities for tax and regulatory compliance, it can be assured that each entity is operating as the laws specify, and that the cigarette, tobacco, and alcoholic beverage industries are being regulated fairly.

Reliability:

The source data for this measurement is captured from various computer systems. The monthly reporting data can be verified by reviewing the monthly report activity in the division’s Electronic Data Submission system. This reconciliation is performed on a monthly basis, and any non-compliance is identified and rectified.

Routine tax audits determine if the reported activities and applicable taxes were accurately received. These audits are generally performed on a six-month basis. The audit information is captured in the division’s GUIDE system.

Compliance or special audits then complete the auditing function by determining if the regulatory requirements are being met by each licensee. These audits are performed either as a component of the routine tax audits, or as a specific need arises such as a new special restaurant license being issued or an enforcement action requiring an audit be conducted. These audits are captured within the GUIDE system also.

A consistent and dependable picture of compliance by the licensees is captured by auditing the reported data and the source data from the licensees. Various information systems within the division and department contain data which has been gathered from multiple sources including the licensed entities, division staff, and department staff. By capturing all audit activity from the systems, the number of audits conducted can be determined.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Florida Condominiums, Timeshares, and Mobile Homes

Service/Budget Entity: Compliance and Enforcement

Measure: Average number of days to resolve cases submitted for arbitration

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Division of Florida Condominiums, Timeshares and Mobile Homes is statutorily required to arbitrate certain condominium and cooperative disputes, sections 718.1255 and 719.1255, F.S. The division tracks and monitors arbitration cases through the departmental database LicenseEase. Tracking information includes, but is not limited to, case filing dates (date a petition for arbitration is received in the division), case closing dates (date of issuance of a Final Order) and abatement dates. LicenseEase is updated by division arbitration staff.

There are numerous time periods during a proceeding in which an arbitrator or arbitration staff member cannot actively work a case. These times are abated or removed from the total number of days cases are open as these time periods are not within the control of the arbitration staff.

Abatement periods in LicenseEase are documented by the use of an activity code "Case Abated (CSAB)". Each CSAB code includes a start and close date. Abatement periods include:

- 1) Abeyances – includes but is not limited to informal settlements, fair housing, pass through to court.
- 2) Continuance/additional time at the parties' request.
- 3) Mediation.

At the end of each reporting period, the CTMH Closed Arbitration Cases PBB Report is run. This report selects all cases with a case closing date occurring during the reporting period. The report identifies each case by case number, and includes the date filed; date closed; total time to complete the case (calculated by adding the number of days between date filed and date closed); abatement time (calculated by subtracting each instance of the CSAB code's close dates from its start dates and totaling all days abated); and the total time to complete each case less abatement (calculated by subtracting abatement time from total time). A summary report is used to provide a total number of cases closed during the reporting period, a total time to complete all cases selected (calculated by dividing the sum of the total number of days to close all cases by the total number of cases closed), an average time to complete all cases (calculated by dividing total time by the total number of cases selected), a total for all abated days, a total time to complete all cases less abatement, and an average time to complete all cases less abatement (calculated by subtracting abatement days from total time and then dividing total time less abatement time by the number of cases closed).

Validity:

This measure reflects the total number of cases for arbitration closed and the total number of days to close these cases, as well as the average time to close cases. This measure provides data to indicate the division's level of performance in carrying out the legislative mandate to provide an alternative to the high cost and delays of circuit court litigation in resolving certain types of condominium and cooperative disputes in a manner that is both cost effective and efficient, as provided in sections 718.1255 and 719.1255, F.S. Through the abatement process, the division has eliminated time periods that are not within the control of the division. The average time to complete arbitration cases is a valid measure of whether the program is accomplishing these legislative goals and providing quality assistance to our customers.

Reliability:

The division is confident that reporting data is dependable and a consistent measure for determining the average number of days to resolve cases submitted for arbitration. A LicenseEase Reference Guide has been developed to provide procedures for data collection, storage, manipulation and evaluation. LicenseEase data is reconciled by a review of each case file that is closed during the reporting period comparing the start and stop date for each activity in the case file to the data stored in LicenseEase for that case file. After the reconciliation takes place, an independent review is conducted by another staff member to verify the accuracy of the data. The CTMH Closed Arbitration Case PBB Report is then generated from LicenseEase data.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Florida Condominiums, Timeshares and Mobile Homes

Service/Budget Entity: Compliance and Enforcement

Measure: Average number of days to resolve investigations of consumer complaints

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Division of Florida Condominiums, Timeshares, and Mobile Homes' Bureau of Compliance receives, reviews and opens investigative files on all consumer complaints relating to the Condominium, Cooperative, Mobile Home, Timeshare, and Yacht & Ship program areas. An investigative file (Type GNCP) is opened upon receipt of a consumer complaint containing allegations of violations of laws subject to division jurisdiction. Files are opened in the department's database system, LicenseEase. The opening date is determined by the date stamp indicating receipt of the consumer complaint by the division. LicenseEase is utilized to track case history, including case number, case opening and closing dates, case status and status date, issues (allegations) and case dispositions, the overall determination of how a case is resolved. The file is considered resolved for performance measurement purposes upon completion of the investigation (closing date), which is determined by the date the section supervisor signs off on the case to proceed to Administrative Action (Status AA) or when there is no administrative action proposed (Status 90). Data is entered in LicenseEase by the investigator assigned to handle the case.

Data for this measure is taken from an ePortfolio report entitled "CTMH Average Days to Close a Case" and run by program staff. This report selects all GNCP files closed during a selected time period and for each selected file determines the number of days each file was open using the case opening and closing dates. The report automatically calculates the average number of days open by dividing the sum of the total number of days open for all selected files by the number of closed files. If a case is reopened, the interval days from initial closure to the date of the case is reopened are abated.

Validity:

Time frames to investigate each consumer complaint may vary significantly from case to case based on the number and complexity of alleged violations in each case and whether the respondent and other involved parties cooperate with the investigation. Only Condominiums (section 718.501(1)(m), F.S.) and Cooperatives (section 719.501(1)(m), F.S.) include provisions relating to the timeliness of resolving consumer complaints. Pursuant to these statutes, the division has 30 days to acknowledge receipt of a complaint, determine jurisdiction or ask for additional information. If a case exceeds 90 days, the Division is tasked with providing the complainant updates on the status of the case every 30 days.

This performance measure will provide an indication as to how the division is performing in regard to the statutory time frames, as well as the other sections that are not subject to statutory time frames. The public benefit from a more timely resolution of investigations and swift enforcement action builds public confidence in the division's compliance program.

Reliability:

The division is confident that the compliance reporting data from LicenseEase for this measure is dependable and a consistent measure for determining if cases are investigated within statutory timeframes and within division policies and procedures. Division investigative supervisors review various reports such as, "CTMH Average Days to Close a Case" and "Open Complaints Inventory", on a weekly basis to ensure staff are accurately entering data into LicenseEase. Supervisors also randomly select cases on a monthly basis to compare data contained in LicenseEase and indexed into OnBase for accuracy and to ensure they match, and if they do not, corrections are made and additional training is provided.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Florida Condominiums, Timeshares and Mobile Homes

Service/Budget Entity: Compliance and Enforcement

Measure: Average number of days to review and issue Yacht and Ship broker and salesperson licenses

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Division of Florida Condominiums, Timeshares, and Mobile Homes reviews and issues Yacht and Ship broker and salesperson licenses in accordance with the Yacht and Ship Brokers Act and Chapter 61B-60, Florida Administrative Code.

Upon receipt of an initial application, rules 61B-60.003(1), (2), and (3), Florida Administrative Code, the division has 10 days to determine if the application is complete – meaning it includes the completed application, a complete set of fingerprints, the application fee, and a surety bond or letter of credit. If complete, the division is required to issue a 90-day temporary license while the Florida Department of Law Enforcement conducts the criminal history analysis. Upon receipt of the criminal history analysis, the division will complete a review for moral character. Once the application is complete and the applicant is determined to be of good moral character, the division approves the application and issues a permanent license.

If the application is incomplete, the division notifies the applicant in writing of the deficiency, and gives them 21 days from receipt of the deficiency notice to complete the application. Although not specifically identified by rule or statute, the division considers the expiration period of the temporary license (a 90-day period) as the deadline for issuing a permanent license.

Data for this measure is taken from an ePortfolio report entitled “Yacht and Ship Application PBB Statistics” and run by program staff. This report selects all applications that were approved within a specified date range and for each application selected, counts the number of days from the date of receipt of the application to the date the permanent license is approved or closed for that applicant. The report then provides the total number of days for all applications selected and then divides that number by the total number of applications to determine the average number of days.

Validity:

This measure represents the average number of days to review and issue a yacht salesperson’s/broker’s license. The measure indicates whether the division is performing its duties within statutorily and rule mandated timeframes and is removing barriers to doing business in this profession in Florida. The data is verifiable through review of division licensure

files. Division action in regard to licensing yacht and ship brokers is not completely within the division's control as part of the application process includes FDLE and FBI criminal background checks and may include delays for applicant actions such as responding to notices of deficiency for missing items.

Reliability:

The division is confident that reporting data is dependable and a consistent measure for determining if licenses are reviewed and approved within statutory timeframes. After license applications are indexed into OnBase and processed in LicenseEase by regulatory specialist licensing staff, applications are forwarded to supervisory staff via OnBase for quality control. Application approvals are reviewed monthly to ensure accuracy of data in LicenseEase, and incorrect entries are identified and corrected by this procedure.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Florida Condominiums, Timeshares and Mobile Homes

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of Condominiums, Timeshare, and Mobile Home filings reviewed within statutory requirements

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Division of Florida Condominiums, Timeshares and Mobile Homes reviews various types of disclosure documents for Condominiums, Cooperatives, Mobile Home Parks, and Timeshare Plans. Document reviews have a statutory or rule mandated time requirement for division action, as follows:

Condominiums/Cooperatives: Rules 61B-17.005, 61B-17.006, and 61B-24.002, Florida Administrative Code; Section 718.502, Florida Statutes.

Timeshares: Rule 61B-24.002, Florida Administrative Code; Sections 721.07, 721.11, and 721.12, Florida Statutes.

Mobile Homes: Rule 61B-30, Florida Administrative Code; Section 723.011, Florida Statutes.

The review period begins upon receipt of the filing with appropriate filing fees. The Division will either approve the filing, issue a deficiency letter requiring the filing entity to correct or supplement its filing, or if the Division does not take action within the allotted time, the filing is approved by operation of law (OPOL), indicating a missed deadline.

The current method for tracking review deadlines is through the "CTMH Standards Registration PBB Report" available as a crystal report in ePortfolio. A record is created in LicenseEase for each filing received by the division. The record tracks, in addition to other information, filing receipt, the issuance of deficiency letter dates, and approval dates. Missed review deadlines are entered by the examiners directly into the LicenseEase database, specifically by checking a box labeled "OPOL" on the deficiency approval screen. At the end of each reporting period, program staff run the "CTMH Standards Registration PBB Report" to show the number of filings reviewed by program area during the reporting period and the number of records containing a box checked as "OPOL", indicating a missed filing review deadline.

Performance data for the division is calculated by adding the number of filings reviewed from the "CTMH Standards Registration PBB Report". The number of division deadlines missed is calculated by totaling the number of missed deadlines from "CTMH Standards Registration PBB Report". The percent of filings reviewed as prescribed by law is calculated by subtracting the number of missed deadlines from total filings reviewed to arrive at the number of timely

reviewed filings. The total number of reviewed filings is then divided by the number of timely reviewed filings.

Validity:

The measure indicates whether the division is performing its duties within statutorily mandated timeframes (see citations to rule and statutorily mandated timeframes in Data Sources and Methodology section) and is providing quality assistance to our customers. The data is verifiable through review of division filings.

Reliability:

The division is confident that reporting data is dependable and a consistent measure for determining if filings are reviewed within statutory timeframes. Division supervisory staff randomly selects filings on a bimonthly basis and compare source data for the filing stored in OnBase with the data contained in LicenseEase for that filing. The LicenseEase data is then used to generate the “CTMH Standards Registration PBB Report”. If errors are noted, they are corrected and additional training is provided to staff.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Florida Condominiums, Timeshares, and Mobile Homes

Service/Budget Entity: Compliance & Enforcement

Measure: Percent of administrative actions resulting in consent orders

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Division of Florida Condominiums, Timeshares and Mobile Homes, Bureau of Compliance takes administrative action when it believes that violations of laws have occurred based upon evidence collected in a division investigation. There are two types of administrative actions that may be taken in a compliance case: 1) Consent Order or written settlement agreement where the respondent agrees to the violation and action necessary to resolve the issues; and 2) Notice To Show Cause which starts formal proceedings against a respondent. The second type of action may result in final resolution by Consent Order but normally results in the issuance of a Final Order after an administrative hearing on the issues of the case. These measures track the number and percentage of administrative cases resolved by consent order.

As investigations are worked by compliance staff, the LicenseEase system is updated (through the nf32 table) by investigators or administrative staff to track complaint opening and closing dates, case status information and status dates, case activities and activity dates and case dispositions and disposition dates, etc. All administrative cases are identified in LicenseEase as cases having a case status of "AA" at the time the case is recommended for administrative action. The case disposition describes how the case was finally resolved. Cases resolved through consent order show a "CO" under case disposition. Cases resolved through final order show a "FO" under case disposition. All case status and disposition dates are verifiable through the case file.

Periodically, the database reports entitled "CTMH Complaint Disposition Report" and "Yacht and Ship Complaint Disposition Report" will be run on by program staff. This report through choice of parameters, selects and prints a list of all compliance files closed within a specified period that includes a case status of "AA". The reports print the cases grouped according to case disposition and program area. The reports total the number of cases selected by program area, and breaks out the cases by the various disposition codes and calculates the percentage of Consent Order dispositions by program area. In order to arrive at division numbers, the division's PBB liaison adds the number of cases selected for all programs, adds the number of Consent Order dispositions for all programs and calculates the division's percentage by dividing the total number of cases by the number of Consent Order dispositions.

Validity:

These measures reflect the total number and percentage of cases recommended for administrative actions resolved through Consent Orders. This measure primarily relates to efficiency, as it focuses on compliance through settlement agreement rather than through a DOAH or court proceeding. An increase in this measurement will show increased compliance through settlement agreement utilizing less formal and time-consuming procedures. The supporting information also provides an indication as to the number of enforcement actions taken.

Reliability:

The data from LicenseEase is dependable and will result in consistent information from year to year. While there is a risk that incorrect or improper data could be input, internal reviews of LicenseEase data are conducted to ensure consistency.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Florida Condominiums, Timeshares and Mobile Homes

Service/Budget Entity: Compliance and Enforcement

Measure: Number of cases closed (arbitration)

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Division of Florida Condominiums, Timeshares and Mobile Homes is statutorily required to arbitrate certain condominium and cooperative disputes. The division tracks and monitors arbitration cases through the departmental database LicenseEase. Tracking information includes but is not limited to: case filing dates (date a petition for arbitration is received in the division) and case closing dates (date of issuance of a Final Order). LicenseEase is updated by division arbitration staff.

At the end of each reporting period, the CTMH Closed Arbitration Cases PBB Report is run. This report selects all cases with a case closing date occurring during the reporting period. The report identifies each case by case number, and includes the date filed and date closed. A summary report is used to provide a total number of cases closed during the reporting period.

Validity:

This measure reflects the total number of petitions for arbitration closed and is used to calculate the outcome measure for average time to resolve cases submitted for arbitration. These measures provide data to indicate the division's level of performance in carrying out the legislative mandate to provide an alternative to the high cost and delays of circuit court litigation in resolving certain types of condominium and cooperative disputes in a manner that is both cost effective and efficient.

Reliability:

The division feels confident that data from LicenseEase is dependable and will result in consistent information from year to year. A manual has been developed to provide procedures for data collection, storage, manipulation and evaluation. The major issue causing reliability concerns is staff training since all staff update LicenseEase and there is a risk that incorrect or improper data could be input. Internal reviews of LicenseEase data are conducted to ensure consistency.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Florida Condominiums, Timeshares and Mobile Homes

Service/Budget Entity: Compliance and Enforcement

Measure: Number of consumer complaints closed

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Division of Florida Condominiums, Timeshares, and Mobile Homes' Bureau of Compliance receives, reviews, and opens investigative files on all consumer complaints relating to the following program areas: Condominiums/Cooperatives, Mobile Homes, Timeshares, and Yacht & Ships. An investigative file (Type GNCP) is opened upon receipt of a consumer complaint containing allegations of violations of laws subject to division jurisdiction. Files are opened in the department's database system, LicenseEase. The opening date is determined by the date stamp indicating receipt of the consumer complaint by the division. The LicenseEase nf32 table is utilized to track case history, including case number, case opening and closing dates, case status and status date, issues (allegations) and case dispositions. Case disposition is the overall determination of how a case is closed. The file is considered resolved for performance measurement purposes upon completion of the investigation (closing date), which is determined by the date the section supervisor signs off on the case to proceed to Administrative Action (Status AA) or when there is no administrative action proposed (Status 90). Data is entered by the investigator assigned to handle the case.

Periodically, the report titled "CTMH Average Days to Close a Case" will be run on Eportfolio. This report selects and counts all GNCP files closed during a selected time period. This measure will be calculated on a fiscal year basis.

Validity:

This measure will provide data which will indicate the number of consumer complaints investigated and closed during a specified time period. This measure is used in determining the outcome measure for the division's compliance program "Average number of days to resolve investigations of consumer complaints".

This performance measure provides an indication of how the division is performing in regard to the statutory time frames. The public benefit from a more timely resolution of investigations and swift enforcement action builds public confidence in the division's compliance program.

Reliability:

The division has refined its compliance business process and feels confident that the compliance data from LicenseEase for this performance measure is dependable and will result in consistent information from year to year.

The only issue as to reliability concerns is staff input of data. All staff update LicenseEase and there is a risk that incorrect or improper data could be input. Internal reviews of LicenseEase data are routinely conducted to ensure consistency. Training of all staff responsible for input of data will remain a top priority.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Florida Condominiums, Timeshares and Mobile Homes

Service/Budget Entity: Compliance and Enforcement

Measure: Percent of permanent licenses issued and filings reviewed as prescribed by laws

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Division of Florida Condominiums, Timeshares and Mobile Homes reviews various types of disclosure documents for Condominiums, Cooperatives, Mobile Home Parks, and Timeshare Plans, and issues Yacht and Ship Brokers licenses through its examination and licensure programs. Most document reviews and applications for licensure have a statutory or rule mandated time requirement for division action.

The review period begins upon receipt of the filing or application with appropriate filing fees. Division action would consist of approval of the filing, issuance of a license or the issuance of a deficiency letter to require the filing entity or license applicant to correct or supplement its filing or application. If the division does not take action within the allotted time, the filing or application is approved by operation of law (OPOL), indicating a missed deadline.

For document reviews under the following programs: Condominiums, Cooperatives, Mobile Homes, and Timeshares, the current method for tracking missed review deadlines is through the "LSCMH Standards Registration PBB Report" available as a crystal report in ePortfolio. A record is created in LicenseEase for each filing received by the division. The record tracks in addition to other information, filing receipt and approval dates, and deficiency letter issue dates. Missed review deadlines are entered by the examiners directly into the LicenseEase database, specifically by checking a box labeled "OPOL" on the deficiency approval screen. A file has been approved or processed when the division has taken action to approve the filing in LicenseEase or it has been approved by "operation of law" indicating a missed deadline in LicenseEase. At the end of each reporting period, program staff will run the "LSCMH Standards Registration PBB Report" to show the number of filings approved (processed) by program area during the reporting period and the number of records containing a box checked as "OPOL", indicating a missed filing review deadline. In regard to licensing of yacht and ship brokers, permanent licenses must be issued within 90 days of receipt of a proper application and licensing fees. Data for this measure is taken from an ePortfolio report entitled "Yacht and Ship Application PBB Statistics" and run by program staff. This report selects all applications that were issued a permanent license within a specified date range and counts the number of days between the date of receipt of an application in LicenseEase through the date of issuance of a permanent license (elapsed days). The report automatically counts the number of applications

selected and counts the number of applications where the number of elapsed days exceeds 90 days.

Performance data for the division is calculated by adding the number of filings approved (processed) from the "CTMH Standards Registration PBB Report" and licenses issued from the "Yacht and Ship Application PBB Statistics". The number of division deadlines missed is calculated by totaling the number of missed deadlines from "CTMH Standards Registration PBB Report" and the number of yacht and ship licenses processed over 90 days from the "Yacht and Ship Application PBB Statistics" report. The percent of permanent licenses issued and filings reviewed as prescribed by law is calculated by subtracting the number of missed deadlines from total filings approved and licenses issued to arrive at the number of timely processed filings and licenses. The total number of processed filings and licenses is then divided by the number of timely processed filings and licenses.

Validity:

This measure represents the number of permanent licenses issued for the Yacht and Ships program and filings processed for all other division programs. It also measures the percentage of filings processed and licenses issued as prescribed by law. The measure indicates whether the division is performing its duties within statutorily mandated timeframes. The data is verifiable through review of division filing and licensure files.

Division action in regard to licensing yacht and ship brokers is not completely within the division's control as part of the application process includes FDLE and FBI criminal and fingerprint checks and may include delays for applicant actions such as responding to notices of deficiency.

Reliability:

In regard to data for the division's licensing program, the division feels confident that data from LicenseEase is dependable and will result in consistent information from year to year. The major issue causing reliability concerns is staff training since all staff update LicenseEase and there is a risk that incorrect or improper data could be input. Internal reviews of LicenseEase data are conducted to ensure consistency.

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business and Professional Regulation

Program: Florida Condominiums, Timeshares and Mobile Homes

Service/Budget Entity: Compliance and Enforcement

Measure: Total number of filings and licenses processed

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

The Division of Florida Condominiums, Timeshares and Mobile Homes reviews various types of disclosure documents for Condominiums, Cooperatives, Mobile Home Parks, Timeshare Plans, and issues Yacht and Ship Brokers licenses through its examination and licensure programs. Most document reviews and applications for licensure have a statutory or rule mandated time requirement for division action.

The review period begins upon receipt of the filing or application with appropriate filing fees. Division action would consist of approval of the filing, issuance of a license or the issuance of a deficiency letter to require the filing entity or license applicant to correct or supplement its filing or application.

For document reviews under the following programs: Condominiums, Cooperatives, Mobile Homes, and Timeshare, the current method for tracking the number of filings processed is through the "CTMH Standards Registration PBB Report" available as a crystal report in ePortfolio. A record is created in LicenseEase for each filing received by the division. The record tracks in addition to other information, filing receipt and approval dates, and deficiency letter issue dates. Data is entered by the examiners directly into the LicenseEase database. A file has been approved or processed when the division has taken action to approve the filing in LicenseEase or it has been approved by "operation of law" indicating a missed deadline in LicenseEase. At the end of each reporting period, program staff will run the "CTMH Standards Registration PBB Report" to show the number of filings approved (processed) by program area during the reporting period.

In regard to licensing of yacht and ship brokers, permanent licenses must be issued within 90 days of receipt of a proper application and licensing fees. Data for this measure is taken from an ePortfolio report entitled "Yacht and Ship Application PBB Statistics" and run by program staff. This report selects all applications that were issued a permanent license within a specified date range and counts the number of days between the date of receipt of an application in LicenseEase through the date of issuance of a permanent license (elapsed days).

Performance data for the division is calculated by adding the number of filings approved (processed) from the "CTMH Standards Registration PBB Report" and licenses issued from the "Yacht and Ship Application PBB Statistics".

Validity:

This output measure represents the number of permanent licenses issued for the Yacht and Ships program and filings processed for all other division programs. It is also used to indicate whether the division is performing its duties within statutorily mandated timeframes. The data is verifiable through review of division filing and licensure files.

Reliability:

In regard to data for the division's licensing program, the division feels confident that data from LicenseEase is dependable and will result in consistent information from year to year. The major issue causing reliability concerns is staff training since all staff update LicenseEase and there is a risk that incorrect or improper data could be input. Internal reviews of LicenseEase data are conducted to ensure consistency.



Associated Activities Contributing to Performance Measures – LRPP Exhibit V

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LRPP Exhibit V: Identification of Associated Activity Contributing to Performance Measures

Measure Number	Approved Performance Measures for FY 2012-13		Associated Activities
1	Agency administration and support costs as a percent of total agency costs		Executive direction and administrative support
2	Agency administration and support positions as a percent of total agency positions		Executive direction and administrative support
3	Percent of time information infrastructure, scheduled computer hours and access is available		Information technology
4	Percent of calls transferred to a call agent that are answered before call is abandoned		Call center
5	Percent of calls transferred to a call agent that are answered within 5		Call center
6	Percent of satisfied customers based on survey		Call center
7	Percent of complete applications approved or denied within 90 days		Central intake - initial applications
8	Percent of required inspections completed		Compliance and enforcement
9	Percent of licenses that correct violations through alternative means (notices of non-compliance, citations or alternative dispute resolution)		Compliance and enforcement
10	Percent of complete board referred applications approved or denied within 90 days		Standards and licensure
11	Percent of licensees in compliance with inspection laws and regulations		Compliance and enforcement
12	Percent of complete license applications approved or denied within 90 days (Drugs, Devices, Cosmetics and Household Products Regulation)		Compliance and enforcement
13	Percentage of Florida resident prescription drug wholesale distributor permit holders inspected (Drugs, Devices, Cosmetics and Household Products Regulation)		Compliance and enforcement
14	Percent of complete applications approved or denied within 90 days		Protect boxers
15	Percent of complete provider and individual course applications approved or denied within 90 days		Testing
16	Percent of farm labor contractors inspected found to be in compliance with the law		Monitor employers for compliance with farmworker labor laws
17	Percent of employers brought into compliance with child labor laws on follow-up investigations		Monitor employers for compliance with child labor laws
18	Percent of races and games that are in compliance with all laws and regulations		Compliance and enforcement
19	Percent of complete Pari-Mutuel Wagering applications approved or denied within 90 days		Standards and licensure
20	Pari-Mutuel Wagering collections per dollar of revenue unit expenditures		Tax collection and auditing
21	Percent of compliance audits conducted		Tax collection and auditing

LRPP Exhibit V: Identification of Associated Activity Contributing to Performance Measures

Measure Number	Approved Performance Measures for FY 2012-13		Associated Activities
22	Percent of slot tax dollars collected compared to permitholder liability		Tax collection and auditing
23	Percent of complete slot applications approved or denied within 90 days		Standards and licensure
24	Slot tax collections per dollar of slot revenue unit expenditures		Tax collection and auditing
25	Percent of food establishments inspected according to statute		Compliance and enforcement
26	Percent of lodging establishments inspected according to statute		Compliance and enforcement
27	Percent of elevators, escalators and other vertical conveyance devices inspected according to statute		Compliance and enforcement
28	Percent of complete public food establishment license applications approved or denied within 90 days		Standards and licensure
29	Percent of complete public lodging establishment license applications approved or denied within 90 days		Standards and licensure
30	Percentage of elevator certificates of operation applications approved or denied within 90 days		Standards and licensure
31	Percent of total retail alcohol and tobacco licensees and permit holders inspected		Compliance and enforcement
32	Percent of alcoholic beverage retailers tested found to be in compliance with underage persons' access		Compliance and enforcement
33	Percent of tobacco retailers tested found to be in compliance with underage persons' access		Compliance and enforcement
34	Percent of inspections resulting in licensees in compliance with laws and regulations		Compliance and enforcement
35	Percent of complete license applications approved or denied within 90 days		Standards and licensure
36	Collections per dollar of auditing expenditure		Tax collection and auditing
37	Percent of wholesale licensees providing timely and accurate tax reporting and remittance		Tax collection and auditing
38	Average number of days to resolve cases submitted for arbitration		Compliance and enforcement
39	Average number of days to resolve investigations of consumer complaints		Compliance and enforcement
40	Average number of days to review and issue yacht and ship broker and salesperson license		Compliance and enforcement
41	Percent of condominium, timeshare and mobile home filings reviewed within statutory requirements		Compliance and enforcement



Agency Level Unit Cost Summary LRPP Exhibit VI

BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF		FISCAL YEAR 2011-12			
SECTION I: BUDGET		OPERATING		FIXED CAPITAL OUTLAY	
TOTAL ALL FUNDS GENERAL APPROPRIATIONS ACT				131,433,462	
ADJUSTMENTS TO GENERAL APPROPRIATIONS ACT (Supplementals, Vetoes, Budget Amendments, etc.)				22,719	
FINAL BUDGET FOR AGENCY				131,456,181	
SECTION II: ACTIVITIES * MEASURES		Number of Units	(1) Unit Cost	(2) Expenditures (Allocated)	(3) FCO
<i>Executive Direction, Administrative Support and Information Technology (2)</i>					0
Licensure/Revenue * Number of transactions processed		696,850	4.17	2,905,654	
Protect Boxers * Number of scheduled boxing and kickboxing/mixed martial arts events.		54	10,300.22	556,212	
Call Center * Number of calls, emails, public contacts		1,010,127	5.96	6,015,693	
Central Intake - Initial Applications * Number of initial applications processed		111,285	37.10	4,128,916	
Central Intake - Renewals * Number of renewals processed		415,903	1.89	787,078	
Testing * Number of candidates tested		53,055	33.65	1,785,130	
Continuing Education * Number of non-deficient, complete provider and individual course applications processed within 90 days		8,519	162.88	1,387,589	
Board Of Architecture And Interior Design * Number of enforcement actions		206	2,064.27	425,239	
Drug, Device And Cosmetic Regulation * Licensure and Regulatory activities		13,430	172.68	2,319,131	
Monitor Employers For Compliance With Migrant Farmworker Labor Laws * Number of Investigations and Inspections		4,044	379.75	1,535,709	
Monitor Employers For Compliance With Child Labor Laws * Number of Investigations and Inspections		11,756	50.45	593,137	
Compliance And Enforcement Activities * Number of enforcement actions.		114,558	113.63	13,016,719	
Laboratory Services * Number of blood and urine samples tested.		86,226	26.28	2,266,000	
Standards And Licensure Activities * Number of licensees		811,130	15.80	12,813,675	
Tax Collection And Auditing * Number of audits conducted.		61,790	24.94	1,541,272	
Cardrooms * Number of audits conducted.		24	4,587.13	110,091	
Pari-mutuel Number Of Slot Applications Processed * Number of Slot Applications Processed		4,583	880.21	4,033,994	
Compliance And Enforcement Activities For Hotels And Restaurants * Inspections and enforcement actions		174,936	109.08	19,082,732	
Compliance And Enforcement Activities For Elevators * Inspections and enforcement actions		8,664	160.25	1,388,420	
School-to-career-grant * Students served through grant program.		21,000	33.65	706,698	
Standards And Licensure Activities For Hotels And Restaurants * Number of licensees for public lodging and food service establishments		85,152	13.03	1,109,529	
Standards And Licensure Activities For Elevators * Number of licensees for elevators, escalators and other vertical conveyance devices		50,046	8.49	425,054	
Compliance And Enforcement Activities * Number of enforcement actions for Alcoholic Beverages and Tobacco		74,135	242.70	17,992,905	
Code Promulgation * Code Amendments Promulgated		42	61,011.67	2,562,490	
Regulation Of Manufactured Buildings * Permits Issued for Manufactured Buildings		24,147	10.26	247,732	
Standards And Licensure Activities * Number of applications processed for Alcoholic Beverages and Tobacco		45,143	103.18	4,658,007	
Tax Collection And Auditing * Number of audits conducted for Alcoholic Beverages and Tobacco		34,249	206.84	7,083,922	
Compliance And Enforcement Activities - General Regulation (yacht And Ship) * Number of regulatory activities.		3,706	60.47	224,091	
Compliance And Enforcement Activities - Timeshare * Number of regulatory activities.		4,810	242.54	1,166,640	
Compliance And Enforcement Activities - Condominiums * Number of regulatory activities.		58,634	96.45	5,655,223	
Compliance And Enforcement Activities - Mobile Homes * Number of regulatory activities.		6,772	60.63	410,606	
Homeowners' Associations * Number of compliance actions.		172	1,238.27	212,982	
Condominium Ombudsman * Number of activities in fulfillment of statutory duties.		37,393	11.53	431,312	
TOTAL				119,579,582	
SECTION III: RECONCILIATION TO BUDGET					
PASS THROUGHS					
TRANSFER - STATE AGENCIES					
AID TO LOCAL GOVERNMENTS					
PAYMENT OF PENSIONS, BENEFITS AND CLAIMS				2,177,763	
OTHER				604,909	
REVERSIONS				9,093,933	
TOTAL BUDGET FOR AGENCY (Total Activities + Pass Throughs + Reversions) - Should equal Section I above. (4)				131,456,181	

SCHEDULE XI/EXHIBIT VI: AGENCY-LEVEL UNIT COST SUMMARY

- (1) Some activity unit costs may be overstated due to the allocation of double budgeted items.
(2) Expenditures associated with Executive Direction, Administrative Support and Information Technology have been allocated based on FTE. Other allocation methodologies could result in significantly different unit costs per activity.
(3) Information for FCO depicts amounts for current year appropriations only. Additional information and systems are needed to develop meaningful FCO unit costs.
(4) Final Budget for Agency and Total Budget for Agency may not equal due to rounding.



Glossary or Terms and Acronyms

Glossary of Terms and Acronyms

Administrative Rule: An agency statement of general applicability that implements, interprets, or prescribes law or policy or describes the procedure or practice requirements of an agency and includes any form which imposes any requirement or solicits any information not specifically required by statute or by an existing rule. The term also includes the amendment or repeal of a rule.

Agency for Enterprise Information Technology: The Florida government agency within the Executive Office of the Governor responsible that makes recommendations to agency heads and the Legislature concerning information technology services that should be designed, delivered, and managed at the enterprise level as defined in s. 282.0041(8). They are responsible for monitoring the delivery and management of the enterprise information technology services as established by law and develop the state's strategic enterprise information technology plan.

Alcoholic Beverages and Tobacco, Division of: A division of the Department of Business and Professional Regulation that issues licenses or permits that are required for any business or person to manufacture, import, export, store, distribute or sell alcoholic beverages or tobacco. The division issues permits required for any business or person engaging in business as a manufacturer, importer, exporter, distributing agent, or wholesale dealer of cigarettes; for distributors, makers, manufacturers or fabricators of other tobacco products within the state and for distributors of cigars within the state.

Alcoholic Brands: Brand name of an alcoholic beverage.

Alternative Dispute Resolution: The use of mediation techniques to help resolve disputes between the public and licensed professionals. A successful mediation is a voluntary agreement between the complainant and licensee.

Activity: A set of transactions within a budget entity that translates inputs into outputs using resources in response to a business requirement. Sequences of activities in logical combinations form services. Unit cost information is determined using the outputs of activities.

Association of Boxing Commissions: A non-profit corporation established to promote the continual improvement of professional boxing; professional and amateur mixed martial arts; and other professional and amateur unarmed combat sports. The Association also promotes the uniformity of health and safety standards and other requirements pertaining to the conduct of combat sports events.

Auditor General: The Florida Auditor General is a constitutional officer appointed by the Joint Legislative Auditing Committee. The Auditor General provides unbiased, timely, and relevant information which can be used by the Legislature, Florida's citizens, public entity management, and other stakeholders to promote government accountability and stewardship and improve government operations.

Baseline Data: Indicators of a state agency’s current performance level, pursuant to guidelines established by the Executive Office of the Governor in consultation with legislative appropriations and appropriate substantive committees.

Board of Accountancy: Makes final decisions in the areas that affect the practice of licensees, which includes issuing licenses, taking disciplinary action, and promulgating rules when necessary.

Board of Veterinary Medicine: Regulates veterinarians and clinics. The board takes action on disciplinary matters and is responsible for rule amendments.

Budget: The totality of appropriations measures passed by the legislature. The detailed spending plan submitted by the Governor to the legislature which recommends monetary allocations for each of the departments of the state for the next fiscal year is also known as a “budget.” Using recommendations from the Governor and individual departments, each house prepares its own version of the budget.

Budget Entity: A unit or function at the lowest level to which funds are specifically appropriated in the appropriations act. “Budget entity” and “service” have the same meaning.

Cardroom: A room for gambling on card games.

Certified Public Accountant (CPA): A person who has met the requirements of Florida state laws and has been issued a license to practice public accounting by the Florida Board of Accountancy. Only persons who are licensed can legally call themselves a Certified Public Accountant. As practitioners, CPA's provide accounting, auditing, tax, financial planning and management consulting services.

Certified Public Accounting, Division of: A division within the Department of Business and Professional Regulation that is responsible for the regulation of Certified Public Accountants (CPAs) and accounting firms. The division processes applications to sit for the CPA license, original Florida licensure applications, licensure by endorsement applications, reactivation of a delinquent or inactive CPA license, temporary permit applications, accountancy firm licensure and continuing education reporting forms. In addition, the division provides administrative support to the Board of Accountancy.

Compact: See Seminole Tribe of Florida Compact.

CPA: Certified Public Accountant.

Elevator Safety Technical Advisory Council: The Council provides technical assistance to the Division of Hotels and Restaurants in support of protecting the health, safety, and welfare of the public.

Fiscal Year: The period used for budgeting and accounting. In Florida state government, this is the period from July 1 of one calendar year to June 30 of the next calendar year.

Florida Administrative Code: The Florida Administrative Code contains all rules adopted by each agency, citing the grant of rulemaking authority and the specific law implemented pursuant to which each rule was adopted, all history notes as authorized in Section 120.545(7), F.S., complete indexes to all rules contained in the Code, and any other material required or authorized by law or deemed useful by the Department of State.

Florida Building Code: A single set of documents that apply to the design, construction, erection, alteration, modification, repair, or demolition of public or private buildings, structures, or facilities in Florida and to the enforcement of such requirements and which will allow effective and reasonable protection for public safety, health, and general welfare for all the people of Florida at the most reasonable cost to the consumer.

Florida Condominiums, Timeshares, and Mobile Homes, Division of: A division within the Department of Business and Professional Regulation that provides consumer protection for Florida residents living in the communities the department regulates through education, complaint resolution, mediation and arbitration, and developer disclosure. This division regulates Yacht and Ship Brokers, and houses the Ombudsman for Homeowners' Associations.

Florida Real Estate Commission: The Commission administers and enforces the real estate license law, Chapter 475, Part I, F.S. The Commission is also empowered to pass rules that enable it to implement its statutorily authorized duties and responsibilities.

Florida Real Estate Appraisal Board: Administers and enforces the real estate appraiser license law, Chapter 475, Part II, F.S. The Board is also empowered to pass rules that enable it to implement its statutorily authorized duties and responsibilities.

Florida State Boxing Commission: A commission within the Department of Business and Professional Regulation that regulates pugilistic exhibitions.

Florida Statutes: An edited compilation of general laws of the state.

F.S.: Florida Statutes.

General Appropriations Act: The conference committee's report resolving the differences between the separate appropriation bills of the Florida House and the Florida Senate. The committee report must be passed by both chambers of the Florida Legislature.

Governor: The Governor of the State of Florida.

Hotels & Restaurant, Division of: A division within the Department of Business and Professional Regulation that licenses, inspects and regulates public lodging and food service establishments in Florida. The mission of the division is to protect the health and safety of the public by providing the industry with quality inspections and fair regulation. The division also licenses and regulates elevators, escalators and other vertical conveyance devices under Chapter 399, F.S.

Immigration Customs Enforcement (ICE): The largest investigative agency in the U.S. Department of Homeland Security. Immigration Customs Enforcement was formed to protect national security, public safety and the integrity of the U.S. borders through the criminal and civil enforcement of federal laws governing border control, customs, trade and immigration.

Information Technology Resources: Includes data processing-related hardware, software, services, telecommunications, supplies, personnel, facility resources, maintenance, and training.

Jenkins Act: A 1949 federal law, the Jenkins Act requires any person who sells and ships cigarettes across a state line to a buyer, other than a licensed distributor, to report the sale to the buyer's state tobacco tax administrator. The act establishes misdemeanor penalties for violating the act. Compliance with this federal law by cigarette sellers enables states to collect cigarette excise taxes from consumers.

Laws of Florida: A verbatim publication of the general and special laws enacted by the Florida Legislature in a given year and published each year following the regular session of the legislature. It presents the laws in the order in which they are numbered by the Secretary of State, as well as resolutions and memorials passed by the legislature.

Legislative Budget Request: A request to the Legislature, filed pursuant to section 216.023, Florida Statutes, or supplemental detailed requests, for the amount of money an agency or branch of government believes will be needed to perform the functions that it is authorized, or which it is requesting authorization by law, to perform.

Legislature: Florida's bicameral legislature composed of the 40-member Senate and the 120-member House of Representatives. Either house may initiate legislation on any subject. Senators serve 4-year, staggered terms and representatives serve 2-year terms.

LicenseEase: A single licensing system. This is a software database that integrates all licensing and regulatory functions in the department.

Long-Range Program Plan: A plan developed on an annual basis by each state agency that is policy-based, priority-driven, accountable, and developed through careful examination and justification of all programs and their associated costs. Each plan is developed by examining the needs of agency customers and clients and proposing programs and associated costs to address those needs based on state priorities as established by law, the agency mission, and legislative authorization. The plan provides the framework and context for preparing the legislative budget request and includes performance indicators for evaluating the impact of programs and agency performance.

Land Sales, Condominiums and Mobile Homes, Division of: A division within the Department of Business and Professional Regulation that enforces and ensures compliance with the provisions of statutes and administrative rules relating to condominiums, cooperatives, mobile homes, vacation plans and timeshares, yacht and ship brokers and homeowners' associations.

National Indian Gaming Commission: As an independent federal regulatory agency of the United States, the National Indian Gaming Commission was established pursuant to the Indian Gaming Regulatory Act of 1988. The Commission's primary mission is to regulate gaming activities on Indian lands for the purpose of shielding Indian tribes from organized crime and other corrupting influences; to ensure that Indian tribes are the primary beneficiaries of gaming revenue; and to assure that gaming is conducted fairly and honestly by both operators and players.

Northwood Shared Resource Center (NSRC): A state primary data center providing consistent and secure computing services, support and continuity of service to customer state agencies.

Northwest Regional Data Center (NWRDC): A state primary data center providing consistent and secure computing services, support and continuity of service to customer state agencies.

Office of Program Policy Analysis and Government Accountability (OPPAGA): The research arm of the Florida Legislature. OPPAGA evaluates state agencies and programs and analyzes related public policies to make government better, faster, and less expensive.

OnBase: An enterprise content management software suite that enables the Department of Business and Professional Regulation to manage the capture, storage, delivery and retrieval of documents electronically.

OPPAGA: The Office of Program Policy Analysis and Government Accountability.

OPS: Other Personal Services.

Outcome: See Performance Measure.

Output: See Performance Measure.

Pari-mutuel facilities: A facility for betting on races whereby the winners divide the total amount bet, after deducting management expenses, in proportion to the sums they have wagered individually.

Pari-Mutuel Wagering, Division of: A division of the Department of Business and Professional Regulation that is charged with the regulation of Florida's pari-mutuel, cardroom, and slot gaming industries, as well as collecting and safeguarding associated revenues due to the state. The division has been designated by the Florida Legislature as the State Compliance Agency (SCA) with the authority to carry out the State's oversight responsibilities in accordance with the provisions outlined in the compact between the Seminole Tribe of Florida and the State of Florida.

Performance Measure: A quantitative or qualitative indicator used to assess state agency performance.

- Input means the quantities of resources used to produce goods or services and the demand for those goods and services.
- Outcome means an indicator of the actual impact or public benefit of a service.
- Output means the actual service or product delivered by a state agency.

Primary Service Outcome Measure: The service outcome measure which is approved as the performance measure which best reflects and measures the intended outcome of a service. Generally, there is only one primary service outcome measure for each agency service.

Professions, Division of: A division of the Department of Business and Professional Regulation that is responsible for licensing more than 405,000 professional. The division administers 14 professional boards, three department-regulated professions and one council.

Program: A set of activities undertaken in accordance with a plan of action organized to realize identifiable goals based on legislative authorization (a program can consist of single or multiple services). For purposes of budget development, programs are identified in the General Appropriations Act by a title that begins with the word “Program.” In some instances a program consists of several services, and in other cases the program has no services delineated within it; the service is the program in these cases. The LAS/PBS code is used for purposes of both program identification and service identification. “Service” is a “budget entity” for purposes of the Long Range Program Plan.

Real Estate, Division of: A division of the Department of Business and Professional Regulation that is responsible for the examination, licensing, and regulation of over 300,000 real estate and real estate property appraisal professionals and corporations, real estate schools, and real estate and appraiser instructors. The division provides administrative support to the Florida Real Estate Commission and the Florida Real Estate Appraisal Board.

Regulation, Division of: A division of the Department of Business and Professional Regulation that is the enforcement authority for the professional boards and programs. The division monitors professions and related businesses to ensure that the laws, rules and standards set by the Legislature and professional boards are followed.

Reliability: The extent to which the measuring procedure yields the same results on repeated trials and data are complete and sufficiently error free for the intended use.

Seminole Tribe of Florida: The Seminole Tribe of Florida is a federally recognized American Indian tribe. The Tribal Council is the chief governing body, composed of a Chairman, a Vice-Chairman and Council Representatives from each reservation.

Seminole Tribe of Florida Compact: An agreement between the State of Florida and the Seminole Tribe of Florida governing various gaming activities at the Seminole Tribe’s gaming facilities.

Service: See Budget Entity.

Service Operations, Division of: A division of the Department of Business and Professional Regulation that manages the Central Intake and Licensure unit, the one-stop shop for intake of applications and payments. The division also oversees the Customer Contact Center, which handles all initial interaction conducted via telephone, e-mail and the Internet.

Standard: The level of performance of an outcome or output.

Southwood Shared Resource Center: A state primary data center providing consistent and secure computing services, support and continuity of service to customer state agencies.

Trends and Conditions Statement: The trends and conditions statement is a narrative explanation of agency priorities and policies for the future as they relate to the agency's goals and objectives.

Technology, Division of: A division of the Department of Business and Professional Regulation that oversees the processes for system design, testing, planning, implementation and administration of the department's computer operations and desktop/field support.

Technology Review Workgroup (TRW): Provides analysis and recommendations regarding agency funding requests for information technology projects. The TRW also provides legislative oversight of strategic information technology projects that have been specifically identified in the General Appropriations Act. The TRW reports its findings and recommendations to the Legislative Budget Commission

Totalisator: The computer system used to accumulate wagers, record sales, calculate payoffs, and display wagering data on a display device that is located at a pari-mutuel facility.

Trust Fund: A special account into which certain funds are deposited and out of which funds are disbursed for a specific and exclusive purpose.

Unit Cost: The average total cost of producing a single unit of output – goods and services for a specific agency activity.

United States Code: Codification of the general and permanent laws of the United States.

Validity: The appropriateness of the measuring instrument in relation to the purpose for which it is being used.