

**Melanie S. Griffin**, Secretary

**Ron DeSantis**, Governor

## LONG RANGE PROGRAM PLAN

Department of Business and Professional Regulation

Tallahassee

September 30, 2022

Chris Spencer, Director  
Office of Policy and Budget  
Executive Office of the Governor  
1702, The Capitol  
Tallahassee, Florida 32399-0001

Eric Pridgeon, Staff Director  
House Appropriations Committee  
221, The Capitol  
Tallahassee, Florida 32399-1300

John Shettle, Interim Staff Director  
Senate Committee on Appropriations  
201, The Capitol  
Tallahassee, Florida 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 2023-24 through Fiscal Year 2027-28. The internet website address that provides the link to the LRPP located on the Florida Fiscal Portal is (<http://www.myfloridalicense.com/DBPR/reports-and-publications>). As Secretary of the Florida Department of Business and Professional Regulation, I hereby approve this submission.

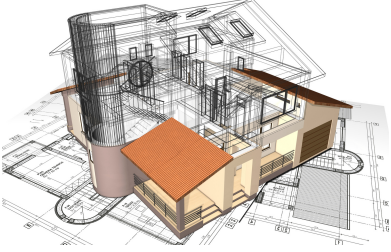
Sincerely,



Melanie S. Griffin  
Secretary



Architecture



Auctioneers

Construction Industry



Athletic Commission

Mold-Related Services



Athlete Agents



Harbor Pilots

Certified Public  
Accounting



Barbers



Electrical Contractors

Yacht & Ship



Condominiums & Timeshares

# LONG RANGE PROGRAM PLAN

FISCAL YEAR 2023-24 THROUGH 2027-28



**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
LONG RANGE PROGRAM PLAN  
FISCAL YEARS 2023-24 THROUGH 2027-28**

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**AGENCY MISSION, GOALS AND  
OBJECTIVES**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
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**AGENCY MISSION, GOALS AND OBJECTIVES**

**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:**

1. More efficient and expedient approval of licenses to join a profession or open a business.
2. Continuously improve and modernize 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. Reduce costs associated with revenue collection.



**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
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**AGENCY SERVICE OUTCOMES AND  
PERFORMANCE PROJECTIONS TABLES**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
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**AGENCY SERVICE OUTCOMES AND PERFORMANCE PROJECTIONS 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

<b>Baseline FY 2009-10</b>	<b>FY 2023-24</b>	<b>FY 2024-25</b>	<b>FY 2025-26</b>	<b>FY 2026-27</b>	<b>FY 2027-28</b>
10 days	5 days	5 days	5 days	5 days	5 days

Service: Hotels and Restaurants

<b>Baseline FY 2010-11</b>	<b>FY 2023-24</b>	<b>FY 2024-25</b>	<b>FY 2025-26</b>	<b>FY 2026-27</b>	<b>FY 2027-28</b>
18 days	15 days	15 days	15 days	15 days	15 days

Service: Alcoholic Beverages and Tobacco

<b>Baseline FY 2010-11</b>	<b>FY 2023-24</b>	<b>FY 2024-25</b>	<b>FY 2025-26</b>	<b>FY 2026-27</b>	<b>FY 2027-28</b>
10 days	4 days	4 days	4 days	4 days	4 days

Service: Bureau of Education and Testing

<b>Baseline FY 2010-11</b>	<b>FY 2023-24</b>	<b>FY 2024-25</b>	<b>FY 2025-26</b>	<b>FY 2026-27</b>	<b>FY 2027-28</b>
30 days	5 days	5 days	5 days	5 days	5 days

Service: Florida Athletic Commission

<b>Baseline FY 2010-11</b>	<b>FY 2023-24</b>	<b>FY 2024-25</b>	<b>FY 2025-26</b>	<b>FY 2026-27</b>	<b>FY 2027-28</b>
10 days	2 days	2 days	2 days	2 days	2 days

Service: Condominiums, Timeshares and Mobile Homes

<b>Baseline FY 2010-11</b>	<b>FY 2023-24</b>	<b>FY 2024-25</b>	<b>FY 2025-26</b>	<b>FY 2026-27</b>	<b>FY 2027-28</b>
75 days	14 days	14 days	14 days	14 days	14 days

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Service: Yacht and Ship Broker

Baseline FY 2010-11	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
45 days	5 days	5 days	5 days	5 days	5 days

Service: Drugs, Devices and Cosmetics

Baseline FY 2010-11	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
30 days	5 days	5 days	5 days	5 days	5 days

**1-2: Continuously improve and streamline business processes**

Outcome: Percentage of initial applications available online

Service: Department-wide

Baseline FY 2012-13	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
29%	95%	100%	100%	100%	100%

Outcome: Percentage of renewals available online

Service: Department-wide

Baseline FY 2012-13	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
76%	99.5%	99.5%	100%	100%	100%

**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 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
72%	95%	95%	95%	95%	95%



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Outcome: Percentage of satisfied customers (based on customer satisfaction survey)  
Service: Service Operations – Customer Contact Center

Baseline FY 2006-07	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
85%	95%	95%	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 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
70%	92%	92%	92%	92%	92%

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

Service: Service Operations – Customer Contact Center

Baseline FY 2010-11	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
90%	92%	95%	95%	95%	95%

Outcome: Average time to respond to customer e-mails

Service: Service Operations – Customer Contact Center

Baseline FY 2010-11	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
5 days	2 days	2 days	2 days	2 days	2 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 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
72%	40%	40%	40%	40%	40%

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**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 2011-12	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
114 days	60 days	60 days	60 days	60 days	60 days

Service: Real Estate

Baseline FY 2006-07	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
195 days	60 days	60 days	60 days	60 days	60 days

Service: Accountancy

Baseline FY 2006-07	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
111 days	60 days	60 days	60 days	60 days	60 days

Service: Condominiums, Timeshares and Mobile Homes

Baseline FY 2006-07	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
77 days	60 days	60 days	60 days	60 days	60 days

**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 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
100%	99%	99%	99%	99%	99%

Service: Hotels and Restaurants - Food establishments

Baseline FY 2006-07	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
78%	98%	98%	98%	98%	98%

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Service: Hotels and Restaurants - Lodging establishments

<b>Baseline FY 2006-07</b>	<b>FY 2023-24</b>	<b>FY 2024-25</b>	<b>FY 2025-26</b>	<b>FY 2026-27</b>	<b>FY 2027-28</b>
86%	94%	96%	98%	98%	98%

Outcome: Percentage of call-back inspections completed within follow-up period  
Service: Regulation of Boards and Commissions

<b>Baseline FY 2010-11</b>	<b>FY 2023-24</b>	<b>FY 2024-25</b>	<b>FY 2025-26</b>	<b>FY 2026-27</b>	<b>FY 2027-28</b>
100%	99%	99%	99%	99%	99%

Service: Hotels and Restaurants - Food establishments

<b>Baseline FY 2010-11</b>	<b>FY 2023-24</b>	<b>FY 2024-25</b>	<b>FY 2025-26</b>	<b>FY 2026-27</b>	<b>FY 2027-28</b>
90%	95%	95%	95%	95%	95%

Service: Hotels and Restaurants - Lodging establishments

<b>Baseline FY 2010-11</b>	<b>FY 2023-24</b>	<b>FY 2024-25</b>	<b>FY 2025-26</b>	<b>FY 2026-27</b>	<b>FY 2027-28</b>
85%	95%	95%	95%	95%	95%

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

Service: Alcoholic Beverages & Tobacco

<b>Baseline FY 2006-07</b>	<b>FY 2023-24</b>	<b>FY 2024-25</b>	<b>FY 2025-26</b>	<b>FY 2026-27</b>	<b>FY 2027-28</b>
82.8%	85%	85%	85%	85%	85%

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

Service: Alcoholic Beverages & Tobacco

<b>Baseline FY 2006-07</b>	<b>FY 2023-24</b>	<b>FY 2024-25</b>	<b>FY 2025-26</b>	<b>FY 2026-27</b>	<b>FY 2027-28</b>
91.4%	90%	90%	90%	90%	90%



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**Goal 4: Reduce operating expenses and increase productivity**

Objectives:

**4-1: Streamline reporting process**

Outcome: Percentage of businesses utilizing electronic tax filing

Service: Alcoholic Beverages & Tobacco

<b>Baseline FY 2010-11</b>	<b>FY 2023-24</b>	<b>FY 2024-25</b>	<b>FY 2025-26</b>	<b>FY 2026-27</b>	<b>FY 2027-28</b>
20%	100%	100%	100%	100%	100%

**4-2: Reduce costs associated with revenue collection**

Outcome: Tax collections per auditing dollar expended

Service: Alcoholic Beverages & Tobacco

<b>Baseline FY 2010-11</b>	<b>FY 2023-24</b>	<b>FY 2024-25</b>	<b>FY 2025-26</b>	<b>FY 2026-27</b>	<b>FY 2027-28</b>
\$248	\$250	\$250	\$250	\$250	\$250

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**LINKAGE TO GOVERNOR'S PRIORITIES**

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**LINKAGE TO GOVERNOR'S PRIORITIES**

As an executive agency of the administration of Governor Ron DeSantis, the Department of Business and Professional Regulation is actively coordinating initiatives, planning for operational advancements, and taking regulatory actions that support key pillars of the Governor's priorities.

The priorities are:

**Restore and Protect Florida's Environment**

- Continue major investments to improve water quality, quantity, and supply.
- Prioritize Everglades' restoration, and the completion of critical Everglades' restoration projects.
- Prevent fracking and offshore oil drilling to protect Florida's environment.
- Promote resiliency initiatives that harden Florida's infrastructure and protect our communities.

**Improve Florida's Education System**

- Increase access to and expand options for quality educational choices, public and private, for Florida families.
- Maintain the Florida higher education system's status as number one in the nation while increasing accountability for institutions.
- Provide quality career and technical education options for Florida's students and workforce.

**Economic Development and Job Creation**

- Focus on diversifying Florida's job market, promoting manufacturing growth, and strengthening our supply chain.
- Maintain Florida's status as a low-tax state and continue to find opportunities to reduce taxes and fees.
- Reduce existing regulations, and stop any new regulations that do not serve the public health, safety and welfare.
- Prioritize infrastructure development to meaningful projects that provide regional and statewide impact, especially focused on safety, improved mobility, and reduced traffic congestion for Floridians.

**Health Care**

- Focus resources on continuing to combat the opioid crisis and substance abuse in general, and expand access to mental health services.
- Promote innovation in health care that reduces the cost of medical procedures and services and increases access to quality care for Floridians.
- Reduce the cost of prescription drugs through state and federal reform.



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- Promote a Florida-focused approach to major issues in health care, including protecting the freedom of speech of physicians and combatting harmful medical practices against our children.

**Public Safety**

- Continue to uphold immigration law to protect our borders and communities, and remove illegal aliens from the state.
- Support local and state law enforcement's ability to investigate and prevent criminal activity.
- Develop and implement comprehensive threat assessment strategies to identify and prevent threats to the public.
- Continue efforts to enhance safety in our schools.

**Public Integrity**

- Protect taxpayer resources by ensuring the faithful expenditure of public funds and return funds to taxpayers through tax relief.
- Promote greater transparency at all levels of government, and promote the highest standard of ethics for state and local officials.
- Hold public officials and government employees accountable for failure to serve the public interest at all times.

The Governor's priority of Economic Development and Job Creation is supported by the Department's goals and objectives of removing barriers to business, enhancing Florida's pro-business climate, faster approval of licenses to join a profession or open a business and reducing the difficulty and complexity of applications.

The Governor's Health Care priority for reducing the cost of prescription drugs is supported through the Department's efforts to implement the international prescription drug importation program passed by the Legislature and signed into law by the Governor.

The Governor's Public Safety priority is supported through robust inspection programs, public education campaigns and licensee education programs.

The Governor's Public Integrity priority is supported through operational and fiscal transparency that helps protect taxpayer resources and provides for greater accountability of public officials.

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**TRENDS AND CONDITIONS STATEMENTS**

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**TRENDS AND CONDITIONS STATEMENTS**

**DIVISION OF ALCOHOLIC BEVERAGES AND TOBACCO**

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The Florida Division of Alcoholic Beverages and Tobacco licenses the manufacture, distribution, sale, and service of alcoholic beverage and tobacco products in Florida, including: receipt and processing of license applications; collection and auditing of taxes, surcharges, and fees paid by licensees; and enforces the laws and regulations governing the sale of alcoholic beverage and tobacco products, pursuant to Chapters 210, 561-565, 567-569, Florida Statutes. The Division's three bureaus – Licensing, Auditing, and Enforcement – comprise a team of approximately 328 personnel fulfilling the regulatory obligations of the Division throughout the state.

The Division of Alcoholic Beverages and Tobacco continues to focus on a series of regulatory, technical, and process improvements geared toward promoting exceptional service to applicants, licensees, and other industry partners. These priorities are rooted in the guiding principle of the Department's mission – license efficiently, regulate fairly – and are supported by a renewed emphasis on the core values of the Department's personnel – accountability, innovation, integrity, ownership, responsiveness, respect, and teamwork. The Division is committed to identifying new efficiencies and improving the processes which underscore the Division's regulatory relationship with businesses licensed for the sale and service of alcoholic beverages and tobacco in Florida.

**Responding Effectively to Trends of License Growth**

Based on the license population data in Fiscal Year 2021-22, the statewide license population relating to alcoholic beverages has increased among several alcoholic beverage license types compared to Fiscal Year 2020-21 data. In particular, Division records reflect a continuing trend in growth of the manufacturing sector relating to malt beverages (7.2% increase) and distilled spirits (18.8% increase) during the fiscal year. Among the distilled spirits manufacturer licenses, manufacturers qualifying for the designation as a craft distillery increased by 21% in Fiscal Year 2021-22. In the vendor tier, the Division introduced 49 new quota alcoholic beverage licenses during the 2021 quota drawing entry period based on qualifying count population increases, in which a public drawing was held June 21, 2022.

The Division continues to evaluate and implement more efficient process management tools for accountability and consistency in the handling of applications for an increasing license population.

Additionally, in response to the increase in the issuance of new licenses, the Division is in the process of redeploying its assets to meet the growth. The Division is redistributing staff resources by assigning auditors and inspectors to the areas of the state to match growth and reduce travel time and reduce expenses associated with audits and inspections. This is being accomplished by stationing telework staff around the state in zones (counties, two to ten depending on license population) to strategically stage the auditor or inspector in close proximity to the licensees in their respective areas. This gives the Division the opportunity to effectively



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reach licenses that may not have been reached previously due to the lack of available resources. This redeployment of resources is an opportunity to reach more licensees across the state and work hand-in-hand with them to improve the overall effectiveness and compliance of their alcoholic beverage license and/or tobacco, nicotine permit.

**Expediting Application Processing and Issuance of Temporary Initial Licenses**

In Fiscal Year 2021-22, the Division continued to emphasize performance measures relating to the processing of temporary initial licenses requested upon application for an alcoholic beverage license. Temporary initial licenses are crucial to the opening and transition of businesses across the state as these licenses enable a business to begin purchasing and selling regulated products while the application for a permanent license is under review by the Division. While processing more than 5,700 applications requesting a temporary initial license for the Fiscal Year 2021-22, 3,463 applications (61%) were deemed non-deficient with an average of 8.43 days, while 2,251 applications (39%) were deemed deficient with an average of 31.63 days for processing temporary initial licenses. Historically, the rate of non-deficient incoming applications exceeded 80%. However, with the advent of the Department's online application system, there has been a steady rise in deficient submissions as the system has no mechanism to prevent the submission of applications missing critical data. Thus, while applicants may now submit applications online, processing times have increased due to the vastly increased workload associated with the rise in deficient submissions requiring additional follow-up and triggering Chapter 120 based deficiency procedures.

**Enhancing Quota Drawing Entry Processes with Online Entry Options**

For the 2016 quota drawing entry period, the Division introduced an option of an online entry form for filing of drawing entries, which resulted in 1,485 of the 12,271 total entry forms, or approximately 12%, being submitted online during the entry period. In 2021, the percentage of online entries for the quota drawing entry period was 72%, or 25,527 of the 35,649 total qualified entries received. The Division remains committed to enhancing the online entry option in the interest of expediting the drawing processes following the close of the entry period for future annual drawings.

**Monitoring Population-Restricted Licenses Compared to Special License Exceptions**

Currently, there are 5,861 quota licenses issued across the state. In contrast, there are currently 12,491 non-quota licenses authorized to sell liquor in the state of Florida, creating a situation where the population of licenses issued as exceptions to the quota-based system more than doubles the amount authorized by Section 561.20(1), Florida Statutes. These numbers are consistent with the previous fiscal year, where there were 5,776 quota licenses and 11,752 non-quota licenses authorized to sell beer, wine, and liquor. The Division will continue to monitor this trend in license authority and license issuance as a comparative tool in future policy development relating to the beverage law.

**Transitioning Taxpayer Filers to Electronic Filing in an Upgraded EDS System**

Launched in September 2017, the Division substantially upgraded the Electronic Data Submission (EDS) system thus improving the tax collection process, by providing more convenient, user-friendly industry reporting platforms for monthly reports submitted by licensees. Since launching the system upgrade, efforts to promote electronic filing and enlist new system users have helped drive a continued increase in the electronic filing rates for monthly reports. For example, in August 2017 right before the launch of the system upgrade,

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approximately 57% of licensee's monthly reports were submitted through the EDS system. In contrast, data associated with May 2021 report filings reflect that electronic filing of those same monthly reports has increased to 96%. On June 21, 2021 the Governor signed SB 1966 creating Chapter 2021-135, Laws of Florida (L.O.F.), making electronic reporting mandatory for entities holding a Florida license. In response to the change in statute, in Fiscal Year 2021-22 electronic reporting for entities holding a Florida license was 100%. Efforts to increase user adoption of electronic filings for out-of-state non-licensed entities are ongoing and are aimed toward a goal of 100% of filings being facilitated through the online system in the future.

**Increasing Compliance Inspections and Minimum Age of Purchase Surveys**

In calendar year 2019, the Division substantially exceeded an internal operational goal of increasing both the total number of completed compliance inspections at licensed premises and the total number of compliance surveys relating to the minimum age of purchase requirements in Florida law by 15%. This increased productivity among the inspection and survey compliance programs contributed to an increased frequency of inspections and surveys across the license population, and in practice, strengthened the fairness by which regulatory standards are applied across all licenses in the marketplace. For a majority of calendar year 2020, routine inspections and surveys were temporarily suspended in order for the Division to focus on Emergency Orders issued by the Governor as a result of the COVID-19 pandemic. As a result, the Division re-focused efforts to increase the number of inspections and surveys by at least 15% for Fiscal Year 2021-22. The Division continues to monitor performance in these core programmatic objectives to determine additional opportunities for improving productivity and frequency of compliance inspections and surveys.

**Advancing Quality Control and Informational Value in Routine Compliance Inspections**

The Division's enrichment of the compliance inspection program, including an in-depth review of the compliance factors investigated on the Division's routine inspection forms and enhanced training of investigation specialists who evaluate compliance of licenses regulated by the Division, was completed in 2019 and has been sustained through this current fiscal year. As a result of this continual monitoring and focus on quality assurance, the Division recently found that the error rate associated with the inspections conducted dropped by 62%. This reduction in errors found in the inspection process demonstrates the overall effectiveness and benefit of these newly developed quality assurance programs. Due to these positive results, the Quality Assurance Reviews will continue for inspectors and the reviews will be broadened to include administrative assistants and possibly other positions in the future.

The Division continues to work on developing a proximity-based approach of stationing telework staff around the state in zones (counties, two to ten depending on license population) to strategically stage the inspector in close proximity to the licensees in their respective areas. A teleworking program for inspectors was initially piloted by the Division to assess the viability of assigning inspectors to individual counties to increase efficiency and effectiveness. The initial program pilot was started in the Pensacola/Panama City areas and the results demonstrated an increase in efficiency, a more intimate knowledge by the inspector of their designated work area, as well as an opportunity to inspect more licensed locations per year. Based on these initial findings, the inspections that were assigned using the proximity-based approach showed strong signs of productivity and as a result, this method will continue in the coming fiscal year

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The Division continues to develop processes associated with bills such as SB 1080 (Chapter 2021-14, L.O.F.) otherwise known as the “Tobacco 21” bill and SB 148 (Chapter 2021-30, L.O.F.) otherwise known as the “Cocktails to Go” bill, both signed into law by Governor DeSantis in 2021. These two examples of the implementation of licensing nicotine dispensing devices as well as the regulation of permitting alcoholic beverages on a “to go” basis from licensees across the state may cause an anticipated increase in workload but the amount is undetermined at this time.

### **DIVISION OF CERTIFIED PUBLIC ACCOUNTING**

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The regulatory authority of the Division of Certified Public Accounting is found in Chapter 455, Florida Statutes (DBPR General Provisions), Chapter 473, Florida Statutes (Public Accountancy) and Chapter 61H1, F.A.C. (Board of Accountancy).

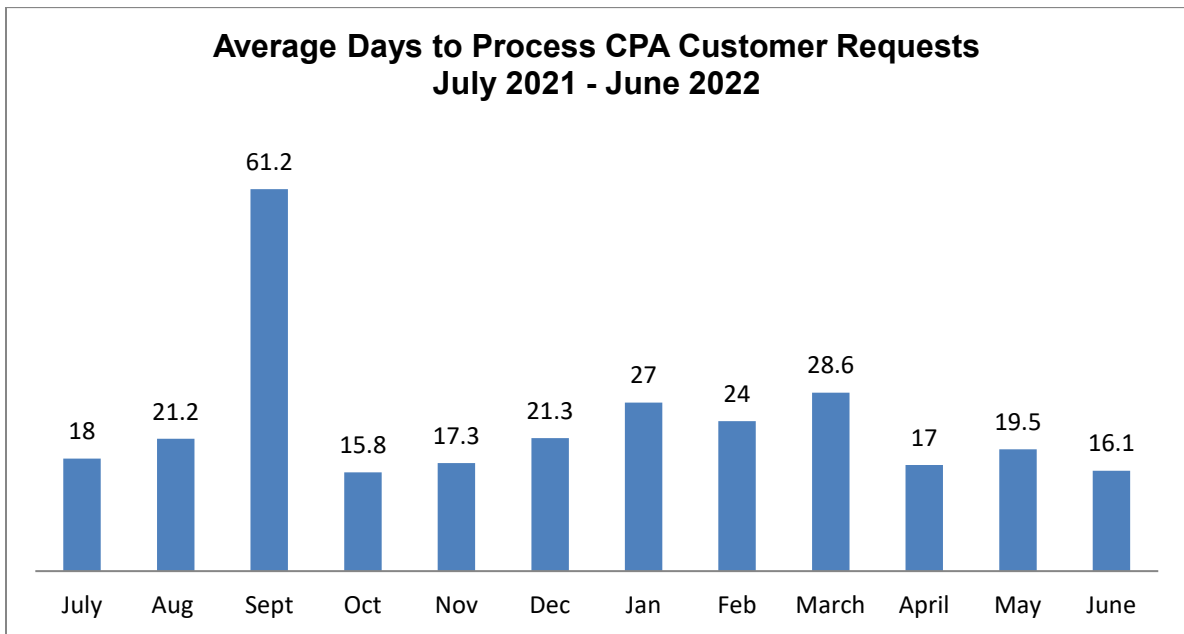
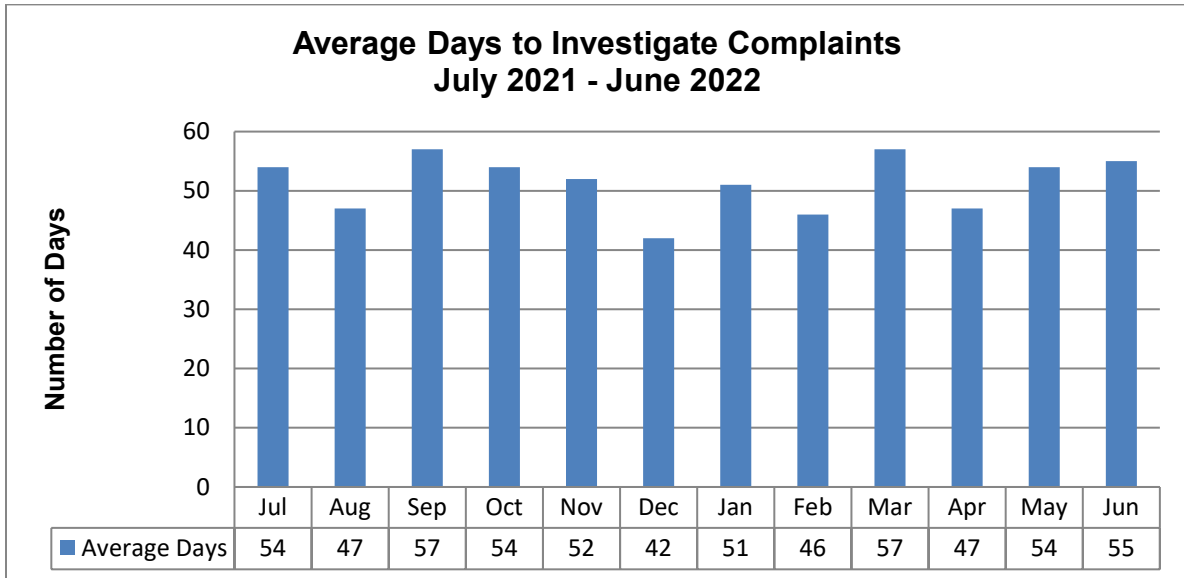
Section 473.303, Florida Statutes, provides for the creation of the Florida Board of Accountancy (Board). The Board consists of nine members: seven certified public accountants (CPAs) and two consumer members. The Board’s responsibilities are to approve or deny the issuance of licenses, certifications, and permits; take disciplinary action against licensees; and adopt rules, including licensing qualifications, examination standards, standards of practice and standards for continuing professional education.

Section 473.3035(1), Florida Statutes, establishes the Division’s duties relating to the examination, licensing and regulation of public accountancy for the purpose of protecting the public welfare. This section charges the Division with recordkeeping services, examination services, legal services, investigative services, support of the Board and those services outlined in Chapter 455, Florida Statutes, necessary to perform the duties outlined in Chapter 473, Florida Statutes.

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, tracking discipline, providing industry education through speaking engagements and participation at industry-related tradeshows. The Division provides direct administrative support to the Board and investigates licensed and unlicensed complaints. The Division processes applications for ethics continuing professional education sponsors, applications for examination, applications for licensure of individuals, and applications for firms.

The Division supports the Department’s mission to license efficiently and regulate fairly. The Division’s priorities include timely processing applications and conducting investigations. The charts below represent, in days, the average time to investigate complaints and process CPA customer requests, including examination and licensure applications.

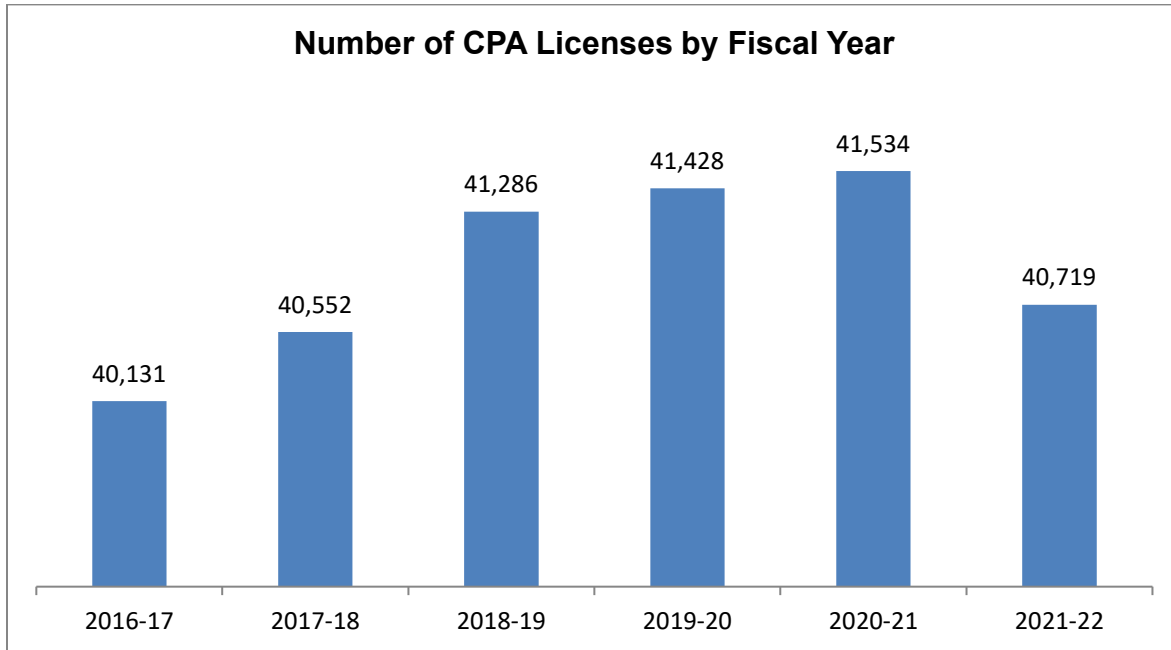
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The Division is responsible for the examination, licensing and regulation of 35,639 Certified Public Accountants and 5,080 Certified Public Accounting firms for a total of 40,719 licensees. The Division estimates the overall number of licensees will remain fairly constant for Fiscal Year 2023-24, and this trend is anticipated to continue for the foreseeable future.



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The table below shows the new application licensing activity for the time period Fiscal Year 2017-18 through Fiscal Year 2021-22.

*CPA new application licensing activity five-year trend:*

<b>Activity</b>	<b>FY 2017-18</b>	<b>FY 2018-19</b>	<b>FY 2019-20</b>	<b>FY 2020-21</b>	<b>FY 2021-22</b>
CPA Examinations	1,729	1,705	2,103	1,903	1,846
Endorsements	566	550	664	670	916
Reactivations	169	151	224	209	309
Original Licensure	826	789	894	914	815
Ethics CE Sponsors	10	45	4	41	19
Temporary Permits	138	94	86	57	61
Accountancy Firms	322	262	330	310	345
Complaints	518	456	435	399	296

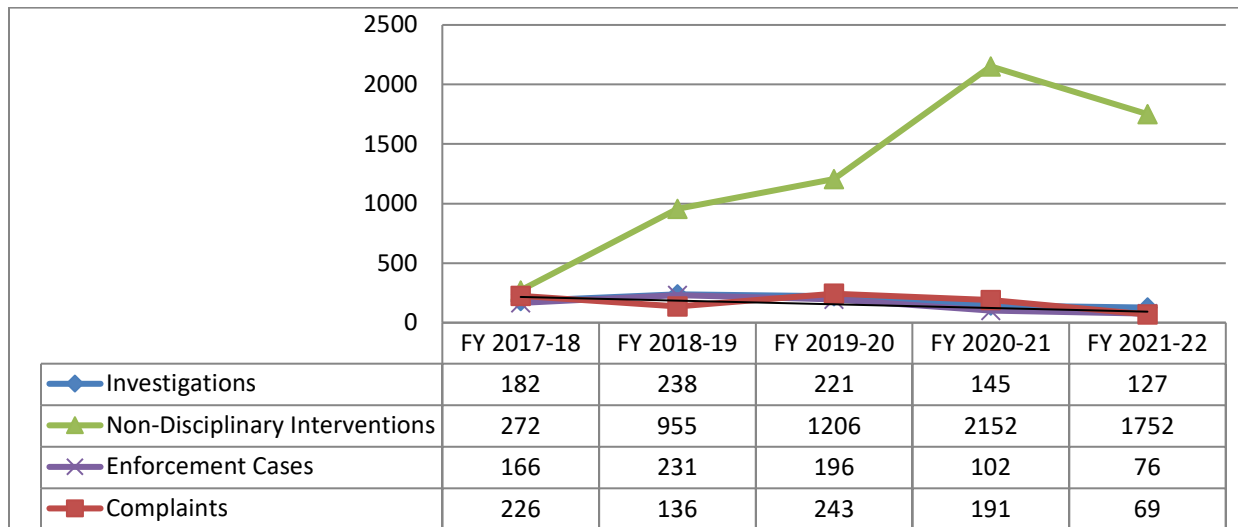
During the 2021 Legislative Session, Senate Bill 616 was passed and signed into law by Governor Ron DeSantis on June 16, 2021. Effective July 1, 2021, a nonresident licensee seeking renewal of their Florida CPA license will be determined to have met the continuing professional education (CPE) requirements, except for the Florida Board-approved ethics requirement, if they have completed the CPE requirements of the state in which their office is located. If the state has no CPE requirement, licensees are required to comply with the CPE requirements set forth in Section 473.312, Florida Statutes.

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**DIVISION OF DRUGS, DEVICES AND COSMETICS**

Pursuant to Section 20.165 and Chapter 499, Florida Statutes, the Division is responsible for safeguarding Florida’s public health through inspections, investigations and audits to ensure compliance with applicable federal and state laws and rules relating to the manufacturing and distribution of drugs, devices, and cosmetics. The Division protects the public from injury caused by the use of adulterated, contaminated and misbranded drugs, drug ingredients, and cosmetics.

The Division’s primary focus is effectively and efficiently administering Florida’s licensing and regulatory framework in a manner that is consistent with the framework established by the federal government and the Department’s mission to license efficiently and regulate fairly. The Division prioritizes compliance over enforcement and actively engages industry participants to develop alternative methods to ensure compliance. As shown on the chart below, the Division’s compliance-based approach to regulation has led to an increase in non-disciplinary interventions; therefore reducing the number of enforcement cases during the past two fiscal years, 2021-22 and 2020-21. While the utilization of these non-disciplinary interventions has decreased the number of enforcement cases opened over these past two fiscal years, this approach has resulted in a substantial increase in the total fines and forfeitures received during each of these past two fiscal years as the Division has utilized enforcement cases against regulated establishments that are committing more serious violations.



The Division is continuing to increase the utilization of technological resources to facilitate the online submission of both initial and renewal permit applications. The Division is also continuing to work with industry stakeholders to collaboratively ensure that the Division’s actions protect the public, while preserving and promoting the growth of the industry within the state. As part of this initiative, the Division transitioned its biennial renewal process for qualifying Health Care Clinic Establishment (HCCE) permit holders to an automatic renewal approval in June of 2021. This change allows for a faster and more efficient renewal process and is a benefit to both the Division and the HCCE permit holders. This process provides a more streamlined renewal

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process for applicable permit holders and also reduces the possibility of permit holders having a break in service during their renewal process.

In June 2019, the Florida Legislature enacted Chapter 2019-99, L.O.F. (House Bill No. 19), which became effective July 1, 2019. The new law created the prescription drug importation programs. The programs established are the Canadian Prescription Drug Importation Program (Canadian Program) and the International Prescription Drug Importation Program (International Program). The Division is responsible for the establishment and oversight of the International Program and the Agency for Health Care Administration (AHCA) is responsible for the establishment and oversight of the Canadian Program. Under this legislation, a new international prescription drug wholesale distributor permit type is required that will allow qualifying wholesale distributors outside of the United States to engage in wholesale exportation and distribution of prescription drugs into the state. Subsequent to establishment of Florida's Prescription Drug Importation Program as enacted in 2019, the United States Food and Drug Administration enacted federal requirements related to the importation of prescription drugs. Under these federal requirements, AHCA has moved forward with a proposal to implement prescription drug importation within Florida under provision of the Canadian Program within House Bill No. 19.

While the Division has provided support to AHCA in the development and submission of Florida's FDA proposal to obtain approval to enact prescription drug importation, current federal requirements provide no pathway for Florida to proceed at this time with prescription drug importation under the provisions of the International Program within House Bill No. 19. The Division is monitoring any possible changes to federal regulations that may allow the implementation of the International Program at some point in the future and is currently in the process of developing this new international prescription drug wholesale distributor permit type and the related rules and regulatory processes necessary under the provisions of the International Program within House Bill No. 19. If federal regulations are enacted that allow Florida to proceed with the implementation of the International Program, it is projected that Florida legislation may need to be revised to align all provisions of the International Program with the requirements of any final, federal provisions and at this time the Division will work to make these legislative proposals as well as changes to the new application types and rules necessary to enact the International Program. At this time, the Division would also incur a significant cost to both enact the International Program and to monitor and regulate the participants within the program on an ongoing basis.

In January 2020, the agency launched additional online services to improve convenience and efficiency of renewal and initial application submissions. Both new and renewal applications for permits issued by the Division are now available online providing for a more timely and efficient application process.

The Florida Legislature enacted Senate Bill 1966 (Chapter 2021-135, L.O.F.), which became effective July 1, 2021. Legislation within Senate Bill 1966 impacted the Division by creating a citation program, a temporary permit option for licensees undergoing a change of ownership or a change in physical location and an exemption from permitting for cosmetic manufacturers with less than \$25,000.00 in annual gross sales. Legislation within the citation program and the temporary permit options provide regulated entities with options that were not previously available. Through the citation program, regulated entities will have an option to settle certain

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violations quickly through payment of a non-disciplinary fine. This process will allow regulated businesses and the Division to reduce the legal expenditures necessary to address these qualifying violations as often required prior to this option.

Options provided under the temporary permit legislation provide licensees undergoing a change of ownership or a change of location the ability to obtain a temporary permit allowing them to continue operations for up to 90 days while completing the final application required due to the respective change. The exemption for qualifying cosmetic manufacturers allows those “mom and pop” cosmetic manufacturers located within Florida to establish and operate their businesses without the regulatory burden and cost of obtaining the biennial cosmetic manufacturing permit. The Division will continue to ensure the health, safety and welfare of Florida’s public through the licensure of Florida’s cosmetic manufacturers not qualifying under the exemption and the inspection of their facilities for compliance with both federal and Florida laws governing cosmetic manufacturing, including good manufacturing processes, policies and procedures, and adequate record keeping. While this amendment will reduce application fees paid to the Division for issuance of cosmetic manufacturer permits, the benefit gained from the re-allocation of human capital to the processing of other permit types should provide a faster and more efficient process to review and complete these other application types.

Effective July 1, 2022, the Division has gained two new positions that eliminated four Other Personnel Services (OPS) Medical Gas positions and established two new, full-time inspector positions (one Drug Inspector and one Medical Gas Inspector). These positions address continuing problems within the Division with turnover and recruiting of the OPS Medical Gas positions. This was implemented with no increase in budget dollars for the Division and the workload within the Division can be better addressed with these two additional full-time positions located in the Division’s South Florida footprint. With the addition of the two additional FTE positions, the Division anticipates an increase of 5% in the number of licensees and inspections performed over the next five years.

## **FLORIDA ATHLETIC COMMISSION**

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The Florida Athletic Commission regulates professional boxing, kickboxing and mixed martial arts and approves amateur sanctioning organizations pursuant to Chapter 548, Florida Statutes, and Chapter 61K1, Florida Administrative Code (F.A.C.). The Commission’s mission is to protect the health and welfare of participants and to maintain the integrity of the combat sports industry. The Commission collects revenue through license/live event permit fees, fines, and taxation on gross receipts associated with live events.

Amateur combat sports, particularly amateur mixed martial arts, continue to rise in popularity in Florida. Amateur sanctioning organizations are licensed to monitor and oversee amateur activities. Currently, there are 41 licensed amateur sanctioning organizations. 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. The Division of Regulation conducts compliance checks on behalf of the Commission.

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Over the last five years, the number of professional combat sports events ranged from a low of 49 in Fiscal Year 2019-20 (due to the COVID-19 pandemic) to a high of 131 in Fiscal Year 2021-22. The Florida Athletic Commission expects the demand to host combat sports events in Florida to remain high. The Commission expects the annual total of events to be in excess of 100 for the foreseeable future. The chart below shows the total number of boxing, kickboxing and mixed martial arts events over the last five years.

<b>Events</b>	<b>FY 2017-18</b>	<b>FY 2018-19</b>	<b>FY 2019-20</b>	<b>FY 2020-21</b>	<b>FY 2021-22</b>
Mixed Martial Arts	27	27	25	31	71
Boxing	29	31	22	66	60
Kickboxing	0	1	2	3	0
<b>Total Events</b>	<b>56</b>	<b>59</b>	<b>49</b>	<b>100</b>	<b>131</b>

**DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES**

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The Division of Florida Condominiums, Timeshares and Mobile Homes is charged with providing oversight of the Florida residential communities the Division regulates through education, complaint resolution, mediation, arbitration, and developer disclosure.

In keeping with the Department’s mission to license efficiently and regulate fairly, the Division has set the following as goals for Fiscal Year 2022-23:

- Continue to increase efficiency through the complaint intake and checklist process,
- Utilize social media for communication and education,
- Revitalize the education program for increased effectiveness of educating condominium unit owners and board members.

Condominiums

The Division expects to see continued growth of condominium development, as well as increases in the number of condominium-related complaints as unit owners scrutinize the actions of their condominium association boards. The number of condominium units in Florida increased from 1,529,828 units in Fiscal Year 2020-21 to 1,531,169 units in Fiscal Year 2021-22. During the same period, the number of complaints decreased with the Division receiving 1,610 in Fiscal Year 2020-21 compared to 1,595 in Fiscal Year 2021-22.

Timeshares

Florida, specifically the Orlando metropolitan area, continues to be the timeshare capital of the world. The Division has experienced increases year-to-year in the number of filings for new timeshare projects; however, this year experienced a decrease. Filings for new timeshare projects increased from two in Fiscal Year 2020-21 to three in Fiscal Year 2021-22. During the same time period, the number of complaints decreased from 929 in Fiscal Year 2020-21 to 396 in Fiscal Year 2021-22.

Yacht and Ship

The yacht brokerage industry and ancillary support businesses serve as an economic stimulant to Florida’s economy. In support of this industry, the Division’s Yacht and Ship section licenses yacht brokers/salespersons and investigates complaints alleging violations of the Yacht and

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Ship Brokers' Act allowing buyers and sellers from the U.S. and around the world to feel confident transacting business in Florida. There have been increases year-to-year in the number of licenses issued. The number of licenses increased from 3,718 in Fiscal Year 2020-21 to 3,998 in Fiscal Year 2021-22. During the same period, the number of complaints decreased with the Division receiving 22 in Fiscal Year 2020-21 compared to 18 in Fiscal Year 2021-22.

*Mobile Homes*

Owners and residents of mobile home parks face unique real estate challenges. In the face of development pressure to convert the underlying land of a mobile home park to its "highest and best use," mobile home park owners and mobile home park residents spar over the balance between the fee charged for the level of service provided within the mobile home park. The Division expects the trend of mobile home park closures to outpace the establishment of new mobile home parks and for the number of mobile home related complaints to decrease year to year. The number of mobile home parks remained the same at 2,289 from Fiscal Year 2020-21 to Fiscal Year 2021-22. During the same period, the number of complaints decreased with the Division receiving 165 in Fiscal Year 2020-21 compared to 131 in Fiscal Year 2021-22.

**DIVISION OF HOTELS AND RESTAURANTS**

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Chapter 509, Florida Statutes, provides the Division of Hotels and Restaurants with responsibility and jurisdiction for conducting inspections of food and lodging establishments. Each food service establishment must be inspected on a risk-based frequency at least once and not more than four routine inspections annually. Each licensed transient lodging 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 and timeshare projects are not subject to this requirement, but must be made available to the Division for inspection upon request.

The Bureau of Elevator Safety licenses and regulates elevators, escalators, and other vertical and inclined conveyance devices pursuant to Chapter 399, Florida Statutes. 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's oversight role for over 59,000 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 Bureau also provides facilitation and administrative support to the Elevator Safety Technical Advisory Council (ESTAC).

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.



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The table below shows the percentage of statutorily required inspections that were completed by fiscal year beginning in Fiscal Year 2012-13.

	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21	FY 21-22
Percent Completed Inspections	99%	99%	98%	92%	82%	62%	83%	94%	98%	98%

Statutorily required inspections are comprised of public food service establishments, transient public lodging establishments, and non-transient apartments. In Fiscal Year 2021-22, the Division completed 98% of the statutorily required inspections for public food service establishments and 97% for public lodging establishments, which compares similarly with Fiscal Year 2020-21.

There continues to be sustained annual growth in the number of food and lodging establishments statewide, and it is anticipated that this trend will continue. The following chart illustrates the growth of food and lodging establishments and the percentage increase of each from Fiscal Year 2008-09 to Fiscal Year 2021-22.

**Business Volume Change from Fiscal Year 2008-09 to Fiscal Year 2021-22**

	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16
Food Accounts	44,697	45,327	46,315	47,251	47,782	48,607	49,966	51,532
Lodging Accounts	37,898	37,273	37,544	37,897	37,944	38,479	40,192	40,341
Total Accounts	82,595	82,600	83,859	85,148	85,726	87,086	90,158	91,873

	FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21	FY 21-22	Percent Growth from FY 08-09 to FY 21-22
Food Accounts	52,973	54,452	55,640	56,920	58,270	60,313	34.9%
Lodging Accounts	41,931	44,904	47,337	50,342	53,492	63,690	68.0%
Total Accounts	94,904	99,356	102,977	107,262	111,762	124,003	50.1%

Effective November 1, 2019, the Division adopted the 2017 Food and Drug Administration (FDA) Food Code, which is the most current FDA Food Code in circulation and provides practical, science-based guidance and enforceable provisions for reducing risk factors known to cause or contribute to foodborne illness. The Division updated from the 2009 FDA Food Code to ensure that it maintains an effective program for the prevention of foodborne illness and consumer safety. The Division continues to monitor the pending publication of the 2021 FDA Food Code and will make an assessment upon its release, which has not yet occurred.

During Fiscal Year 2020-21, the Division began enforcement of Section 509.096, Florida Statutes, which mandates human trafficking awareness training and policies for employees of public lodging establishments. This law was enacted by the 2019 Legislature and requires public lodging establishments to implement specific measures with the intent of identifying and reporting instances of suspected human trafficking. The Legislature appropriated one additional

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Training and Research Consultant position in the Office of Program Quality to facilitate the review and approvals of employee training curriculums, as well as to provide ongoing program coordination for human trafficking prevention. The Legislature also appropriated three additional senior inspector positions to offset workload increases resulting from the enforcement of the new requirements. These positions were part of a package of 25 additional positions appropriated to the Division during the 2020 Legislative Session and all positions were filled during the 2020-21 fiscal year. This increased staffing enhances the Division's ability to effectively fulfill its regulatory role, including the completion of statutorily-required inspections and the enforcement of human trafficking prevention requirements.

The Hotels and Restaurants Advisory Council was created by Section 509.291, Florida Statutes, to promote better relations between the industry and the Division and suggest ways to better protect the health, safety and welfare of persons using the services offered by the hotel and restaurant industries. The Hotels and Restaurants Advisory Council meets annually and as otherwise necessary.

The Elevator Safety Technical Advisory Council was created by the 2004 Florida Legislature to provide technical assistance to the Division in support of protecting the health, safety, and welfare of the public and to give the Division the benefit of the Council members' knowledge and experience concerning the industries and individual businesses affected by the laws and rules administered by the Division. 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.

## **DIVISION OF PROFESSIONS**

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Pursuant to Chapter 455, Florida Statutes, the Department's Division of Professions is responsible for the licensing of over 450,000 professionals. The Division's organizational structure includes the Director's Office, the Board/Council Offices, Florida Building Codes and Standards, and the Bureau of Education and Testing (BET).

The Division administers 12 professional boards, one council, and five Department-regulated professions. The professions include: architects and interior designers, asbestos consultants and contractors, 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 includes four shared board offices and the Construction Industry Licensing Board office. The staff of each board office provides support for multiple boards. The shared offices' principal duties include: scheduling board meetings, preparing agendas, assembling applications and disciplinary files for board review, attending and providing support during board meetings, and tracking discipline.

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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 12 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 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 Bureau of Education and Testing has responsibility for exam development and administration, processing continuing education provider and course applications and monitoring licensees to ensure that the license holders have met continuing education requirements.

The Office of Codes and Standards is also administered by the Division and includes the Florida Building Commission (Commission) and programs related to the Florida Building Code and the Manufactured (Modular) Building Program. The primary responsibility of the Commission is to update the Florida Building Code (Code) every three years, modify the Code through the "glitch" amendment process, and issue interpretations of the Code. The Commission administers the Product Approval System, an optional statewide approval for eight specified products: panel walls, exterior doors, roofing products, skylights, windows, shutters, structural components and impact protective systems.

During Fiscal Year 2021-22, the Florida Building Commission commenced the triennial update process for the Florida Building Code. During the first step of the code update process the Commission reviewed approximately 1,315 model code changes and approved 647 of the model code changes for inclusion in the Florida Building Code, 8<sup>th</sup> Edition, (2023).

During Fiscal Year 2021-22, approximately 2,223 product approval applications were processed for compliance with the Florida Building Code, 7<sup>th</sup> Edition, (2020). The Commission also administers the accreditation program for advanced continuing education courses to ensure compliance with the Florida Building Code. During Fiscal Year 2021-22, the Commission processed 21 new course applications. The Commission also processed two administratively approved course applications and three self-affirmed course applications.

The Manufactured (Modular) Building Program ensures modular structures built in a manufacturing facility are designed, constructed, and inspected in compliance with the Florida Building Code. In Fiscal Year 2021-22, the Program processed 48,784 insignias (decals) for manufactured buildings. Insignias were processed for 56 factory-built schools, 2,980 manufactured buildings, 1,542 panelized buildings, and 44,206 sheds.

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 noncontroversial applications by the Department, without having to wait for a scheduled board meeting, allows for more expedient licensure.

A few of the objectives achieved by the Division during Fiscal Year 2021-22 were:

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- The percent of escalations (customer inquiries from the Customer Contact Center) remained at 1% as a result of improved communication within the business units and recurring annual training;
- In Fiscal Year 2021-22, \$2,736,747.41 was awarded in claims from the Homeowner's Construction Recovery Fund;
- The Florida Building Commission processed approximately 2,223 product approval applications (all of which were processed by staff);
- The Bureau of Education and Testing administered 1,042 examinations in pencil and paper format and 134,551 examinations administered in computer-based testing format, for a total of 135,593 examinations administered;
- 291 examinations were administered to military personnel located at in-state, out-of-state and overseas testing locations;

Based upon an analysis of data from the Department's licensing system, Versa: Regulation, the Division experienced increases/decreases in the following areas as shown on the following chart:

	Applications Referred for Board Review		Cases Referred to Professions for Board Discipline		Disciplinary Actions Sustained by Board (Final Orders)		Licensed Accounts	
	Count	% change	Count	% change	Count	% change	Count	% change
FY 2016-17	6,947	3.47%	852	28.31%	1,372	91.89%	434,574	0.13%
FY 2017-18	7,958	14.55%	927	8.80%	833	-39.29%	456,875	5.13%
FY 2018-19	9,062	13.87%	1,052	13.48%	1,313	57.62%	460,857	0.87%
FY 2019-20	8,192	-9.60%	923	-12.26%	1,161	-11.58%	491,021	6.55%
FY 2020-21	7,665	-6.43%	1,036	12.24%	1,652	42.29%	482,886	-1.66%
FY 2021-22	7,982	4.14%	600	-42.08%	1,317	-20.28%	506,210	4.83%

In Fiscal Year 2021-22, the number of applications referred for board review increased by 4.14% to 7,982. Disciplinary cases referred for board discipline decreased by 42.08%, and the number of disciplinary actions decreased by 20.28%. Professional licenses totaled 506,210, an increase of 4.83%. Excluding Fiscal Year 2020-21, the number of licensees over the last five fiscal years has increased an average of 4.3% per year. This trend is anticipated to continue for the foreseeable future.

For Fiscal Year 2021-22, online proctored testing options continued to be available to candidates for certain professional licenses. In coordination with DBPR's license examination provider, Pearson VUE, in Fiscal Year 2020-21, the online examinations expanded the capacity of examination seats and improved the availability of examination dates while testing centers implemented social distancing and other safety measures for in-person examinations.

Online, proctored testing continues to be available for the following professional license examinations:

- Asbestos Contractor
- Asbestos Consultant

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- Auctioneer
- Barbers
- Restricted Barbers
- Cosmetology – Theory
- Cosmetology – Clinical
- Certified Drug Representative
- Community Association Manager
- Landscape Architect Florida Section
- Veterinary Medicine Laws & Rules
- Real Estate: Sales Associate; Broker Associate; Instructor; Laws & Rules; and Florida Appraiser Supplemental Law & Rules

## **DIVISION OF REAL ESTATE**

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The Division of Real Estate is responsible for the examination, licensing, and regulation of more than 462,036 real estate professionals, corporations, schools, instructors and 9,148 appraisers. The mission is to protect the health, safety and welfare of the public. The objectives are to lead the nation in licensing and regulatory programs for both real estate and appraiser licensees.

### **GOAL: Enhance Florida's Pro-Business Climate**

The Division has worked hard to ensure Florida has a favorable regulatory climate for real estate professionals. In 2021, Florida's strong residential market was driven by in-migration and constant shortage of inventory and this market trend has continued into 2022. The Division currently has 462,036 real estate licensees as of June 2022. Through the course of the COVID-19 pandemic, the Division saw a huge increase in applications, due to real estate being deemed an essential service and people and businesses coming to Florida when the Governor lifted local emergency orders and banned vaccine passports.

The Department's Central Intake Unit in Tallahassee, as well as the Operational Service Unit in Orlando, continue to process a high volume of applications. In 2021 the Division, processed 70,187 initial applications for sales associates and brokers. As of June 2022, there were 34,909 initial applications for sales associates and brokers processed. Florida's real estate licensee base increased to 53,000 licensees or a 13% licensee growth in the past three years.

- In 2019 the Department received 50,032 Broker and Sales Associate applications.
- In 2020, the Department received 56,747 Broker and Sales Associate applications.
- In 2021, the Department received 70,187 applications – a 23.68% increase from the previous year, 2020, and a 40.28% increase from 2019.

### **GOAL: Remove Barriers to Business**

In 2021, the Florida Real Estate Commission (FREC) entered into a reciprocity agreement with Kentucky and West Virginia. FREC is looking at more reciprocity agreements with other states to enable more seamless transitions for real estate professionals from other areas of the country seeking to move and continue their business in Florida.

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As of December 1, 2021, real estate examination candidates for their real estate sales, broker and instructor examination the option to schedule and take their remote online proctored examination in Spanish. Since South Florida has a significant Spanish-speaking population, this allows citizens to take a remote real estate examination without any language barriers.

Moving forward, the Division is focused on advancements in technology to increase efficiencies to serve the growing license population; and to ensure the team remains at the forefront of developing issues and trends in the real estate arena to keep regulatory processes in line with the dynamics of this industry.

**GOAL: Reduce Operating Expenses and Increase Productivity**

FREC and the Florida Real Estate Appraisal Board (FREAB) approved real estate courses to be taught virtually, which allows more people the ability to learn from their home, provides a new platform for real estate instructors, and has helped the real estate industry be stronger than ever.

The Department is saving time and money by allowing the public the choice to appear virtually, telephonically or attending in person at the Florida Real Estate Commission and the Florida Real Estate Appraisal Board. This allows Realtors from the Panhandle to the Florida Keys the ability to watch and participate in meetings.

Over the next five years, it is expected that this will allow the public, applicants, attorneys and licensees to attend the meetings from across the state and the country, and will become a substantial cost-savings for the Division and taxpayers.

**GOAL: Protect the Health, Safety and Welfare of Floridians**

The Office of General Counsel (OGC) legal team and the Division investigators worked hard to ensure the public was protected from fraud and consumer harm. Real estate crimes account for the highest dollar loss to victims. These crimes have the farthest-reaching impact to individual victims, as well as business and the national economy as a whole. That is why real estate investigations for crimes committed by real estate licensees are being completed faster than ever by the Division's investigators (50 days). This is to ensure faster prosecution of people that are not following the rules and bringing them before FREC and FREAB faster than ever to minimize victim harm and to protect the safety and welfare of Floridians.

Floridians must feel confident they can rely on the Division to protect the public from real estate fraud, misrepresentations, concealment, schemes or any ethical violations. The Division will continue to look for ways to foster a business-friendly environment, while working even more quickly to protect Floridians.

Over the next five years, it is expected the license base will continue to grow, as more people and businesses move to Florida because of the tax incentive, the pro-business climate, and the record low interest rates. There is an estimated 845 people moving to the state per day until 2027, which is a reflection that the real estate market is booming.



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**DIVISION OF REGULATION**

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The Division of Regulation's 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. Additionally, the Division regulates the child and farm labor laws which are designed to protect the health and welfare of minors and farm workers employed in Florida.

Section 455.225, Florida Statutes, provides the general authority for the Division to analyze complaints to determine legal sufficiency and conduct investigations to report to the appropriate board or department.

Section 455.223, Florida Statutes, provides the authority for the Division to conduct inspections when authorized by statute. The statutes that grant this inspection authority are the Florida Barbers' Board and the boards of Cosmetology and Veterinary Medicine under Sections 476.184, 477.025, and 474.215, Florida Statutes, respectively. These statutes provide authority for the boards to establish, by rule, an inspection process to ensure compliance is achieved.

Chapter 450, Parts I and III, Florida Statutes, provide the authority for the Division's regulation of child and farm labor.

The Division of Regulation is comprised of several programs that are responsible for the regulation and enforcement of the statutes created by the Florida Legislature and rules promulgated by the boards, councils, and programs administered by the Department. The programs that comprise the Division are Complaints, Alternative Dispute Resolution, Investigations, Unlicensed Activity, Inspections, Farm Labor and Child Labor. The Division has 10 regional offices located throughout the state. The Division regulates in excess of 450,000 individuals and businesses, licenses and inspects over 1,500 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 to consumers are additional avenues to help raise public awareness about the necessity of hiring licensed professionals.

**Complaints Unit**

Complaints against regulated professionals or professions are filed within the Complaints Unit in Tallahassee or any Regional Program Office. Complaints are prioritized based on the severity of the alleged incident. This allows the Department to dedicate resources to investigating and prosecuting those cases which have caused serious physical or financial harm to consumers. The number of complaints has increased due to Florida's strengthening economy as well as the ability to easily file complaints through the Department's online portal.

While the trend of the number of complaints continues to increase, the Division has been able to decrease the time it takes to investigate a complaint, providing a continued level of service to the consumer as well as the individual or business being investigated. The average time to investigate a complaint has been reduced from 120 days to approximately 75 days.

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There has also been a greater emphasis on resolving complaints using alternative methods such as mediation, citations and notices of non-compliance. These alternative means of complaint resolution reduce the amount of investigative and legal time, allowing the Department to focus on those that do harm to consumers. 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.

**Unlicensed Activity Program**

Through the Unlicensed Activity Program, the Division conducted 543 sweeps, 17 undercover enforcement operations and 640 educational outreach opportunities. Unlicensed activity sweeps and undercover enforcement operations are conducted as a part of the Division's proactive enforcement efforts. 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. Undercover enforcement actions are pre-emptive in that 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 to cease and desist, issuance of citations or the opening of investigative cases. Undercover enforcement operations and sweeps curtail unlicensed activity in the state, and provide media opportunities that can be used to increase community awareness about the Department's actions and the risks of hiring unlicensed individuals. Outreach efforts increase consumer and licensee awareness regarding license requirements and unlicensed activity, helping to reduce the total number of complaints.

The Unlicensed Activity Unit partnered with a marketing firm for a social media campaign across several social platforms. These social media campaigns were deployed across YouTube, Facebook and Instagram to both English and Spanish language audiences.

**Inspection Program**

The mission of the Inspection Program is to ensure that the health, safety and welfare of the public is protected by inspecting every licensed barber, cosmetology and veterinary establishment to ensure the sanitation and safety requirements for these establishments are adhered to; that those practicing these professions are duly licensed; and to actively seek out unlicensed activity relating to these professions. The Division performs inspections of each barber, cosmetology and veterinary establishment biennially. In addition, when new establishments are licensed, inspectors attempt to conduct an inspection of the establishment within 120 days of licensure. Establishments that have received discipline for a violation other than a minor violation are also revisited.

Currently the Division has 16 inspectors who are expected to perform a minimum of 1,200 inspections a year. This expectation is based upon the historical ability to accomplish the required inspections while still being an attainable goal for the inspectors. It is a reasonable number for inspectors to reach given the amount of work days, the time needed to conduct a thorough inspection, and the time necessary to travel between establishments.

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The Division expects the number of establishments to continue to grow as the economy improves and as licensing is made more accessible. Therefore, the average number of inspections per inspector is expected to increase.

**Farm and Child Labor**

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 minors. The Farm Labor Program examines and licenses farm labor contractors who supply Florida farmers with the 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 to ensure they are not working in hazardous occupations and checks employment records to ensure employers are adhering to proper work hours and break times for minors.

The following is statistical data for complaints, inspections and investigations.

<b>Activity</b>	<b>FY 2014-15</b>	<b>FY 2015-16</b>	<b>FY 2016-17</b>	<b>FY 2017-18</b>	<b>FY 2018-19</b>	<b>FY 2019-20</b>	<b>FY 2020-21</b>	<b>FY 2021-22</b>
Complaints	11,527	11,062	12,332	15,765	15,120	14,661	14,962	15,199
Investigations	5,237	5,055	5,434	6,098	5,641	6,082	4,719	4,376
Inspections	20,209	18,239	20,015	20,209	21,747	20,212	24,721	21,574
Farm Labor Investigations & Inspections	3,344	3,390	3,520	3,288	2,997	3,217	3,077	3,256
Child Labor Investigations & Inspections	8,161	10,029	8,526	11,329	10,915	7,822	8,757	5,976
Sweeps	655	828	722	937	713	430	406	543
Undercover Enforcement Operations	38	49	41	35	42	17	12	17
Average Inspections Per Inspector	1,263	1,140	1,251	1,347	1,450	1,263	1,545	1,348
Outreach Events	658	921	795	730	454	323	316	640

**Efficiencies and Advancements in Division of Regulation Processes**

The Division of Regulation notifies consumers of the status of their complaints by e-mail rather than the traditional letter when available. This saves time, paper and postage. The Division will also begin notifying respondents by e-mail, which is permissible under Section 455.275, Florida Statutes.

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The Division's online complaint process allows consumers to submit their complaints electronically through the Department's website. This has significantly enhanced the Department's goal of going paperless, reducing processing time and saving both the consumer and Department money by reducing postage costs. This fiscal year, the Division processed 6,235 online complaints.

The Fiscal Year 2021-22 General Appropriations Act proviso requires a report be submitted to the Legislature by November 1, 2022, addressing unlicensed activity functions. The report contains a detailed breakout of activities, revenues, and expenditures by board and/or profession.

The Division participates in Human Trafficking Task Force meetings around the state. These meetings allow the Division to partner and network with other agencies, local law enforcement, the State Attorney's Office, and advocacy groups. The Division's participation includes providing an overview of the Department with a primary focus on program areas which would most likely encounter a human trafficking situation, (i.e. child labor, farm labor and inspections).

The Division is experiencing the labor shortages that most businesses and agencies are experiencing after the COVID-19 pandemic. The Division is looking at alternative means to attract candidates and keep them through the recruiting process and looking at pay and working conditions. The increased turnover has caused the work to slow down while new staff is trained, and the Division is looking to stabilize this in the coming year.

## **DIVISION OF SERVICE OPERATIONS**

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The Division of Service Operations serves as the primary and centralized source of interaction with the Department's constituents. The activities of the Division are governed by Chapters 20, 23, 116, 120, and 455, Florida Statutes. The main responsibility of the Division is to provide operational support to the Department's professional boards and business units. This is accomplished through the Division's Customer Contact Center (CCC) and Bureau of Central Intake and Licensure (BCIL).

During Fiscal Year 2021-22, the Division continued to feel the impact of the COVID-19 pandemic and there was a significant turnover among employees. The pandemic required the CCC and BCIL to make changes to its hiring and training processes and look at other alternatives to maintain its daily operations. Employees who left the Division and transferred to other divisions within the Department were hired back as Other Personnel Services employees to work outside normal business hours to assist with the backlog of applications.

The CCC provides applicants, license holders, and the general public access to licensure information through the assistance of an interactive voice response system (IVR), call center agents and the Department's web portal. The CCC currently employs 85.5 call agent positions. In Fiscal Year 2021-22, the CCC's incoming call volume was over 1.47 million calls. The staffing issues reduced the answer rate to 58.13%, and increased the wait time to 38 minutes and 9 seconds. The response time to incoming e-mails also saw similar increase. The e-mail

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volume for Fiscal Year 2021-22 was 175,250. The average response time for e-mails was 191.34 hours. A Spanish speaking agent has been requested by 5.29% of the callers.

The BCIL is the one-stop shop solution for intake of licensure applications and payments for 28 professions regulated by the Department. The primary functions of the Bureau include operating a customer service window, mail intake, payment processing, application processing, and license maintenance. Collectively, the Bureau's functions and infrastructure provide a seamless process to applicants for licensure. The average processing time for initial licensure applications was 13.52 days during this period. The impact to the average processing time comparatively to Fiscal Year 2021-22 was two-fold. First, there was an industry impact from the COVID-19 pandemic that has persisted in this fiscal year and there was a significant increase in the number of applications. Second, there was a significant shortage of personnel to process applications in spite of continuous hiring efforts and a lack of qualified applicants.

The Division's main goal is to provide premier centralized services to licensees, applicants and the general public in order for professionals and businesses in Florida to be licensed as quickly as possible. The Department is committed to meeting customer expectations through the quick and convenient access to online applications, online/IVR payment options, and updated FAQs. All initial applications are now available on the Department's website. Over the next fiscal year, the Division will continue to focus on the following objectives:

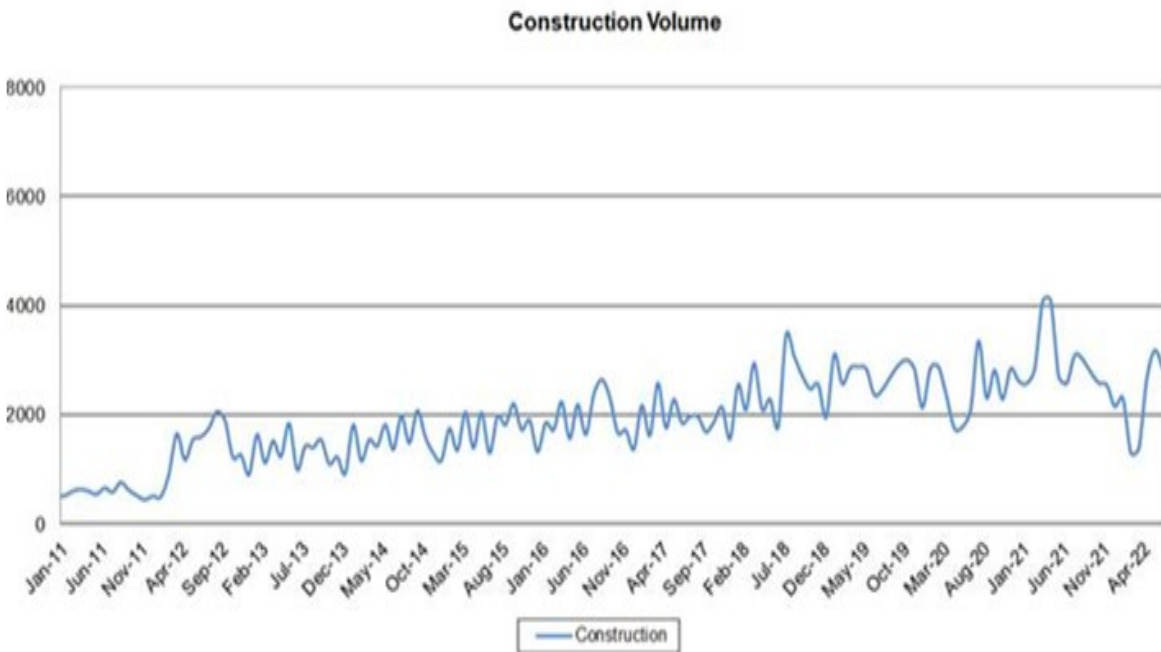
- Fully staffing all vacant positions;
- Expedient processing of license applications;
- Improvements to self-printing of licenses;
- Online application forms and submission of supporting documents; and
- Reduced wait time for agent-assisted calls.

One of the Department's priorities is to provide a simplified and convenient application process for all licensees. The Department's Versa: Online application system automates the licensure process by providing the applicant the ability to simultaneously submit applications, supporting documentation and payments electronically. Since its inception in 2010, the Versa: Online system has seen an increase in its usage. In Fiscal Year 2021-22, the percentage of applications submitted online averaged 68% and reached a high of 76%, reducing the amount of paper applications during this same period of time. The majority of the electronic submittals include professions such as real estate and cosmetology, which represent 57.66% of the applications received by the Department.

Since Fiscal Year 2011-12, the Department has seen a significant increase in the number of applications received for the Real Estate Commission and the Construction Industry Licensing Board. The consistent increase in applications is due in large part to an economic recovery. The volume of initial applications for the Real Estate Commission has increased 160% from an average of 2,247 per month in Fiscal Year 2011-12, to an average of 5,853 per month in Fiscal Year 2021-22. The volume of initial applications for the Construction Industry Licensing Board has also grown. Since Fiscal Year 2011-12, the construction application volume has increased 177% from an average of 903 per month to an average of 2,498 per month in Fiscal Year 2021-22.

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**Self-Printing of Department Licenses for Regulated Professions**

In June 2015, the Department implemented an initiative to allow all real estate licensees to print their professional licenses through their Department online account. Currently, licensees in the following professions are able to print their licenses: real estate, real estate appraisal, talent agents, athlete agents, home inspectors, mold related services, asbestos, employee leasing, veterinary medicine, geology, electrical, construction, community association managers, harbor



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pilots, architects and interior designers. In August 2019, the Department completed the implementation by incorporating these professions: certified public accountants, cosmetologists, barbers, landscape architects, auctioneers and building code.

Almost 1,093,382 licensees are now able to print their licenses as soon as the Department approves, updates, or renews them. This change eliminated the delay the licensees previously experienced to enter Florida's workforce by seven to 10 business days as they no longer have to wait for the licenses to be mailed to them. This change provides a cost savings to the Department and the citizens of Florida.

In December 2019, the Department implemented a mechanism to notify licensees of their renewal requirements electronically. Prior to the implementation, the Department sent out renewal notices along with renewal information inserts using a mailing service. This change is a cost savings to the Department of around \$635,255 biannually.

To process applications more expeditiously, the Division has designed and implemented technological solutions that streamline and automate processes that currently require staff to accomplish. The Image Cash Letter project (ICL) is an innovative solution that streamlines how staff validates and deposits checks and money orders. Previously, information from these financial documents was being manually entered into the Department's document imaging system, OnBase. After the information is entered, it is passed through a second queue where it is validated. Once validated, it is checked again at the cashier level. If the financial documents have been correctly entered, then the cashier will manually scan and send the documents to the banking institution where it will be deposited. The new ICL process transfers the document scanning to the front-end of the process, where software strips the relevant information from the financial documents (ex., remittance amount, routing number, account number) and populates the appropriate fields in OnBase. In addition, the solution creates a deposit file that is uploaded into the bank's computer system. Both improvements resulted in time savings for staff and allow management to review how the human capital can be better utilized elsewhere in the business unit.

In a similar manner, with the active assistance of the Division of Technology and internal division teams, a barcoding solution has been implemented that, when fully utilized by customers, will result in the automation of the manual profiling of documents into the OnBase system. The use of the barcodes in initial application documents and then in the subsequent correspondence to applicants and licensees will remove the need for staff in lower business value areas and will allow for staff to grow into higher business value areas within the Bureau. The Bureau is also currently working with the Division of Condominiums, Timeshares and Mobile Homes to include a barcode on the annual fee statements sent to their licensees. When these documents are received by the Department, the scanning process will capture relevant information from these annual fee statements and allow for speedier processing of these documents. The Bureau is also working on implementing automation of exam application approvals when the applicant has no prior criminal history. Once implemented, it will have a huge impact on application processing time for the Real Estate profession as this automation process will eliminate the need for human intervention if the applicant submits a complete exam application.



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In order to assess and improve customer service, the Division conducts daily customer service satisfaction surveys of callers who have previously contacted the Customer Contact Center. This process is in place to determine the level of customer satisfaction and to examine ways to improve the services the CCC provides to its customers. In Fiscal Year 2021-22, the CCC received 1,474,532 calls into the IVR of which 635,953 callers requested to speak to an agent. Based on random selections of those callers who spoke to call agents, the Division attempted to contact 9,509 of those callers to conduct the customer service satisfaction survey. The survey team made contact with 5,128 customers and 3,990 of those customers participated in the survey. The CCC overall customer satisfaction rate for the year was 94% and 98% in first contact resolution.

In August 2014, the Department started a limited survey of licensees to rate overall satisfaction with the application process and to identify any possible process improvement opportunities. In Fiscal Year 2021-22, based on a random selection of applications processed, the Division attempted to contact 9,363 applicants to conduct the customer service satisfaction survey. The survey team successfully contacted 3,968 applicants and 1,791 of those applicants participated in the survey. The average Bureau of Central Intake and Licensure satisfaction rate was at 92%.

## **DIVISION OF TECHNOLOGY**

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The Division of Technology is established by Section 20.165(1)(k), Florida Statutes, and consists of 57 full-time staff headed by the Department's Chief Information Officer (CIO). The Division oversees design, testing, planning, implementation, administration and support of the Department's technological resources. The Division handles development and maintenance of DBPR's primary database application system, Versa: Regulation, primary online application, Versa: Online, and its centralized document management system (OnBase). Other responsibilities include development and maintenance of the Department's telephone and wireless services; custom search and inspection applications for the Apple® iPad; Internet/Intranet presence; and various enterprise and web-based applications. The Division coordinates directly with the state data centers to ensure uninterrupted services to Department employees, licensees and the public.

The Division of Technology strives to maintain consistent technological support for its internal and external customers with minimal interruptions in services and seamless integration of improvements. Staff must constantly stay aware of rapid advances in technology; compatibility and interaction of diverse systems; and changes in vendor maintenance support to ensure continuity in the Department's licensing and regulation activities. For these reasons, the Division has emphasized upgrades of its major technological systems to ensure functional improvements and continued vendor support. Due to expanding threats in the cyber landscape, the Division is also exploring additional resources for protecting the Department's confidential and sensitive data. Please note that information in this document is not subject to public disclosure per Section 282.318(5)(a)-(b)(1), Florida Statutes.

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*Online Application Availability*

In coordination with the Versa: Regulation database application system, the Department uses its online component, Versa: Online, to provide Internet-based license applications to its licensees. In support of the agency overall goals to streamline government and remove barriers to business, one of the Department's strategic goals was to increase availability of its online initial (38% to 42%) and renewal (83% to 99%) license applications. The Department now has 99.87% of initial applications and 100% renewals available online.

Other online improvements include: licensure certifications; homeowner associations' registrations; quarterly and annual reporting for employee leasing companies; self-printing of inactive receipts and online inspection result reporting for privatized elevator inspectors. As of June 2022, there are over 600 license types using the paperless license process.

Beginning in January 2017, consumers were able to file complaints for over 140 license types using the online services. The agency now offers this service for 168 license types

*DBPR Mobile App*

In 2018, The Department made enhancements to the DBPR Mobile application. It now more closely resembles the website, has additional search functionality and provides licensees the ability to digitally display their license. The DBPR Mobile application also was upgraded to allow licensees to pay and renew their licenses via the app. In 2019, the functionality was added so that licensees can view the status of their continuing education.

*Cortex XDR*

During Fiscal Year 2021-22, the Division of Technology rolled out Cortex XDR to all agency users. Cortex XDR is a cloud-based managed solution that provides threat detection and response. It leverages machine learning to profile behavior and detect anomalies that are indicators of an attack. Cortex XDR technology provides continuous monitoring of end-points.

*CriticalStart MDR*

During Fiscal Year 2021-22, the Division of Technology implemented CriticalStart MDR to provide 24/7/365 continuous security monitoring and respond. CriticalStart MDR is a cloud-based managed solution that utilizes a Zero Trust Analytics Platform (ZTAP).

*Florida Business Information Portal*

In 2015, the Legislature passed Chapter 2015-224, L.O.F., tasking the Department to spearhead a project with other Florida agencies to create an online information portal to assist the public in starting a business. The portal is required to contain information including a listing of business types; licensing, permitting and registration for each type; relevant links to agency websites; tax registration information; and registration with the Department of State. An online guide for starting a business in Florida was also mandated. The Department was also required to provide a report containing recommendations and costs associated with inclusion of local governments into the portal. The Legislature funded this two-year project with appropriations for consulting services and two full-time positions. The portal was launched successfully on June 30, 2017, as [OpenMyFloridaBusiness.gov](https://www.openmyfloridabusiness.gov), on time and within budget.

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Since launching, the portal team has continued to enhance the user experience. In December 2017, the scope was expanded to include individual, professional licenses to augment the focus on business licenses. The eGuide was translated to Spanish and Haitian Creole and deployed in early 2018. By closely monitoring search attempts, portal staff frequently adds tags that will ensure successful future searches. Additionally, resource pages were added with links to county and city websites, including links to property appraisers and tax collectors.

For Fiscal Year 2018-19, the Florida Legislature continued appropriations with a proviso for the Department to complete the recommendations outlined in the report for further inclusion of local government information into the portal. The Division successfully completed this phase of the project enhancing the checklist to dynamically generate regulatory information specific to counties and cities.

For Fiscal Year 2019-20, changes were made to the Business Information Portal due to legislative changes that deregulated certain industries. The Portal was also expanded to include federal licensing considerations for all of the Department's business categories.

For Fiscal Year 2021-22, continuous maintenance was performed on the Business Information Portal. The eGuides were also updated and translated into Spanish and Haitian Creole. Efforts have also been made to increase the exposure and public awareness of the site through a Google Ads campaign, based on the existing appropriation for the portal.

**Customer Experience Modernization Project**

In Fiscal Year 2022-23, the Department was appropriated funding to replace the current Versa: Online system that has reached the end of development with a modern, secure, and intuitive user interface that will enhance customer online and mobile experience.

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**EXHIBIT II – PERFORMANCE MEASURES  
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**EXHIBIT II – PERFORMANCE MEASURES AND STANDARDS**

<b>Program: Office of the Secretary and Administration</b>			Code: 79010000		
<b>Service/Budget Entity: Executive Direction and Support Services</b>			Code: 79010200		
	Approved Performance Measures for FY 2021-22	Approved FY 2021-22 Standard (Numbers)	Prior Year Actual FY 2021-22 (Numbers)	Approved FY 2022-23 Standard (Numbers)	Requested FY 2023-24 Standard (Numbers)
1	Agency administration and support costs as a percent of total agency costs	11%	10.1%	11%	11%
2	Agency administration and support positions as a percent of total agency positions	11%	10.25%	11%	11%

<b>Program: Office of the Secretary and Administration</b>			Code: 79010000		
<b>Service/Budget Entity: Information Technology</b>			Code: 79010300		
	Approved Performance Measures for FY 2021-22	Approved FY 2021-22 Standard (Numbers)	Prior Year Actual FY 2021-22 (Numbers)	Approved FY 2022-23 Standard (Numbers)	Requested FY 2023-24 Standard (Numbers)
3	Percent of time information infrastructure, scheduled computer hours and access is available	99%	99.81%	99%	99%

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<b>Program: Service Operation</b>					Code: 79040000
<b>Service/Budget Entity: Customer Contact Center</b>					Code: 79040100
	Approved Performance Measures for FY 2021-22	Approved FY 2021-22 Standard (Numbers)	Prior Year Actual FY 2021-22 (Numbers)	Approved FY 2022-23 Standard (Numbers)	Requested FY 2023-24 Standard (Numbers)
4	Percent of calls transferred to a call agent that are answered before call is abandoned	90%	58.13%	90%	90%
5	Percent of calls transferred to a call agent that are answered within 5 minutes	90%	10.21%	90%	90%
6	Percent of satisfied customers based on survey	90%	94%	90%	90%

<b>Program: Service Operation</b>					Code: 79040000
<b>Service/Budget Entity: Central Intake</b>					Code: 79040200
	Approved Performance Measures for FY 2021-22	Approved FY 2021-22 Standard (Numbers)	Prior Year Actual FY 2021-22 (Numbers)	Approved FY 2022-23 Standard (Numbers)	Requested FY 2023-24 Standard (Numbers)
7	Percent of complete applications approved or denied within 90 days	98%	99.78%	98%	98%

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<b>Program: Professional Regulation</b>			Code: 79050000		
<b>Service/Budget Entity: Compliance and Enforcement</b>			Code: 79050100		
	Approved Performance Measures for FY 2021-22	Approved FY 2021-22 Standard (Numbers)	Prior Year Actual FY 2021-22 (Numbers)	Approved FY 2022-23 Standard (Numbers)	Requested FY 2023-24 Standard (Numbers)
8	Percent of required inspections completed	99%	99%	99%	99%
9	Percent of licenses that correct violations through alternative means (notices of non-compliance, citations or alternative dispute resolution)	39%	37%	35%	35%
10	Percent of complete board referred applications approved or denied within 90 days	99%	99%	99%	98%
11	Percent of licensees in compliance with inspection laws and regulations	87%	94%	92%	92%

<b>Program: Professional Regulation</b>			Code: 79050000		
<b>Service/Budget Entity: Florida Athletic Commission</b>			Code: 79050400		
	Approved Performance Measures for FY 2021-22	Approved FY 2021-22 Standard (Numbers)	Prior Year Actual FY 2021-22 (Numbers)	Approved FY 2022-23 Standard (Numbers)	Requested FY 2023-24 Standard (Numbers)
12	Percent of complete applications approved or denied within 90 days	100%	100%	100%	100%

<b>Program: Professional Regulation</b>			Code: 79050000		
<b>Service/Budget Entity: Testing and Continuing Education</b>			Code: 79050500		
	Approved Performance Measures for FY 2021-22	Approved FY 2021-22 Standard (Numbers)	Prior Year Actual FY 2021-22 (Numbers)	Approved FY 2022-23 Standard (Numbers)	Requested FY 2023-24 Standard (Numbers)
13	Percent of complete provider and individual course applications approved or denied within 90 days	98%	99%	98%	98%



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<b>Program: Professional Regulation</b>			Code: 79050000		
<b>Service/Budget Entity: Farm and Child Labor Regulation</b>			Code: 79050600		
	Approved Performance Measures for FY 2021-22	Approved FY 2021-22 Standard (Numbers)	Prior Year Actual FY 2021-22 (Numbers)	Approved FY 2022-23 Standard (Numbers)	Requested FY 2023-24 Standard (Numbers)
14	Percent of farm labor contractors inspected found to be in compliance with the law	96%	97%	96%	96%
15	Percent of employers brought into compliance with child labor laws on follow-up investigations	85%	86%	90%	88%

<b>Program: Professional Regulation</b>			Code: 79050000		
<b>Service/Budget Entity: Drugs Devices, and Cosmetics</b>			Code: 79050800		
	Approved Performance Measures for FY 2021-22	Approved FY 2021-22 Standard (Numbers)	Prior Year Actual FY 2021-22 (Numbers)	Approved FY 2022-23 Standard (Numbers)	Requested FY 2023-24 Standard (Numbers)
16	Percent of complete license applications approved or denied within 90 days (Drugs, Devices, Cosmetics and Household Products Regulation)	100%	100%	100%	100%
17	Percent of Florida resident prescription drug wholesale distributor/permit holders inspected (Drugs, Devices, Cosmetics and Household Products Regulation)	18%	14%	18%	18%

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<b>Program: Hotels and Restaurants</b>			Code: 79200000		
<b>Service/Budget Entity: Compliance and Enforcement</b>			Code: 79200100		
	Approved Performance Measures for FY 2021-22	Approved FY 2021-22 Standard (Numbers)	Prior Year Actual FY 2021-22 (Numbers)	Approved FY 2022-23 Standard (Numbers)	Requested FY 2023-24 Standard (Numbers)
18	Percent of food establishments inspected according to statute	94%	98%	98%	98%
19	Percent of lodging establishments inspected according to statute	92%	97%	98%	98%
20	Percent of elevators, escalators and other vertical conveyance devices inspected according to statute	95%	95%	95%	95%
21	Percent of complete public food establishment license applications approved or denied within 90 days	98%	99%	98%	98%
22	Percent of complete public lodging establishment license applications approved or denied within 90 days	98%	99%	98%	98%
23	Percentage of elevator certificates of operation applications approved or denied within 90 days	98%	99%	98%	98%

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<b>Program: Alcoholic Beverages and Tobacco</b>					Code: 79400000
<b>Service/Budget Entity: Compliance and Enforcement</b>					Code: 79400100
	Approved Performance Measures for FY 2021-22	Approved FY 2021-22 Standard (Numbers)	Prior Year Actual FY 2021-22 (Numbers)	Approved FY 2022-23 Standard (Numbers)	Requested FY 2023-24 Standard (Numbers)
24	Percent of total retail alcohol and tobacco licensees and permit holders inspected	40%	33%	40%	40%
25	Percent of alcoholic beverage retailers tested found to be in compliance with underage persons' access	80%	85%	80%	80%
26	Percent of tobacco retailers tested found to be in compliance with underage persons' access	85%	86%	85%	85%
27	Percent of inspections resulting in licensees in compliance with laws and regulations	75%	76%	75%	75%

<b>Program: Alcoholic Beverages and Tobacco</b>					Code: 79400000
<b>Service/Budget Entity: Standards and Licensure</b>					Code: 79400200
	Approved Performance Measures for FY 2021-22	Approved FY 2021-22 Standard (Numbers)	Prior Year Actual FY 2021-22 (Numbers)	Approved FY 2022-23 Standard (Numbers)	Requested FY 2023-24 Standard (Numbers)
28	Percent of complete license applications approved or denied within 90 days	98%	96.7%	98%	98%

<b>Program: Alcoholic Beverages and Tobacco</b>					Code: 79400000
<b>Service/Budget Entity: Tax Collection</b>					Code: 79400300
	Approved Performance Measures for FY 2021-22	Approved FY 2021-22 Standard (Numbers)	Prior Year Actual FY 2021-22 (Numbers)	Approved FY 2022-23 Standard (Numbers)	Requested FY 2023-24 Standard (Numbers)
29	Collections per dollar of auditing expenditure	\$250	\$267.68	\$250	\$250
30	Percent of wholesale licensees providing timely and accurate tax reporting and remittance as required by Florida Statutes	80%	87%	80%	80%

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<b>Program: Florida Condominiums, Timeshares and Mobile Homes</b>		<b>Code: 79800000</b>			
<b>Service/Budget Entity: Compliance and Enforcement</b>		<b>Code: 79800100</b>			
	<b>Approved Performance Measures for FY 2021-22</b>	<b>Approved FY 2021-22 Standard (Numbers)</b>	<b>Prior Year Actual FY 2021-22 (Numbers)</b>	<b>Approved FY 2022-23 Standard (Numbers)</b>	<b>Requested FY 2023-24 Standard (Numbers)</b>
31	Average number of days to resolve cases submitted for arbitration	95	95	95	95
32	Average number of days to resolve investigations of consumer complaints	90	43	90	60
33	Average number of days to review and issue yacht and ship broker and salesperson licenses	15	11	15	15
34	Percent of condominium, timeshare and mobile home filings reviewed within statutory requirements	98%	100%	98%	98%

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**EXHIBIT III – PERFORMANCE MEASURE  
ASSESSMENTS**

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**EXHIBIT III – PERFORMANCE MEASURE ASSESSMENTS**

<b>LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT</b>			
<p><b>Department:</b> <u>Business &amp; Professional Regulation</u>  <b>Program:</b> <u>Service Operations</u>  <b>Service/Budget Entity:</b> <u>Customer Contact Center</u>  <b>Measure:</b> <u>Percent of calls transferred to a call agent that are answered before call is abandoned (# 4)</u></p>			
<p><b>Action:</b></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure  <input type="checkbox"/> Performance Assessment of <u>Output</u> Measure  <input type="checkbox"/> Adjustment of GAA Performance Standards                 </div> <div style="width: 45%;"> <input type="checkbox"/> Revision of Measure  <input type="checkbox"/> Deletion of Measure                 </div> </div>			
Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
90%	58.13%	-31.87	35.41%
<p><b>Factors Accounting for the Difference:</b>  <b>Internal Factors</b> (check all that apply):</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Personnel Factors  <input type="checkbox"/> Competing Priorities  <input type="checkbox"/> Previous Estimate Incorrect                 </div> <div style="width: 45%;"> <input type="checkbox"/> Staff Capacity  <input type="checkbox"/> Level of Training  <input type="checkbox"/> Other (Identify)                 </div> </div> <p><b>Explanation:</b>                  During Fiscal Year 2021-22, the Customer Contact Center (CCC) experienced high attrition and vacancy rates. The high attrition impacted the CCC's ability to answer calls efficiently and led to lengthy wait times. This also caused the CCC to be in a continual hiring cycle which was exacerbated due to the lack of qualified candidates in the hiring pool. The low number of qualified candidates led to many CCC positions remaining vacant for several months before being filled. Once new employees were hired, a four to six week training period was required before the employee could answer any calls. As a result of the increase in the number of new hires, the CCC's average call handle time increased from previous periods to six minutes in Fiscal Year 2021-22. The increase in call handle time also impacted the CCC's answer rate and average wait time.</p> <p><b>External Factors</b> (check all that apply):</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <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                 </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Technological Problems  <input type="checkbox"/> Natural Disaster  <input checked="" type="checkbox"/> Other (Identify)                 </div> </div>			

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**Explanation:**

During Fiscal Year 2021-22 the answer rate for the CCC was 58.13%. System-related issues affected the ability to respond to callers in a timely manner.

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

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

**Recommendations:**

The CCC continues to work closely with the Division of Technology to improve the technological performance of operating systems. CCC will be purchasing a call back software feature for the Interactive Voice Response (IVR). This feature will allow customers to elect to receive a return call instead of waiting on hold for an extended period of time. The CCC has also changed its hiring process by removing the Skills Verification Test (SVT) for entry-level vacant positions. Newly hired CCC agents are able to take calls quicker due to the streamlining of its new hire training from four to six weeks, to two to three weeks.



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**LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT**

**Department:** Business & Professional 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 (# 5)

**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 type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards                     |  |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
90%	10.21%	-79.79	88.66%

**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 Fiscal Year 2021-22, the Customer Contact Center (CCC) experienced high attrition and vacancy rates. The high attrition impacted the CCC's ability to answer calls efficiently and led to lengthy wait times. This also caused the CCC to be in a continual hiring cycle which was exacerbated due to the lack of qualified candidates in the hiring pool. The low number of qualified candidates led to many CCC positions remaining vacant for several months before being filled. Once new employees were hired, a four to six week training period was required before the employee could answer any calls. As a result of the increase in the number of new hires, the CCC's average call handle time increased from previous periods to six minutes in Fiscal Year 2021-22. The increase in call handle time also impacted the CCC's answer rate and average wait time.

**External Factors** (check all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Resources Unavailable                               | <input checked="" 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:**

During Fiscal Year 2021-22 the answer rate for the CCC was 58.13%. System-related issues affected also the ability to respond to callers in a timely manner.

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

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

**Recommendations:**

The CCC continues to work closely with the Division of Technology to improve the technological performance of operating systems. CCC will be purchasing a call back software feature for the Interactive Voice Response (IVR). This feature will allow customers to elect to receive a return call instead of waiting on hold for an extended period of time. The CCC has also changed its hiring process by removing the Skills Verification Test (SVT) for entry-level vacant positions. Newly hired CCC agents are able to take calls quicker due to the streamlining of its new hire training from four to six weeks, to two to three weeks

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**LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT**

**Department:** Business and Professional Regulation  
**Program:** Drugs, Devices and Cosmetics  
**Service/Budget Entity:** Compliance and Enforcement/79050800  
**Measure:** Percent of Florida resident prescription drug wholesale distributor permit holders inspected (# 17)

**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 type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards                     |  |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
18%	14%	-4%	-22.22%

**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:**

The Division has nine drug inspectors who are responsible for inspecting the Florida resident prescription drug wholesale distributors. In addition, the Division has six and a half medical gas inspector positions with four of those being OPS positions. In Fiscal Year 2021-22 the Division was operated without key personnel and one OPS medical gas inspector. Based on various factors, the Division assigned prescription drug wholesale distributors to the "High Risk" category which has an inspection frequency schedule of 72 months (six years). Based the number of resident prescription drug manufacturers licensed through the Division, the Division would need to inspect approximately 16.7% or 1/6<sup>th</sup> of these wholesale distributors on an annual basis. The Division exceeded this measure in the fiscal year ending June 2018 and increased this inspection measure for Fiscal Year 2019-20 from 17% to 18%. During the past year, the Division operated without two key supervisors and two of the medical gas inspector positions were unfilled. The Division had to divert drug inspectors periodically to perform duties normally handled by medical gas inspectors.

**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:**

Contributing to this shortfall in the inspection measure related to the resident prescription drug

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wholesale distributors included issues related to various items of business disruption during the continued COVID 19 Pandemic. Division inspectors performed limited on-site inspections during a portion of the year.

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

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

**Recommendations:**

The Division filled two key supervisor positions for the compliance and enforcement area that were vacant during the 2021-22 fiscal years.

In response to the external issues related to the COVID-19 pandemic, drug inspectors and other staff within the compliance and enforcement section are continuing to use offsite/virtual inspection and investigation processes that developed primarily during the restrictions in place throughout the COVID-19 pandemic. Where applicable and appropriate, these processes can allow for a more efficient and less intrusive inspection/investigation process and can reduce or eliminate on-site visits under certain inspection/investigation requirements.

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**LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT**

**Department:** 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 (#24)

**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 type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards                     |  |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
40%	33%	7% under	17.5%

**Factors Accounting for the Difference:**

**Internal Factors** (check all that apply):

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Personnel Factors | <input checked="" 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:**

The Bureau of Law enforcement continues to concentrate its efforts to complete the approved standard of 40% for retail alcohol and retail tobacco inspections. The Bureau experienced an approximate 43% vacancy rate of Investigation Specialists during Fiscal Year 2021-22, affecting all district offices. The unexpected influx of vacancies began in October 2020 and has continued to increase into the present. This unprecedented vacancy rate required district offices with sufficient staff to complete these inspections in addition to their current workload, causing a decrease in the number of inspections.

**External Factors** (check all that apply):

- |  |   |
|--|---|
| <input checked="" 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:**

The Bureau will continue its focus on reallocating resources and improving both retention and recruitment efforts to correct the performance reported this period. This effort will be enhanced by the recently signed state budget bill that includes pay raises for state workers as well as law enforcement.

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

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

**Recommendations:**

The Bureau implemented a pilot program in September of 2021 designed to continue achieving a more efficient and accountable workforce, as well as to meet its goal of accomplishing an annual licensed premises inspection of every licensed premises statewide. This will also assist the Bureau to meet and/or exceed the compliance and enforcement levels on this measure in Fiscal Year 2022-23.

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**LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT**

**Department:** Business and Professional Regulation  
**Program:** Alcoholic Beverages and Tobacco  
**Service/Budget Entity:** Standards and Licensure  
**Measure:** Percent of complete license applications approved or denied within 90 days #28

**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 type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards                     |  |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
98%	96.7%	-1.3%	-1.33%

**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:**

The Bureau of Licensing continues to concentrate its efforts to complete license applications to a recommended approval or denial within 90 days. The Bureau experienced a 45% vacancy rate during Fiscal Year 2021-22, affecting 9 of the 10 district offices. The Bureau of Licensing has implemented a daily assignment of applications to all staff to allow for an equitable distribution of applications and utilization of staff resources. In addition, responsibility for handling maintenance transactions was transferred from the district offices to the Central Processing Unit, which allows the district office to focus on the issuance of temporary permits. The implementation of these changes will decrease license application processing times, and ultimately have a positive influence on Florida's economy by ensuring the opening of new businesses are not delayed.

The Bureau will continue to focus its attention on hiring new staff and provide adequate training to new staff, which will allow the Bureau to meet the 98% goal to complete license applications to a recommend approval or denial within 90 days.

**External Factors** (check all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Resources Unavailable                               | <input checked="" type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change                            | <input checked="" 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 |  |



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**Explanation:**

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

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

**Recommendations:**

The Bureau will continue with its efforts on this measure to enable licenses to meet the standards and licensure levels in Fiscal Year 2022-23. Additional training and other personnel actions, as well as better use of the Division's and the Department's technology resources, will assist in the Bureau's efforts.

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**EXHIBIT IV – PERFORMANCE MEASURE  
VALIDITY AND RELIABILITY**

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**EXHIBIT IV – PERFORMANCE MEASURE VALIDITY AND RELIABILITY**

**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 (#1)

**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 Administration and Financial Management, Bureau of Finance and Accounting enters every financial transaction into the Florida Accounting Information Resource (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 Planning and Budget generates an "Exhibit D-1" from the state's budgeting computer system, the Legislative Appropriation System / Planning and Budgeting Subsystem (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 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 state's accounting database, the Florida Accounting Information Resource. 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 D-1 report can be generated repeatedly, producing the same expenditure data at any time.

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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 positions as a percent of total agency positions (#2)

**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 year, the Florida Legislature appropriates positions to the Department by budget entity. The Bureau of Human Resources, within the Division of Administration and Financial Management, maintains information regarding Department positions in the state personnel computer system/database, People First. This information is reconciled internally and by the Executive Office of the Governor. The Department's Office of Planning and Budget generates a "Position and Rate Ledger" report from the state's budgeting computer system, the Legislative Appropriation System / Planning and Budgeting Subsystem (LAS/PBS), which reflects total positions for the previous fiscal year, by budget entity. Total positions for the Executive Direction and Support Services are 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 Position and Rate Ledger report can be generated in LAS/PBS and repeatedly by fiscal year, producing the same figures.

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**LRPP EXHIBIT IV: Performance Measure Validity and Reliability**

**Department:** Business and Professional Regulation

**Program:** Office of the Secretary and Administration

**Service/Budget Entity:** Information Technology

**Measure:** Percentage of time information infrastructure, scheduled computer hours and access is available (#3)

**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 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.

*System Uptime/ ((total hours in a year) - (planned downtime hours)) = Availability %*

This methodology excludes scheduled downtime from availability calculations, as scheduled downtime has little or no impact on 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. The final report is run annually.

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**LRPP EXHIBIT IV: Performance Measure Validity and Reliability**

**Department:** Business Professional and Regulation

**Program:** Service Operation

**Service/Budget Entity:** Customer Contact Center

**Measure:** Percent of calls transferred to call agent that are answered before call is abandoned (#4)

**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 the general public. The CCC provides 24/7 access to licensure information and responds to questions and inquiries from applicants, license holders and the general public. The CCC call agents answer inquiries by telephone and e-mail. The objective of this measure is to calculate the percentage of calls that are transferred to a call agent that are answered.

To capture the needed information, data is collected and stored in the Cisco Unified Contact Center Express (UCCX) database as calls come into the CCC's Interactive Voice Response (IVR) System. The system provides a reporting tool called the "Cisco Unified Contact Center Express Reporting" that analyzes and measures the historical performance of each call center agent, each team and the agent queues. The data is displayed in a real-time reporting system referred to as Cisco Unified Intelligence Center Dashboard. This information is used by the CCC to establish and revise strategic performance objectives and drive performance improvement and allows the Department to calculate the percentage of calls answered. Various reports may be run on demand.

The data collection begins when the UCCX system receives an inbound call into the Department's main number 850-487-1395. The UCCX (or Interactive Voice Response) system 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 routed to and then the call is delivered to an agent's Cisco Finesse, which is a system on the agent's desktop computer. The Cisco Finesse system is used to retrieve the call by each call agent.

The agent then uses the Customer Relationship Management system (CRM) computer application to enter information concerning the call.



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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. 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 customers. The UCCX system's 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 telephony and Voice over Internet Protocol (VoIP) technology. The UCCX system's design and purpose are 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.

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**LRPP EXHIBIT IV: Performance Measure Validity and Reliability**

**Department:** Business Professional and Regulation

**Program:** Service Operation

**Service/Budget Entity:** Customer Contact Center

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

**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 the general public. The CCC provides 24/7 access to licensure information and responds to questions and inquiries from applicants, license holders and the general public. The CCC call agents answer inquiries by telephone and e-mail. The objective of this measure is to determine if calls are answered in a timely manner.

To capture the needed information, data is collected and stored in the Cisco Unified Contact Center Express (UCCX) database as calls come into the Customer Contact Center's Interactive Voice Response (IVR) System. The system provides a reporting tool, called the "Cisco Unified Contact Center Express Reporting" to analyze and measure the historical performance of each call center agent, each team, and the agent queues. The data can be displayed in a real-time reporting system referred to as Cisco Unified Intelligence Center Dashboard. This information is used by the CCC to establish and revise strategic performance objectives and drive performance improvement. Various reports may be run on demand.

The data collection begins when the UCCX system receives an inbound call into the Department's Interactive Voice Response (IVR) system. Time-specific data is collected for every call that enters the system to include the name of the agent receiving the transferred call; the time the call was transferred; the time the agent answered the call; and the duration of the call. 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 contribute 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.

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Using Data Studio 3.1, a Database Administration Software, the percentage of calls transferred to a call agent that are answered within five minutes is calculated by running a separate SQL query. This software connects to the UCCX database to pull the information. The measure is calculated by dividing the number of calls answered within five minutes by the total calls presented to the call agent queues. The number derived is then multiplied by 100 to get the percentage.

**Validity:**

This measure has been established 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 Internet Protocol (VoIP) technology. The UCCX system's design and purpose are 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.

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**LRPP EXHIBIT IV: Performance Measure Validity and Reliability**

**Department:** Business Professional and Regulation

**Program:** Service Operation

**Service/Budget Entity:** Customer Contact Center

**Measure:** Percentage of satisfied customers based on survey (#6)

**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 provides 24/7 access to licensure information and responds to questions and inquiries from applicants, license holders and the general public. The CCC agents answer inquiries that are received via telephone and e-mail. The objective of this measure is to evaluate the quality of customer service that is provided to the Department's customers.

Each day a survey pool is selected from the Customer Relationship Management System (CRM), where all CCC agent-assisted calls are documented using the DBPR Enterprise Applications Quality Assurance software application. The system will query the CRM system to retrieve a sampling of incoming calls from the previous business day. The system will then create individual survey records that are used by the surveyors to conduct the survey. The Survey Agents telephone customers from the previous day and request them to participate in a survey. The data provided by the survey participants is recorded by the Survey Agent directly into the Quality Assurance software application. The survey data is automatically compiled in real time by the Department's QLIK Sense Enterprise reporting application QAR Survey Reporting. The application will report all statistics compiled by the survey including the percentage of satisfied customers based on the survey.

The customer satisfaction measure is calculated based on the fourth of 11 Customer Satisfaction Survey questions, which asks: "Please rate your overall level of satisfaction with the customer service you received from our Contact Center." The rating scale is one through three or the customer may choose to not respond; one being below average, two being average, and three being above average. For calculation purposes, the average and above average ratings are combined to get an amount of "satisfied" customers. The "no response" rating will not be included in the count.

The calculation is as follows: the number of customers who rate the overall level of satisfaction with the customer service as satisfied will be divided by the total number of customers surveyed, excluding the "no response."

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**Validity:**

This measure reflects the Division's core value of providing accurate response to 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:**

The measure is reliable because it uses a live telephone survey as a systematic tool for the collection of data using a standardized questionnaire. Telephone surveys are an effective way to collect and compile data through a format of personal interaction with survey agents. The questionnaire results are meticulously recorded and maintained in a report which is reported weekly to CCC management.

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**LRPP EXHIBIT IV: Performance Measure Validity and Reliability**

**Department:** Business and Professional Regulation

**Program:** Service Operation

**Service/Budget Entity:** Central Intake

**Measure:** Percentage of complete applications approved or denied within 90 days (#7)

**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 (BCIL) is responsible for the intake of licensure applications and payments for 28 professions regulated by the Department. Pursuant to Section 120.60(1) Florida Statutes, 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 and meets all licensure requirements upon initial review, the BCIL 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.

The Bureau has no authority to deny applications.

Data is collected utilizing the "Percent of Non-Deficient Applications Approved or Denied within 90 days" report, which is housed in the Department's web-based SAP Business Objects reporting system's Public Folders / CIU Folder / KPI Reports.

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

**Validity:**

This performance measure calculates the percentage of non-deficient applications approved

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within 90 days. The statutory reference for this is Section 120.60, Florida Statutes. Pursuant to Section 120.60(1), Florida Statutes, 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 the Department's document imaging and workload management software. Reports are run within the SAP Business Objects Info View interface on a daily basis to assess the status of the Division's application processing queues.



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**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 (#8)

**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), Florida Statutes), veterinary (s.455.243 and s.474.215, Florida Statutes), and cosmetology (s.477.025(2), Florida Statutes) 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 an iPad 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 Versa: Regulation 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 Versa: Regulation. Barber, cosmetology and veterinary establishments with an active license require inspection biennially. Additionally, barber and cosmetology establishments that obtained initial licensure during the fiscal year require inspection in that fiscal year. Three reports are generated from Versa: Regulation 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 of 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.

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**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, s.474.215 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 Versa: Regulation 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 an iPad that is uploaded or manually entered into the Versa: Regulation database. A supervisor in each office approves coding accuracy.

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**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 licenses that correct violations through alternative means (notices of non-compliance, citations or alternative dispute resolution) (#9)

**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 (Versa: Regulation 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 are assigned to denote when a particular matter has been resolved and disposition codes 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 licensee's 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 Versa: Regulation system. All complaints are stored and retrieved in the OnBase system.

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Thereafter, a query is made for the number of notices of non-compliance by which compliance was obtained, the number of citations completed, 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 (Versa: Regulation 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.

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**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 (#10)

**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 expires. Pursuant to Section 120.60(1), Florida Statutes, 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 expires. Pursuant to Section 120.60(1), Florida Statutes, 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 31<sup>st</sup> 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

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obtained from a Versa: Regulation report entitled “Board Referred Applications Approved or Denied within 90 Days.” Applications on this report that have a processing time greater than 90 days will be researched by board staff to verify that the number is legitimate or if it is the result of a coding error. 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), Florida Statutes. 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 Efficiently, Regulate Fairly.” 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.

**Reliability:**

An “OnBase” report entitled the “30-60-90 Day” report is used to capture applications with no license status code. The report also details applications that are 30, 60 or 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 90 days old without a license status code. Applications that are 90 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 90-day-old application. This process is to determine whether the application was 90 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 are consistent with Section 120.60(1), Florida Statutes. 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.

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**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 (#11)

**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 Versa: Regulation data that looks for citations and notices of non-compliance (NNCs) that are issued during statutorily mandated inspections of cosmetology, veterinary and barbershop establishments by Division of Regulation staff. Citations and NNCs are issued by the inspector who is conducting their rule mandated biennial inspection for the minimum health and safety requirements. The non-compliant issues are tracked in Versa: Regulation and OnBase. Citations are a civil monetary penalty and NNCs are a non-disciplinary warning for minor violations.

The inspectors conduct their inspections using a Department issued iPad and the results are uploaded weekly into Versa: Regulation and OnBase. The measure is calculated by dividing the total number of inspections completed during the year by the number of citations and NNCs 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 is 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 (Versa: Regulation) 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 NNCs are 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 NNCs are also scanned into OnBase for assignment and retrieval. The case in OnBase can be compared and tied to the information in Versa: Regulation because of the case number used in both systems.



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**LRPP EXHIBIT IV: Performance Measure Validity and Reliability**

**Department:** Business and Professional Regulation

**Program:** Professional Regulation

**Service/Budget Entity:** Florida Athletic Commission

**Measure:** Percent of complete applications approved and or denied within 90 days (#12)

**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 Athletic 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 Section 120.60, Florida Statutes. Upon receipt of a licensure application the application is reviewed by staff within two 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, it is approved and a license number is assigned and a licensure card is issued.

License application categories include: Live Event Permit, Participant, Second, Trainer, Manager, Promoter, Matchmaker, Judge, Referee, Ringside Physician, and Amateur Sanctioning Organization.

**The measure is calculated as follows:**

This measure is comprised of the total applications received divided by the number of applications processed (approved or denied) within 90 days.

**Validity:**

This measure is used because the percent of applications processed within 90 days demonstrates how the Commission meets compliance with application processing requirements and provides quality assistance to its customers.

**Reliability:**

The performance measure is calculated using data generated from the licensing system database which should produce accurate and uniform results on a continuing basis. In addition, controls over the licensure process have been implemented in the last fiscal year. A checklist is

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executed for each application. This checklist helps to ensure that applications received are complete and any deficiencies are addressed.

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**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 (#13)

**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 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, Florida Statutes.

When the applications are received, the top page is date stamped with the receiving date. The applications are scanned into the OnBase Document System and a quality control check is conducted to verify all documents were scanned properly. The documents are routed through OnBase to the assigned staff member's queue for review and processing in Versa: Regulation. Once information is entered into Versa: Regulation and OnBase, Versa: Regulation begins tracking time to completion. Applications are placed on hold status in Versa: Regulation, 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), Florida Statutes, 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.

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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 Versa: Regulation 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 weekly, 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 of 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 weekly basis to ensure performance measures are met and to ensure staff is performing in an acceptable manner.

**Validity:**

Pursuant to Sections 455.2177 and 455.2179, Florida Statutes, 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), Florida Statutes.

Processing the applications prior to the 90 days requirement allows the Bureau to provide quality and timely assistance to customers and provide faster approval of courses that will be conducted for 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

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processing requirements as established in performance measures, meet the statutory requirements of Section 120.60(1), Florida Statutes, 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.

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**LRPP EXHIBIT IV: Performance Measure Validity and Reliability**

**Department:** Business and Professional Regulation

**Program:** Professional Regulation

**Service/Budget Entity:** Farm and Child Labor Regulation

**Measure:** Percent of farm labor contractors inspected found to be in compliance with the law (#14)

**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:**

Specific authority for the inspection of farm labor contractors is found at 450.31(8), Florida Statutes. Data for this measure is obtained from the Farm Labor Program's Versa: Regulation reports. The information is then matched with documents and reports submitted by field investigators to the central office on a weekly and 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, and cases developed.

Compliance and Enforcement activity are generated through two 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 inspections, 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; 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 reflects 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, and the

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amount of monetary penalties assessed and collected. The overall compliance rate is obtained by dividing the number of licensees found to be in compliance by the total number of inspections performed. This number is then converted into a percentage.

**Reliability:**

Each inspection performed is uploaded into Versa: Regulation by the investigator. The inspection result is entered as either "Pass" or "Fail." Copies of each of these inspections are imported into OnBase as an archived inspection. Copies of the inspection where the licensee has been found in noncompliance are also included with the resulting warning, citation or investigative case.

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 includes field preparation, planting, and cultivating), harvesting and post-harvesting.



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**LRPP EXHIBIT IV: Performance Measure Validity and Reliability**

**Department:** Business and Professional Regulation

**Program:** Professional Regulation

**Service/Budget Entity:** Farm and Child Labor Regulation

**Measure:** Percent of employers brought into compliance with child labor laws during investigations (#15)

**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 Fiscal Year 2007-08, the data for this measure has been maintained and tracked on the Department's license system (Versa: Regulation). 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 and audit records requests.

An initial complaint is generated from information received in the central office. The cases are entered into the Versa: Regulation database and assigned to the field investigator. A Notification of Investigation Letter which requests specific employment records is sent to the employer by the investigator. The investigator reviews the documentation and completes an audit. The investigators use data that is taken directly from the records supplied by the employer to determine if the employer is violating the law. A remedial (follow-up) review period is provided to the employer to verify that the employer's employment practices are in compliance with the law.

Once an investigation is completed, the investigator's supervisor sends the report to the Tallahassee central office indicating the status of the violation (compliance or noncompliance). The action is entered into the Versa database system for the program administrator to review.

**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. Versa: Regulation captures and reports data based on information gathered by child labor investigators as investigations are completed, verified and entered by the Tallahassee central office.

The outcome result will be determined by the number of cases that were not in compliance (after the remedial period) divided by the number of investigations that were not in compliance

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and sent to legal.

**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.

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**LRPP EXHIBIT IV: Performance Measure Validity and Reliability**

**Department:** Business & Professional Regulation

**Program:** Professional Regulation

**Service/Budget Entity:** Drugs, Devices, and Cosmetics

**Measure:** Percent of complete license applications approved or denied within 90 days (Drugs, Devices, Cosmetics and Household Products Regulation) (#16)

**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), Florida Statutes, 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 documented receipt of a completed application (whether received via mail, or through the online application process) to the date the application is approved or denied by the Division or withdrawn by the applicant.

DBPR's single licensing system (Versa: Regulation) 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.

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The measure is calculated by dividing the total number of complete applications approved, denied or withdrawn within 90 days by the total number of complete applications approved, denied or withdrawn. 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 Versa: Regulation 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 the document imaging and workload management software. Reports are run within the Report Services interface on a daily basis to assess the status of the 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 Versa: Regulation is entered contemporaneously at the time of the transaction. Employees are trained on the importance of timely entering the correct information into the system.

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**LRPP EXHIBIT IV: Performance Measure Validity and Reliability**

**Department:** Business and Professional Regulation

**Program:** Professional Regulation

**Service/Budget Entity:** Drugs, Devices, and Cosmetics

**Measure:** Percent of Florida resident prescription drug wholesale distributor/permit holders inspected (Drugs, Devices, Cosmetics and Household Products Regulation) (#17)

**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 establishment requirements and business practices regarding the handling of regulated products, the maintaining of required records, and other requirements outlined in the aforementioned statutes. In addition, the inspectors ensure that the establishments continue to meet the minimum 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 and a copy of the inspection is provided to the permit holder

Data and the electronic inspection are uploaded to Versa: Regulation (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 total number of Florida resident establishments licensed to wholesale distribute prescription drugs (PDWNI), during the fiscal year are obtained via Versa: Regulation queries.

This measure is calculated as follows:

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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 (PDWNI).

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

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 100 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 Division's 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 Versa: Regulation and OnBase. Data is obtained directly from the uploaded inspections. Additionally, the Division conducts ongoing training and inspection standardization to ensure enforcement is conducted uniformly.

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**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 (#18)

**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 entered from paper forms.

Section 509.032(2), Florida Statutes, requires all public food service establishments be inspected according to the risk-based inspection frequency (one to four routine inspections) 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 Crystal Report 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

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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 Crystal Report 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.



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**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 (#19)

**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 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 and timeshare projects 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 and timeshare projects are not subject to statutorily mandated inspection, they are not included in this performance measure. Inspection results are calculated and reported on a Crystal Report 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

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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 to ensure enforcement is conducted uniformly statewide.

Inspection results are calculated and reported on a Crystal Report 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.

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**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 (#20)

**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 Crystal Report called "EL401A-SUM Elevator Account Summary." These reports are run by program staff monthly, quarterly and on demand.

**Validity:**

This measure is used 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

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Department's single licensing system. Supervisors monitor accuracy daily through direct supervision of data entry and in response to complaints. 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.

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**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 (#21)

**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 expires. Pursuant to Section 120.60(1), Florida Statutes, 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 the statutory deadline expires. Pursuant to Section 120.60(1), Florida Statutes, 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

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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 the 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 Crystal Report 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 establishments to open for business more quickly, and promotes the Department's goal to remove barriers to businesses 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.

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**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 90 days (#22)

**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 expires. Pursuant to Section 120.60(1), Florida Statutes, 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 the statutory deadline expires. Pursuant to Section 120.60(1), Florida Statutes, 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

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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 the 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 Crystal Report 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 establishments to open for business more quickly, and promotes the Department's goal to remove barriers to businesses 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 the 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.



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**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 (#23)

**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 expires. Pursuant to Section 120.60(1), Florida Statutes, 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 the statutory deadline expires. Pursuant to Section 120.60(1), Florida Statutes, 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

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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 the 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 the deficiency is remedied, an updated status code is entered into the system and automated batch processes 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 Crystal Report 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 more quickly, and promotes the Department's goal to remove barriers to business and enhance Florida's pro-business climate.

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**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.

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**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 permit holders inspected (#24)

**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, Florida laws and regulations governing alcohol and tobacco licenses.

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.

The Division's Bureau of Law Enforcement visits 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 type of license issued. A person at the establishment is notified of the outcome of the inspection and, if applicable, is informed of corrective actions needed to reach 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 completed inspections and inspection findings is collected and entered into Versa: Regulation, the Department's electronic database, by inspection staff each day. Data for inspections that were documented through an electronic device is uploaded to Versa: Regulation and OnBase, the Department's electronic document management system, via synchronization software/hardware. If applicable, the paper inspection forms are scanned into OnBase manually by district office support staff.

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 are obtained via Versa: Regulation queries. The licensee inspection populace pertains to all retail and tobacco and alcohol licensees who are authorized to do business. A licensee that is

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authorized to do business is defined as a license that has a primary status of “current” or “temporary.” However, it excludes any license that is in a “current” status and is 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, Florida laws and regulations governing alcohol and tobacco licenses.

This percentage measures the Bureau of Law Enforcement’s prevalence and frequency in monitoring license compliance and providing continuing education to licensees regarding statute and rule requirements. State inspections are conducted for the purpose of evaluating compliance with Florida’s beverage and tobacco laws and for providing corrective action recommendations where necessary to address non-compliance matters.

**Reliability:**

This measure is reliable because the inspection results are documented during the course of the inspection. These inspection reports are electronically uploaded to Versa: Regulation and OnBase, the Department’s electronic document management system, via synchronization software/hardware. Supervisors review and verify the accuracy of the documentation by comparing them to the Versa: Regulation record. In addition, inspections are randomly selected for review by a district office captain as part of the captain’s supervisory checklist process. The Versa: Regulation record can be reviewed directly from the Versa: Regulation inspection module or through use of the AB&T Inspections Detail List for County report, which is located in Launch Pad under the AB&T Reports Folder\AB&T Enforcement\AB&T Inspection Reports. This report pulls data from Versa: Regulation 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 quarterly as part of the captains’ supervisory checklist process.

In addition, this measure is reliable because monthly reports are run and distributed which

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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 levels. Discrepancies are noted and corrected.

The official reported figures are derived from Versa: Regulation via SQL queries located at ABTSharedD02 on Bprt1fp01 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

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**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 (#25)

**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 retail alcoholic beverage licenses during undercover compliance checks in order to ascertain the degree of compliance by licensees with applicable laws and rules prohibiting the sale of 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 persons under age 21 is prohibited in accordance with Section 562.11, Florida Statutes.

On October 1st of each year, the Division generates a random sample of alcohol licensees. Each of these licensees is subject to an underage compliance check. The list is subdivided into district/office assignments based upon the licensee's 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 and logs immediately after the check is performed. Subsequently, the results are manually input into Versa: Regulation, the Department's electronic database. Supervisors verify that information input into Versa: Regulation is accurate based upon the source documentation paper forms and logs.

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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 Versa: Regulation. A successful compliance check means that the underage, 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 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 that were 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 that were found to be in compliance with regulations prohibiting the sale of alcoholic beverages to an underage person.

**Validity:**

This measure is used because it addresses the Division's efforts regarding the deterrence of underage persons' access to alcoholic beverages. The sale of alcoholic beverages to those under age 21 is prohibited in accordance with Section 562.11, Florida Statutes.

This percentage 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 and that sampled industry members are consistently attentive to compliance on this measure by employing persons and practices oriented toward preventing the sale of alcoholic beverages to an underage person.

**Reliability:**

This measure is reliable because supervisors verify that the data from which it is derived matches the source documentation on paper forms and logs by reviewing the forms and logs, then comparing them to the Versa: Regulation record. Additionally, compliance checks are randomly selected for review by a district office captain as part of the captain's supervisory checklist process. The Versa: Regulation record can be reviewed directly from the Versa: Regulation 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 Launch Pad under the AB&T Reports Folder\AB&T Enforcement\AB&T YSS Reports. These reports pull data from Versa: Regulation 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 quarterly as part of the captain's supervisory checklist process.



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In addition, this measure is reliable because reports are run on a monthly basis which identifies 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 levels. Discrepancies are noted and corrected.

This information is dependable because the compliance check results are captured on paper forms immediately after the checks are performed and the results are input into Versa: Regulation. 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 Versa: Regulation via SQL queries located at ABTSharedD02 on Bprtftp01 in a folder titled LRPP Exhibit IV Queries\Enforcement\LRPP Enforcement\Percentage of Compliance. The query title is as follows:

Survey Compliance Rate YAM

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**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 (#26)

**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 retail tobacco licenses during undercover compliance checks in order to ascertain the degree of compliance by licensees with applicable laws and rules prohibiting the sale of tobacco products to persons who are not of a legal age to purchase or possess the 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 persons under age 21 is prohibited by Florida law in accordance with Section 569.14(1), Florida Statutes.

At the beginning of the fiscal year, the Division generates a random sample of tobacco licensees. Each of the selected licensees is subject to an underage compliance check. The list is subdivided into district/office assignments based upon the licensee's county of location. In addition, underage compliance checks are conducted for other licensees as the result of routine 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 each compliance checks on paper forms and logs immediately after the checks are performed. Subsequently the results are input into Versa: Regulation, the Department's electronic database. Supervisors verify that information input into Versa: Regulation is accurate based upon the source documentation paper forms and logs.

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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 Versa: Regulation. A successful compliance check means that the underage, undercover operative did attempt to purchase regulated tobacco products. The numerator for this measure is comprised of the number of routine 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 routine 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 an employee 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 persons under age 18 is prohibited by Florida law in accordance with Section 569.14(1), Florida Statutes.

This percentage 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 and that sampled industry members are consistently attentive to compliance on this measure by employing persons and practices oriented toward preventing the sale of tobacco products to an underage person.

**Reliability:**

This measure is reliable because supervisors verify that the data from which it is derived matches the source documentation on paper forms and logs by reviewing the forms and logs, then comparing them to the Versa: Regulation record. Additionally, compliance checks are randomly selected for review by a district office captain as part of the captain's supervisory checklist process. The Versa: Regulation record can be reviewed directly from the Versa: Regulation 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 Launch Pad under the AB&T Reports Folder\AB&T Enforcement\AB&T YSS Reports. These reports pull data from Versa: Regulation 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 quarterly as part of the captain's supervisory checklist process.

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In addition, this measure is reliable because reports are run on a monthly basis which identifies 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 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 Versa: Regulation. 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 Versa: Regulation via SQL queries located at ABTSharedD02 on Bprtftp01 in a folder titled LRPP Exhibit IV Queries\Enforcement\LRPP Enforcement\Percentage of Compliance. The query title is as follows:

Survey Compliance Rate YTM

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**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 (#27)

**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 licensees inspected where the licensee is found to be in compliance with all applicable standards and laws evaluated during the inspection.

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.

The Division's Bureau of Law Enforcement visits 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 type of license issued. A person at the establishment is notified of the outcome of the inspection and, if applicable, is informed of corrective actions needed to reach 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 electronically documented and entered into Versa: Regulation, the Department's electronic database, by inspection staff each week. Data for inspections that were documented through an electronic device is uploaded to Versa: Regulation and OnBase, the Department's electronic document management system, via synchronization software/hardware.

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, in cases in which a violation was noted, the violation was immediately corrected by the licensee.

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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, Florida laws and regulations governing alcoholic beverage and tobacco licenses.

This percentage measures the Bureau of Law Enforcement's effectiveness in monitoring license compliance and providing continuing education to licensees regarding statute and rule requirements. Inspections are conducted for the purpose of evaluating compliance with Florida's beverage and tobacco laws and for providing corrective action recommendations where necessary to address non-compliance matters.

**Reliability:**

This measure is reliable because the inspection results are documented during the course of the inspection. These inspections are electronically uploaded to Versa: Regulation and OnBase, the Department's electronic document management system, via synchronization software/hardware. Supervisors review and verify the accuracy of the documentation by comparing them to the Versa: Regulation record. The Versa: Regulation record can be reviewed directly from the Versa: Regulation inspection module or through use of the AB&T Inspections Detail List for County report, which is located in Launch Pad under the AB&T Reports Folder\AB&T Enforcement\AB&T Inspection Reports. This report pulls data from Versa: Regulation 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 quarterly as part of the captains' supervisory checklist process.

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 Versa: Regulation 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 as follows:

Inspection Dispositions Compliance Calc

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**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 complete license applications approved or denied within 90 days (#28)

**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 beverages and tobacco establishments pursuant to Chapter 210, Chapters 561-565, and Chapters 567-569, Florida Statutes, and associated rules promulgated in the Florida Administrative Code.

Pursuant to Section 120.60(1) Florida Statutes, 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 received by the Bureau of Licensing. Thereafter, licensing staff create a data record in Versa: Regulation, 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. The application process is considered complete when an application is approved with an invoice for payment being issued to the applicant or when an application is denied. Supervisors not only receive reports but are expected to generate weekly reports regarding pending applications and manage the assignment and progress of applications both manually and within OnBase, the Department's document management system.

At the conclusion of the fiscal year, the number of applications processed with and without an

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invoice and the time taken to process them is obtained via query of Versa: Regulation.

This measure is calculated as follows:

The numerator for this measure is comprised of the sum of the number of applications that were invoiced within 90 days and the number of non-invoiced applications that were approved or denied 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 due to daily validation performed by licensing staff. Licensing staff receive comprehensive training and duties related to processing 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 generated using 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 Versa: Regulation 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)



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**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 (#29)

**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 surcharges 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 and shows 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 made 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 sources for this measure are two sections from the FLAIR reports: "Statement of Revenue" and "Level 3 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 3 Summary Accrual Basis records all expenditures that the Bureau makes from any trust fund. All data is collected for this outcome measurement and maintained

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in Central Auditing on a monthly basis. The measurement results are calculated by dividing the total bureau expenditures into the total bureau collections, as reflected in the FLAIR reports. Note: Revenues associated with scholarship credits are not included in the calculation.

**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 licensing system and identified by code. These receipts are validated and captured in the licensing system on a daily basis. The daily deposits of money receipted 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. 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.

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**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 as required by Florida statutes (#30)

**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 that 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 the reporting of product movement and monthly excise tax or surcharge payments. The Bureau of Auditing performs tax and regulatory compliance audits to ensure that the licensed entities are following the requirements for those licenses and timely reporting and remitting the correct taxes.

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. 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 delivery date, and payment date if applicable, and the date the licensee is notified if the report is late. 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. 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 the Division's Bureau of Enforcement as non-compliant and administrative action is taken.

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Tax, compliance, and product movement audits are performed at licensed wholesale locations by field auditors. The information pertaining to these audits is captured in the EDS system. 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 licensing 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-compliant wholesale licensees reporting on a monthly basis. Licensees are considered non-compliant if the monthly reports and/or payments are late, incorrect, or not submitted, and must be referred for further administrative action. The wholesale reports received are compared to the licensing system's total population of licensees to indicate the number of compliant licensees and the number of non-compliant licensees for monthly report requirements. The EDS system and the referrals for enforcement action are used to calculate the number of compliant and non-compliant licensees for field audits.

**Validity:**

This measure reflects the overall level of industry compliance with monthly reporting and tax payment requirements for cigarette, tobacco product, and alcoholic beverage license holders as provided in Chapters 210, 561-565, and 569, Florida Statutes.

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.

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.

**Reliability:**

The source data for this measurement is captured from various computer systems. The non-compliant monthly reporting data can be verified by comparing the monthly report activity in the

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Division's EDS system to the licenses in the Department's licensing system that are required to report each month. The hand-delivery date, postmark date, and notification dates are noted on the paper monthly reports and in the EDS 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.

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 for further administrative action. Referrals by the auditing 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 record 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.

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**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 (#31)

**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 (CTMH) is statutorily required to arbitrate certain condominium and cooperative disputes, Sections 718.1255 and 719.1255, Florida Statutes. The Division tracks and monitors arbitration cases through the Departmental database Versa: Regulation. 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. Versa: Regulation 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 Versa: Regulation 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

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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, Florida Statutes. 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 customers.

**Reliability:**

The Division is confident that reporting data is dependable and a consistent measure for determining the average number of days to resolve arbitration cases. The Chief of Arbitration randomly selects case files on a bimonthly basis and compares source data for the cases stored in OnBase with the data contained in Versa: Regulation for that case. The Versa: Regulation data is then used to generate the "Closed Arbitration Case PBB report." If errors are noted, they are corrected and additional training is provided to staff.



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**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 (#32)

**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, Versa: Regulation. The opening date is determined by the date stamp indicating receipt of the consumer complaint by the Division. Versa: Regulation is utilized to track case history, including case number; case opening and closing dates, case status and status date; issues (allegations) and case dispositions; and 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). This date is determined by the date the section supervisor signs off on the case to proceed to Administrative Action (Status AA), the date the Division is awaiting action from a Consent Order (COAC) or when there is no administrative action proposed (Status 90). Data is entered in Versa: Regulation by the investigator assigned to handle the case.

Data for this measure is taken from a report titled "CTMH 200-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 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. Condominiums (Section 718.501(1)(m), Florida Statutes), Cooperatives (Section 719.501(1)(m), Florida Statutes) and



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Mobile Homes (Section 723.006(6), Florida Statutes) 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 provides 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 Versa: Regulation 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 200-Average Days to Close a Case" and "CTMH Open Complaints Inventory," on a weekly basis to ensure staff members are accurately entering data into Versa: Regulation. Supervisors also randomly select cases on a monthly basis to compare data contained in Versa: Regulation and indexed into OnBase for accuracy and to ensure they match, and if they do not, corrections are made and additional training is provided.

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**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 (#33)

**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, the Division has 10 days to determine if the application is complete for form – 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 a report titled “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 completed application to the date the permanent license is approved for that applicant. The report provides the total number of days for all applications selected and divides that number by the total number of permanent licenses issued 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

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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 or explanations regarding criminal history.

**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 Versa: Regulation 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 Versa: Regulation, and incorrect entries are identified and corrected by this procedure.

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**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 (#34)

**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." A record is created in Versa: Regulation 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 Versa: Regulation database, specifically by checking a box labeled "OPOL" on the deficiency approval screen. At the end of each reporting period, program staff runs 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

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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 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 compares source data for the filing stored in OnBase with the data contained in Versa: Regulation for that filing. The Versa: Regulation 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.

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**EXHIBIT V – ASSOCIATED ACTIVITIES**

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**EXHIBIT V – ASSOCIATED ACTIVITIES**

<b>LRPP Exhibit V: Identification of Associated Activity Contributing to Performance Measures</b>		
<b>Measure Number</b>	<b>Approved Performance Measures for FY 2018-19</b>	<b>Associated Activities</b>
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 minutes	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 Activities
9	Percent of licenses that correct violations through alternative means (notices of non-compliance, citations or alternative dispute resolution)	Compliance and Enforcement Activities
10	Percent of complete board referred applications approved or denied within 90 days	Standards and Licensure Activities
11	Percent of licensees in compliance with inspection laws and regulations	Compliance and Enforcement Activities
12	Percent of complete applications approved or denied within 90 days	Florida Athletic Commission

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13	Percent of complete provider and individual course applications approved or denied within 90 days	Testing and Continuing Education
14	Percent of farm labor contractors inspected found to be in compliance with the law	Monitor Employers for Compliance with Migrant Farmworker Labor Laws
15	Percent of employers brought into compliance with child labor laws on follow-up investigations	Monitor Employers for Compliance with Child Labor Laws
16	Percent of complete license applications approved or denied within 90 days (Drugs, Devices, Cosmetics and Household Products Regulation)	Drugs, Devices and Cosmetics Regulation
17	Percentage of Florida resident prescription drug wholesale distributor permit holders inspected (Drugs, Devices, Cosmetics and Household Products Regulation)	Drugs, Devices and Cosmetics Regulation
18	Percent of food establishments inspected according to statute	Compliance and Enforcement Activities for Hotels and Restaurants
19	Percent of lodging establishments inspected according to statute	Compliance and Enforcement Activities for Hotels and Restaurants
20	Percent of elevators, escalators and other vertical conveyance devices inspected according to statute	Compliance and Enforcement Activities for Elevators
21	Percent of complete public food establishment license applications approved or denied within 90 days	Standards and Licensure Activities for Hotels and Restaurants
22	Percent of complete public lodging establishment license applications approved or denied within 90 days	Standards and Licensure Activities for Hotels and Restaurants
23	Percentage of elevator certificates of operation applications approved or denied within 90 days	Standards and Licensure Activities for Elevators
24	Percent of total retail alcohol and tobacco licensees and permit holders inspected	Compliance and Enforcement Activities
25	Percent of alcoholic beverage retailers tested found to be in compliance with underage persons' access	Compliance and Enforcement Activities
26	Percent of tobacco retailers tested found to be in compliance with underage persons' access	Compliance and Enforcement Activities



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27	Percent of inspections resulting in licensees in compliance with laws and regulations		Compliance and Enforcement Activities
28	Percent of complete license applications approved or denied within 90 days		Standards and Licensure Activities
29	Collections per dollar of auditing expenditure		Tax Collection and Auditing
30	Percent of wholesale licensees providing timely and accurate tax reporting and remittance as required by Florida Statute		Tax Collection and Auditing
31	Average number of days to resolve cases submitted for arbitration		Compliance and Enforcement Activities – Condominiums
32	Average number of days to resolve investigations of consumer complaints		Compliance and Enforcement Activities – Condominiums
33	Average number of days to review and issue yacht and ship broker and salesperson license		Compliance and Enforcement Activities – General Regulation (Yacht and Ship)
34	Percent of condominium, timeshare and mobile home filings reviewed within statutory requirements		Compliance and Enforcement Activities

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**AGENCY-LEVEL UNIT COST SUMMARY**

BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF		FISCAL YEAR 2021-22			
SECTION I: BUDGET		OPERATING		FIXED CAPITAL OUTLAY	
TOTAL ALL FUNDS GENERAL APPROPRIATIONS ACT			151,264,563	0	
ADJUSTMENTS TO GENERAL APPROPRIATIONS ACT (Supplementals, Vetoes, Budget Amendments, etc.)			2,510,132	0	
FINAL BUDGET FOR AGENCY			153,774,695	0	
SECTION II: ACTIVITIES * MEASURES		Number of Units	(1) Unit Cost	(2) Expenditures (Allocated)	(3) FCO
Executive Direction, Administrative Support and Information Technology (2)					0
Licensure/Revenue * Number of transactions processed		811,119	5.05	4,095,441	
Protect Boxers * Number of scheduled boxing, kickboxing, and mixed martial arts events.		131	7,742.76	1,014,301	
Call Center * Number of calls, emails, public contacts		1,645,319	3.50	5,756,087	
Central Intake - Initial Applications * Number of initial applications processed		159,989	29.92	4,787,564	
Central Intake - Renewals * Number of renewals processed		635,567	1.41	898,413	
Testing * Number of candidates tested		135,884	13.86	1,883,776	
Continuing Education * Number of non-deficient, complete provider and individual course applications processed within 90 days		7,827	188.01	1,471,568	
Board Of Architecture And Interior Design * Number of enforcement actions		48	8,859.15	425,239	
Drug, Device And Cosmetic Regulation * Licensure and Regulatory activities		40,968	68.96	2,825,256	
Unlicensed Activity * Number of Outreach and Enforcement Actions		7,568	177.30	1,341,811	
Monitor Employers For Compliance With Migrant Farmworker Labor Laws * Number of Investigations and Inspections		3,256	562.88	1,832,736	
Monitor Employers For Compliance With Child Labor Laws * Number of Investigations and Inspections		5,976	120.97	722,903	
Compliance And Enforcement Activities * Number of enforcement actions.		53,422	291.09	15,550,876	
Standards And Licensure Activities * Number of licensees		980,355	10.16	9,957,240	
Compliance And Enforcement Activities For Hotels And Restaurants * Inspections and enforcement actions		177,296	154.86	27,455,611	
Compliance And Enforcement Activities For Elevators * Inspections and enforcement actions		6,154	324.30	1,995,772	
School-to-career-grant * Students served through grant program.		43,327	16.31	706,698	
Standards And Licensure Activities For Hotels And Restaurants * Number of licensees for public lodging and food service establishments		124,003	20.55	2,548,385	
Standards And Licensure Activities For Elevators * Number of licensees for elevators, escalators and other vertical conveyance devices		59,203	10.02	593,291	
Compliance And Enforcement Activities * Number of enforcement actions for Alcoholic Beverages and Tobacco		57,074	302.42	17,260,410	
Code Promulgation * Code Amendments Promulgated		1,218	2,336.23	2,845,528	
Regulation Of Manufactured Buildings * Permits Issued for Manufactured Buildings		48,784	4.63	225,971	
Standards And Licensure Activities * Number of applications processed for Alcoholic Beverages and Tobacco		46,018	105.21	4,841,549	
Tax Collection And Auditing * Number of audits conducted for Alcoholic Beverages and Tobacco		6,502	1,116.42	7,258,982	
Compliance And Enforcement Activities - General Regulation (yacht And Ship) * Number of regulatory activities.		4,815	47.51	228,758	
Compliance And Enforcement Activities - Timeshare * Number of regulatory activities.		3,704	275.47	1,020,345	
Compliance And Enforcement Activities - Condominiums * Number of regulatory activities.		63,244	88.09	5,571,091	
Compliance And Enforcement Activities - Mobile Homes * Number of regulatory activities.		7,458	57.28	427,189	
Homeowners' Associations * Number of compliance actions.		296	687.98	203,642	
Condominium Ombudsman * Number of activities in fulfillment of statutory duties.		4,478	104.18	466,530	
TOTAL				126,212,963	
SECTION III: RECONCILIATION TO BUDGET					
PASS THROUGHS					
TRANSFER - STATE AGENCIES					
AID TO LOCAL GOVERNMENTS					
PAYMENT OF PENSIONS, BENEFITS AND CLAIMS				3,199,919	
OTHER					
REVERSIONS				24,361,852	
TOTAL BUDGET FOR AGENCY (Total Activities + Pass Throughs + Reversions) - Should equal Section I above. (4)				153,774,734	

## 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.

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**GLOSSARY OF TERMS AND ACRONYMS**

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**GLOSSARY OF TERMS AND ACRONYMS**

**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.

**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 an 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. The Division is responsible for collecting all excise taxes and surcharges related to the sale of tobacco products and alcoholic beverages in Florida.

**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.

**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.

**Board of Accountancy:** Makes final decisions in the areas that affect the practice of Certified Public Accountant 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.

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**Demand**: The number of output units that are eligible to benefit from a service or activity.

**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, CPAs 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.

**COVID-19 Pandemic or COVID-19**: COVID-19 is a disease, caused by a novel (or new) coronavirus that has not previously been seen in humans. On February 11, 2020, the World Health Organization announced an official name for the disease that caused the 2019 novel coronavirus outbreak.

**CPA**: Certified Public Accountant.

**Drugs, Devices and Cosmetics, Division of**: A division within the Department of Business and Professional Regulation that is responsible for safeguarding the health, safety, and welfare of the citizens of the state of Florida from injury due to the use of adulterated, contaminated, misbranded drugs, drug ingredients, and cosmetics by administering the provisions of the Florida Drug and Cosmetic Act (Chapter 499, F.S.).

**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.

**EOG**: Executive Office of the Governor.

**Estimated Expenditures**: Includes the amount estimated to be expended during the current fiscal year. These amounts will be computer generated based on the current year appropriations adjusted for vetoes and special appropriations bills.

**FCO - Fixed Capital Outlay**: Fixed Capital Outlay: Real property (land, buildings including appurtenances, fixtures and fixed equipment, structures, etc.), including additions, replacements, major repairs, and renovations to real property that materially extend its useful

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life or materially improve or change its functional use. Includes furniture and equipment necessary to furnish and operate a new or improved facility.

**Fiscal Year:** The period used for budgeting and accounting. In Florida state government, this is the period from July 1st of one calendar year to June 30th 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 (FREC):** 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 (FREAB):** 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 Athletic 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.

**GAA:** General Appropriations Act.

**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.

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**Governor:** The Governor of the State of Florida.

**Hotels & Restaurants, 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.

**Indicator:** A single quantitative or qualitative statement that reports information about the nature of a condition, entity or activity. This term is used commonly as a synonym for the word “measure.”

**Information Technology Resources:** Includes data processing-related hardware, software, services, telecommunications, supplies, personnel, facility resources, maintenance, and training.

**Input:** See Performance Measure.

**LAS/PBS:** Legislative Appropriations System/Planning and Budgeting Subsystem. The statewide appropriations and budgeting system owned and maintained by the Executive Office of the Governor.

**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.

**LBR:** Legislative Budget Request

**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 four-year, staggered terms and representatives serve two-year terms.

**LRPP:** Long Range Program Plan.

**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



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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.

**OPB**: Office of Policy and Budget, Executive Office of the Governor.

**OPPAGA**: The Office of Program Policy Analysis and Government Accountability.

**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.

**OPS**: Other Personal Services.

**Outcome**: See Performance Measure.

**Output**: See Performance Measure.

**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 460,000 professionals. The Division administers 12 professional boards, five 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

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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.

**Program Component:** An aggregation of generally related objectives which, because of their special character, related workload and interrelated output, can logically be considered an entity for purposes of organization, management, accounting, reporting, and budgeting.

**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 400,000 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.

**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.

**Trends and Conditions Statement:** 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.

**Trust Fund:** A special account into which certain funds are deposited and out of which funds are disbursed for a specific and exclusive purpose.

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**Unit Cost:** The average total cost of producing a single unit of output – goods and services for a specific agency activity.

**Validity:** The appropriateness of the measuring instrument in relation to the purpose for which it is being used.

**Versa: Regulation:** The Department of Business and Professional Regulation’s primary database application system supporting all licensing, enforcement, inspection, investigation and complaint activities.

**Versa: Online:** The Department of Business and Professional Regulation’s online license application system used to automate the licensure process by providing the applicant the ability to simultaneously submit applications, supporting documentation and payments electronically. Versa: Online also supports licensure certifications; homeowner associations’ registrations; quarterly and annual reporting for employee leasing companies, self-printing of inactive receipts and online inspection result reporting for privatized elevator inspectors and self-printing of licenses. Consumers are able to file complaints for over 140 license types using the online services.