

Melanie S. Griffin, Secretary

Ron DeSantis, Governor

LONG RANGE PROGRAM PLAN

Department of Business and Professional Regulation

Tallahassee

September 29, 2023

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

Tim Sadberry, 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 2024-25 through Fiscal Year 2028-29. 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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION



AGENCY

LONG-RANGE PROGRAM PLAN

**FISCAL YEAR 2024-25
THROUGH 2028-29**

RON DESANTIS, GOVERNOR

MELANIE S. GRIFFIN, SECRETARY

**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.

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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

Baseline FY 2009-10	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
10 days	5 days	5 days	5 days	5 days	5 days

Service: Hotels and Restaurants

Baseline FY 2010-11	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
18 days	15 days	15 days	15 days	15 days	15 days

Service: Alcoholic Beverages and Tobacco

Baseline FY 2010-11	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
10 days	4 days	4 days	4 days	4 days	4 days

Service: Bureau of Education and Testing

Baseline FY 2010-11	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
30 days	5 days	5 days	5 days	5 days	5 days

Service: Florida Athletic Commission

Baseline FY 2010-11	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
10 days	2 days	2 days	2 days	2 days	2 days

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Service: Condominiums, Timeshares and Mobile Homes

Baseline FY 2010-11	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
75 days	14 days	14 days	14 days	14 days	14 days

Service: Yacht and Ship Broker

Baseline FY 2010-11	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
45 days	5 days	5 days	5 days	5 days	5 days

Service: Drugs, Devices and Cosmetics

Baseline FY 2010-11	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
29%	95%	100%	100%	100%	100%

Outcome: *Percentage of renewals available online*

Service: Department-wide

Baseline FY 2012-13	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
76%	99.5%	99.5%	100%	100%	100%

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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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
72%	95%	95%	95%	95%	95%

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

Service: Service Operations – Customer Contact Center

Baseline FY 2006-07	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
90%	92%	95%	95%	95%	95%

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Outcome: *Average time to respond to customer e-mails*

Service: Service Operations – Customer Contact Center

Baseline FY 2010-11	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
72%	40%	40%	40%	40%	40%

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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
114 days	60 days	60 days	60 days	60 days	60 days

Service: Real Estate

Baseline FY 2006-07	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
195 days	60 days	60 days	60 days	60 days	60 days

Service: Accountancy

Baseline FY 2006-07	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
111 days	60 days	60 days	60 days	60 days	60 days

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Service: Condominiums, Timeshares and Mobile Homes

Baseline FY 2006-07	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
100%	99%	99%	99%	99%	99%

Service: Hotels and Restaurants – Food establishments

Baseline FY 2006-07	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
78%	95%	95%	95%	95%	95%

Service: Hotels and Restaurants – Lodging establishments

Baseline FY 2006-07	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
86%	95%	95%	95%	95%	95%

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

Service: Regulation of Boards and Commissions

Baseline FY 2010-11	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
100%	99%	99%	99%	99%	99%

Service: Hotels and Restaurants – Food establishments

Baseline FY 2010-11	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
90%	95%	95%	95%	95%	95%

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Service: Hotels and Restaurants – Lodging establishments

Baseline FY 2010-11	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
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

Baseline FY 2006-07	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
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

Baseline FY 2006-07	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
91.4%	90%	90%	90%	90%	90%

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

Baseline FY 2010-11	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
20%	100%	100%	100%	100%	100%

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4-2: Reduce costs associated with revenue collection

Outcome: *Tax collections per auditing dollar expended*

Service: Alcoholic Beverages & Tobacco

Baseline FY 2010-11	FY 2024- 25	FY 2025- 26	FY 2026- 27	FY 2027- 28	FY 2024-25
\$248	\$250	\$250	\$250	\$250	\$250

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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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DIVISION OF ALCOHOLIC BEVERAGES AND TOBACCO

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 2022-23, the statewide license population relating to alcoholic beverages has increased among several alcoholic beverage license types in particular, the manufacturing of malt beverages and distilled spirits.

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, but to also reduce travel time and expenses associated with audits and inspections. This is being accomplished by stationing telework staff around the state in zones (counties, two to 10 depending on license population) to strategically stage the auditor or inspector in close proximity to the licenses in their respective areas. This not only reduces travel time, and the associated costs, but gives the Division the opportunity to effectively reach licenses that may not have been reached previously due to the lack of available resources. This redeployment of resources is a great 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 2022-23, 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

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selling regulated products while the application for a permanent license is under review by the Division. For the Fiscal Year 2022-23, 24,043 applications (60%) were deemed non-deficient with an average of 28.4 days, while 473 applications (39%) were deemed deficient with an average of 30.8 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 2022 quota drawing entry period, the Division introduced an option of an online entry form for filing of drawing entries, which resulted in 5,844 of the 20,340 total entry forms, or approximately 29%, being submitted online during the entry period in 2022. 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.

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. On June 21, 2021, the Governor signed SB 1966 creating Chapter 2021-135, L.O.F., making electronic reporting mandatory for entities holding a Florida license. In response to the change in statute, in Fiscal Year 2022-23 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

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 most of the 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 of the redirection caused by COVID-19, the Division increase the number of inspections and surveys by at least 35% for Fiscal Year 2022-23. 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 an enhanced training of investigation specialists who evaluate compliance of licenses regulated by the

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Division 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.

The Division continues to work on developing a proximity-based approach of stationing telework staff around the state in zones (counties, two to 10 depending on license population) to strategically stage the inspector near the licenses 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.

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 being 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.

Monitoring Population-restricted Licenses Compared to Special License Exceptions

Currently, there are quota licenses issued across the state. In contrast, there are currently 74,397 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), F.S. These numbers are consistent with the previous fiscal years, for quota and 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.

FLORIDA ATHLETIC COMMISSION

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. 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 45 licensed amateur sanctioning organizations. The Commission is responsible for periodic compliance checks of the approved amateur sanctioning

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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.

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

Events	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23
Boxing	31	22	66	60	61
Kickboxing	1	2	3	0	0
Mixed Martial Arts	27	25	31	71	60
Total Events	59	49	100	131	121

DIVISION OF CERTIFIED PUBLIC ACCOUNTING

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, Florida Administrative Code (Board of Accountancy).

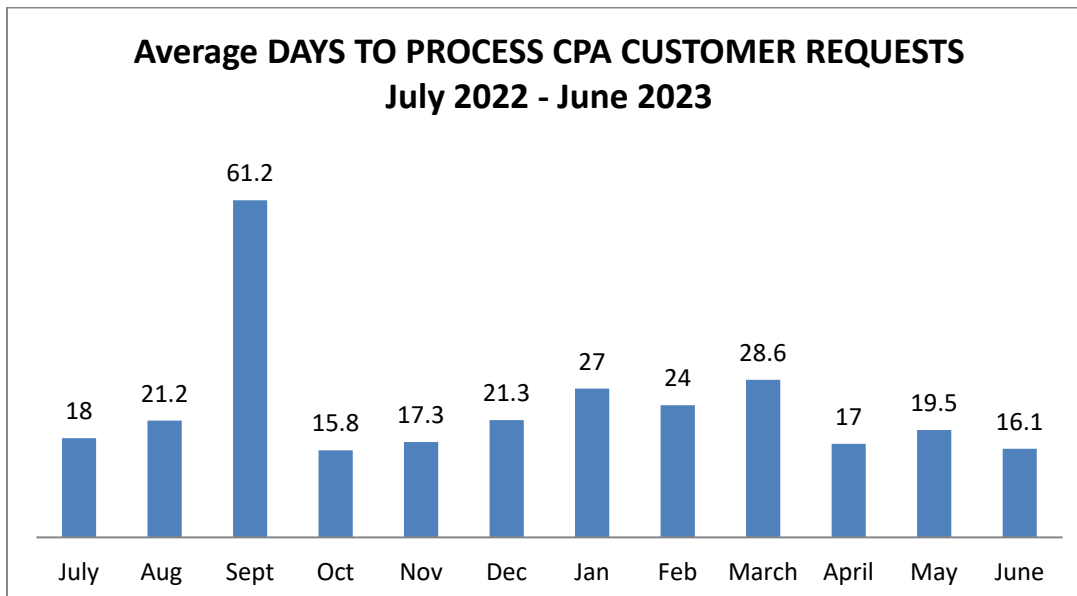
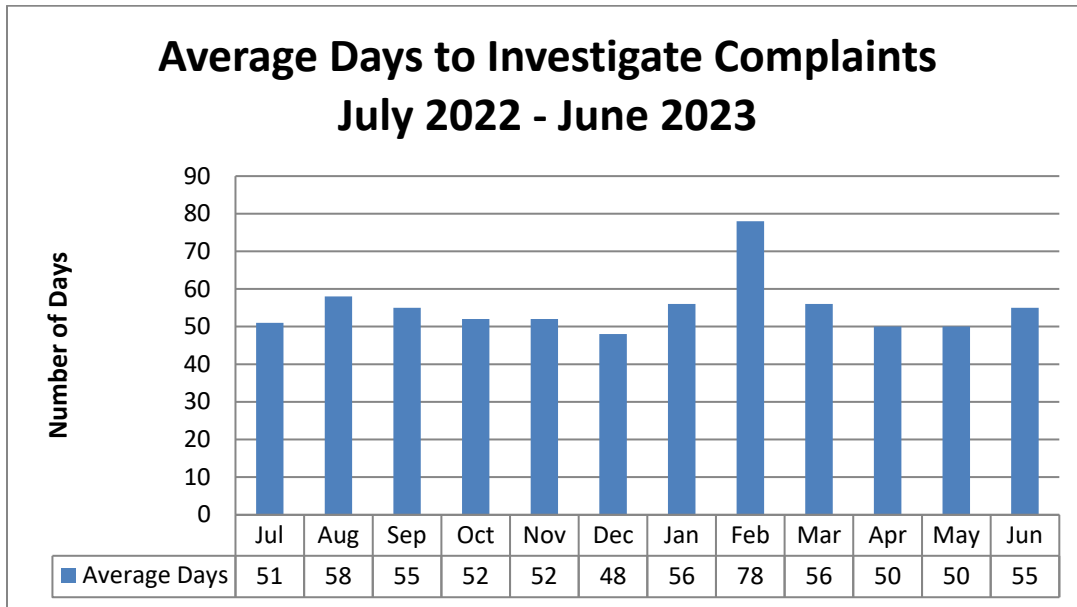
Section 473.303, Florida Statutes, provides for the creation of the Florida Board of Accountancy (Board). The Board consists of nine members: seven certified public accountants (CPAs) and two consumer members. The Board’s responsibilities are to approve or deny the issuance of licenses, certifications, 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.

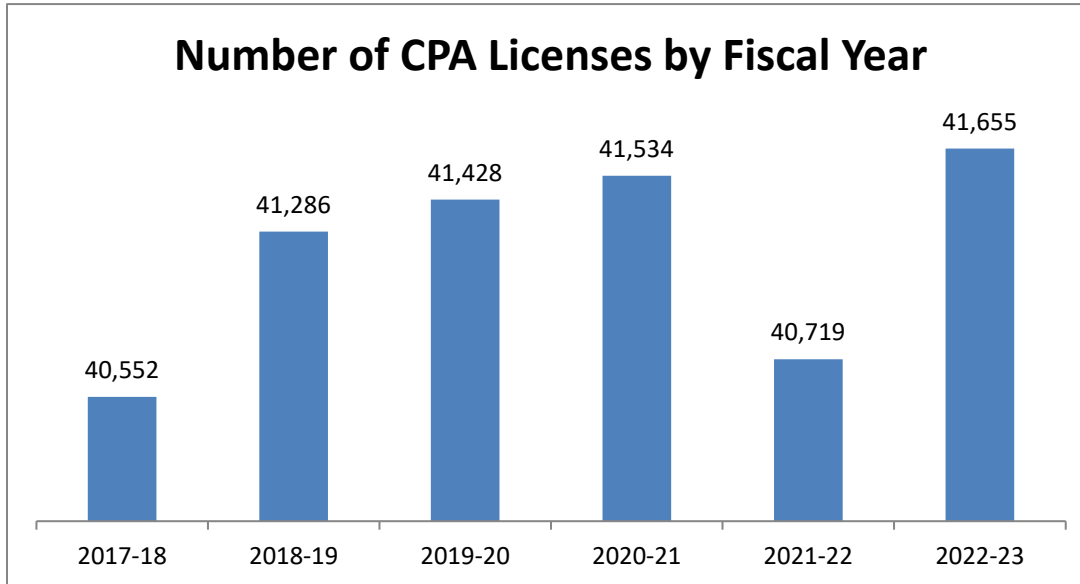
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The Division supports the Department’s mission to license efficiently and regulate fairly. The Division’s priorities include timely processing applications and conducting investigations. The charts below represent, in days, the average time to investigate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



The Division is responsible for the examination, licensing, and regulation of 36,238 Certified Public Accountants and 5,417 Certified Public Accounting firms for a total of 41,655 licensees. The Division estimates the overall number of licensees will remain fairly constant for Fiscal Year 2023-24.

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The table below shows the new application licensing activity for Fiscal Year 2018-19 through Fiscal Year 2022-23.

CPA new application licensing activity five-year trend:

Activity	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23
CPA Examinations	1705	2103	1903	1846	2111
Endorsements	550	664	670	916	910
Reactivations	151	224	209	309	178
Original Licensure	789	894	914	815	750
Ethics CE Sponsors	45	4	41	19	26
Temporary Permits	94	86	57	61	41
Accountancy Firms	262	330	310	345	265
Complaints	456	435	399	296	197

On March 1, 2020, Governor Ron DeSantis signed Executive Order Number 20-51, declaring a public health emergency in response to the COVID-19 pandemic. In response to the Governor's declaration of a public health emergency, and the impacts of the ongoing COVID-19 pandemic, the Board of Accountancy passed several emergency rules extending requirements for licensees and prospective licensees due to the suspension of in-person meetings.

At their meeting on May 15, 2020, the Board of Accountancy approved emergency rule 61H1ER20-5, Florida Administrative Code (F.A.C.). The rule went into effect on May 22, 2020, and waived the additional continuing education hours required when a licensee utilizes the automatic extension process for licensees. This rule applies only to licensees whose re-establishment period ended June 30, 2020.

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At their meeting on January 29, 2021, the Board of Accountancy approved emergency rule 61H1ER21-1, F.A.C. The rule went into effect on February 15, 2021, and extended, for the period of exam credits expiring April 1, 2020, through June 29, 2021, the requirement for applicants to complete all sections of the examination in 18 months from the first test section passage. For that period, exam credits are extended through June 30, 2021.

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.

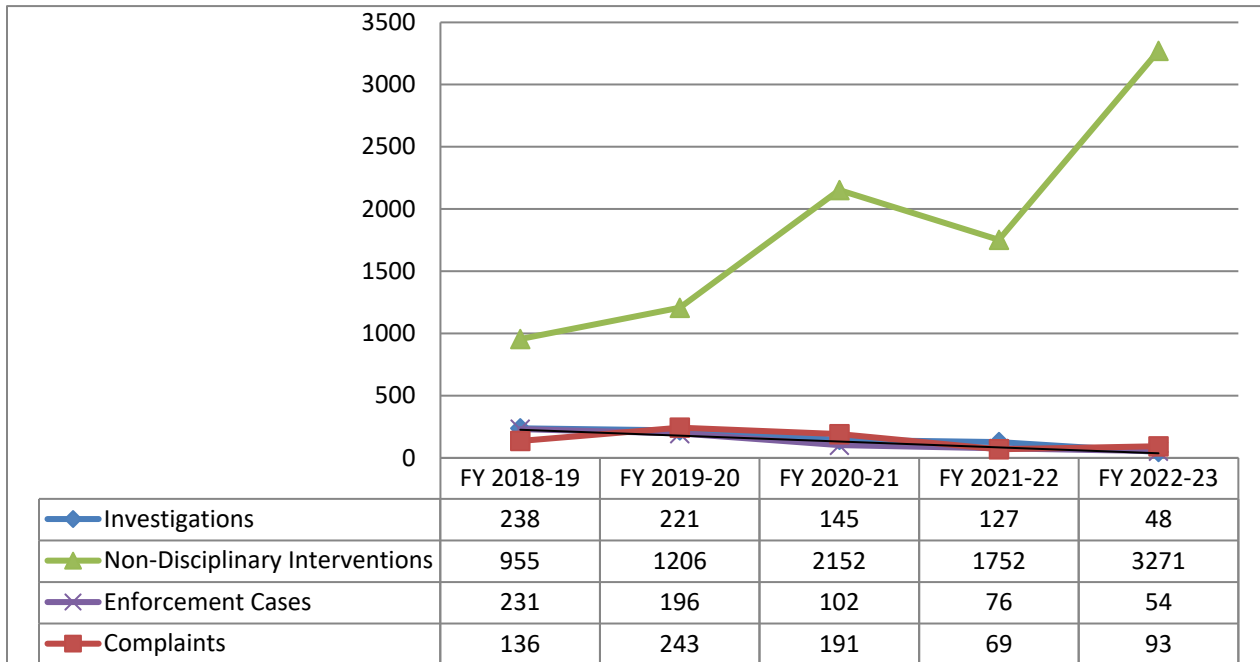
The Uniform CPA Exam currently has four sections. Starting January 1, 2024, the Business Environment and Concepts (BEC) section will be removed. Going forward, exam candidates will have to pass three core sections and pass one of three discipline sections. In 2024, the exam provider plans for significant blackout periods when testing will not be available and for delays in score releases. Rule 61H1-28.0052 was amended, effective May 15, 2023, to allow additional time for exam candidates to take the exam. Credits expiring between January 1, 2024, and June 29, 2025, shall be granted an extension through June 30, 2025.

DIVISION OF DRUGS, DEVICES AND COSMETICS

Pursuant to Section 20.165 and Chapter 499, Florida Statutes, the Division of Drugs, Devices, and Cosmetics (Division or DDC) 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 using adulterated, contaminated, and misbranded drugs, drug ingredients, and cosmetics. The Division currently has 27.5 Full-Time Equivalent positions allocated and regulates over 22,000 establishments licensed to manufacture, process, or distribute drugs, devices, or cosmetics into or within the state as of Fiscal Year 2022-23.

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 with a corresponding decrease in the number of enforcement cases opened year over year. While enforcement cases have decreased year over year under this approach, total revenues from fines and forfeitures have trended up over these past five fiscal years indicating that the Division has utilized enforcement action against regulated establishments that are committing more serious violations.

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The Division is continuing to utilize technological resources to facilitate the online submission of both initial and renewal permit applications for all 32 permit types issued. The Division is also continuing to work with industry stakeholders and the Drug Wholesale Distributor Advisory Council (DWAC) to collaboratively ensure that the Division’s actions protect the public, while preserving and promoting the growth of the industry within the state. The Division is currently working with industry representatives and DWAC to possibly propose changes to the Certified Designated Representative (CDR) requirements that currently require all Prescription Drug Wholesale Distributors licensed through DDC to employ a full-time CDR at each licensed establishment. This requirement is being reviewed for less intrusive requirements as the Division and many industry representatives feel this requirement is often burdensome when considering these licensed wholesalers already employ various leaders with industry knowledge and experience at each permitted location.

The Division is currently working to fully implement regulatory requirements under Florida’s Prescription Drug Reform Act (the Act) was enacted during the 2023 legislative session through Senate Bill 1550 (SB 1550 or the Bill). Effective July 1, 2023, certain provisions of the Act fall under the regulatory oversight of the Department of Business and Professional Regulation (Department) through amendments to Chapter 499, Florida Statutes. Regulatory changes within the bill require certain prescription drug manufacturers licensed through DDC to notify the Department of reportable drug price increases on a specified form on the effective date of such increase. Manufacturers reporting drug price increases are also required to submit a report to the Department on a prescribed form annually by April 1. The Department is required to submit these forms and any additional supporting documentation received to the Agency for Health Care Administration (AHCA) to be posted on their website. The Division has developed draft forms for the drug price reporting and annual reporting and is working to finalize rules required

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to fully enact the program with the assistance of AHCA. Due to the expected additional workload to properly manage this reporting requirement under the Act, DDC is in the process of preparing a legislative budget request for one additional full-time employee to assist the current team of application processors within the Division.

On November 23, 2020, AHCA submitted Florida's Section 804 Importation Program (SIP) proposal to the Food and Drug Administration (FDA) as the state sponsor of the SIP. The Department serves as the co-sponsor of the SIP proposal and the Division has worked diligently with AHCA during the preparation of this proposal and subsequent revised proposals dated April 19, 2021; September 15, 2021; November 15, 2021; and April 21, 2023. The latest FDA response to Florida's SIP proposal was a request for additional information dated August 14, 2023. While AHCA is handling the communication of these additional items of information, the Division is communicating and will provide any assistance possible that we can provide.

Under the federal Drug Supply Chain Security Act (DSCSA), pharmaceutical supply chain entities such as manufacturers, distributors, and pharmacies are to provide serialized data in transaction information when a product changes ownership. Being phased in over a 10-year period, many pieces of tracing capabilities are already in place and serialization has been implemented at most levels of the distribution chain, as well as data exchange for each transaction. All provisions of the DSCSA are required to be in place by November 27, 2023, and DDC is continuing to evaluate any regulatory approach we may need to implement or revise to confirm licensees are conforming to these federal requirements.

On February 3, 2022, the FDA published a proposed rule regarding National Standards for Licensure of Wholesale Drug Distributors (WDDs) and Third-Party Logistics Providers (3PLs). If enacted, this rule would eliminate preemptive rights of state requirements and regulations and require all states licensing WDDs and 3PLs to adhere to requirement as finalized under the rule. If enacted in the future, the provisions of this rule would not come effective until two years after the date the final rule is published. The Division is monitoring the status of this rule.

Since Fiscal Year ending 2018-19, DDC has experienced a huge increase in application volume and subsequent active permits which have increased year over year from approximately 14,000 to over 24,000 at Fiscal Year ending 2022-23. The primary input to this increase has been related to the growth in the Healthcare Clinic Establishment (HCCE) permit type due to an increased educational campaign by DDC and industry participants to get establishments properly permitted with the HCCE type. This increase in overall active permits regulated through the Division has also been the primary driver in moving DDC from a net deficit position at Fiscal Year ending 2018-19 to a health net excess position for each of the subsequent fiscal years ending through this latest period of 2022-23.

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DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES, AND MOBILE HOMES

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 2023-24:

- Continue to increase efficiency through the complaint intake and checklist process;
- Utilize social media for communication and education; and
- 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 1,531,169 units in Fiscal Year 2021-22 to 1,532,593 units in Fiscal Year 2022-23. During the same period, the number of complaints increased with the Division receiving 1,595 in Fiscal Year 2021-22 compared to 2,380 in Fiscal Year 2022-23. The 2023 legislative session, particularly Senate Bill 154 – Condominiums and Cooperative Associations, had a significant impact on the Division. The bill amends the Structural Integrity Reserve Study (SIRS) requirements and provides examples of people exempt from the SIRS requirements. The bill also provides an appropriation (\$1,301,928 recurring and \$67,193 nonrecurring) to the Division of Florida Condominiums, Timeshares, and Mobile Homes within the Department of Business and Professional Regulation to implement the requirements in the bill, including funds for 10 additional full-time employees.

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 three in Fiscal Year 2021-22 to seven in Fiscal Year 2022-23. During the same time period, the number of complaints increased from 396 in Fiscal Year 2021-22 to 648 in Fiscal Year 2022-23.

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 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 3,998 in Fiscal Year 2021-22 to 4,129 in Fiscal Year 2022-23. During the same period, the number of complaints

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increased with the Division receiving 18 in Fiscal Year 2021-22 compared to 24 in Fiscal Year 2022-23.

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 increased from 2,289 in Fiscal Year 2021-22 to 2,297 in Fiscal Year 2022-23. During the same period, the number of complaints increased with the Division receiving 131 in Fiscal Year 2021-2022 compared to 158 in Fiscal Year 2022-23.

DIVISION OF HOTELS AND RESTAURANTS

Chapter 509, Florida Statutes, provides the Division of Hotels and Restaurants with the regulatory authority to license and inspect public food service establishments and public lodging establishments. Each food service establishment must be inspected at a frequency that is “risk-based,” ranging from one to four required inspections annually. Each licensed transient lodging establishment must be inspected at least twice annually, except for transient and non-transient apartments, which must be inspected at least once annually, and at such other times as the Division determines there is a necessary interest 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 moving 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 60,000 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 transported by moving conveyances.

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

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illustrates the growth of food and lodging establishments and the percentage increase of each from Fiscal Year 2009-10 to Fiscal Year 2022-23.

Business Volume Change from Fiscal Year 2009-10 to Fiscal Year 2022-23

	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17
Food Accounts	45,327	46,315	47,251	47,782	48,607	49,966	51,532	52,973
Lodging Accounts	37,273	37,544	37,897	37,944	38,479	40,192	40,341	41,931
Total Accounts	82,600	83,859	85,148	85,726	87,086	90,158	91,873	94,904

	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	Percent Growth from FY 2009-10 to FY 2022-23
Food Accounts	54,452	55,640	56,920	58,270	60,313	62,951	39%
Lodging Accounts	44,904	47,337	50,342	53,492	63,690	69,606	87%
Total Accounts	99,356	102,977	107,262	111,762	124,003	132,557	60%

The table below shows the percentage of statutorily required inspections that were completed by fiscal year beginning in Fiscal Year 2013-14.

	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23
Percent Completed Inspections	99%	98%	92%	82%	62%	83%	94%	98%	98%	95%

Statutorily required inspections are comprised of public food service establishments, transient public lodging establishments, and non-transient apartments. In Fiscal Year 2022-23, the Division completed 92% of the statutorily required inspections for public food service establishments and 98% for public lodging establishments, which is down slightly when compared with Fiscal Year 2021-22. Completion of inspections was hindered, in part, by Hurricanes Ian and Nicole.

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 is reviewing the recent publication of the 2022 FDA Food Code and will make an assessment upon concluding a comprehensive review.

During Fiscal Year 2022-23, the Division implemented legislation known as “Miya’s Law.” The law requires background screenings for apartment employees, and the law requires that apartments establish policies and procedures for the issuance and return of keys, as well as

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maintaining a key log of those transactions. The law also prohibits any public lodging establishment from offering an hourly rate for an accommodation.

During Fiscal Year 2022-23, the Division also created and released a publicly accessible, searchable database of licensed vacation rental locations. The Division made simultaneous technology improvements to its customer online account system, making it possible for licensees to update their vacation rental location addresses online. As a result, interested parties can now search the full database of licensed vacation rentals in our state and licensees can instantly add or delete vacation rental locations from their license at any time, 24/7. Further improvements may be possible with the planned implementation of a new Department customer online account system that is being planned for Fiscal Year 2023-24.

During Fiscal Year 2022-23, the Division incorporated by rule new regulations that allow the use of outdoor kitchen equipment and outdoor cooking equipment at licensed food service establishments, enabling restaurants to offer new dining experiences in a safe manner that remains consistent with Food Code requirements. The Division also incorporated by rule an extension of plan review approvals, which are now valid for 18 months (previously 12 months). The Division continues to look for new innovations or regulatory revisions that benefit both the public and its licensees.

During the 2023 legislative session, several Legislative Budget Requests (LBR) were approved for the Division. These include:

- 5 new FTE positions for the office of plan review to address and eliminate an existing backlog of food service establishment plan review applications. The Division began hiring for these positions at the conclusion of Fiscal Year 2022-23.
- An increased appropriation for the Division to purchase additional state vehicles to offset the cost of employees who are currently reimbursed for mileage driven in their personal vehicles.
- An increase in appropriation dedicated to funding an existing epidemiological agreement with the Florida Department of Health (DOH) in which the Division reimburses DOH for its cost to investigate foodborne illnesses at Division-licensed establishments.

The Division continues to monitor its existing FTEs in order to ensure that staffing does not fall behind the rapid growth in the food and lodging industry that continues year over year.

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

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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

Pursuant to Chapter 455, Florida Statutes, the Department's Division of Professions is responsible for the licensing of over 500,000 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.

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

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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 1315 model code changes and approved 647 of the model code changes for inclusion in the Florida Building Code, 8th Edition, (2023).

During Fiscal Year 2022-2023, the Commission completed the second step of the triennial update process. The Commission reviewed 623 proposed code modifications submitted by members of the public and approved 445 of the proposed code modifications for inclusion in the Florida Building Code, 8th Edition, (2023).

During Fiscal Year 2022-23, approximately 1,856 product approval applications were processed for compliance with the Florida Building Code, 7th 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 2022-23, the Commission processed 17 new course applications. The Commission did not process any administratively approved course applications or 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 2022-23, the Program processed 51,909 insignias (decals) for manufactured buildings. Insignias were processed for 144 factory-built schools, 4,769 manufactured buildings, 1,248 panelized buildings, and 45,748 sheds.

The Division has continued its efforts with a quality control process designed to enhance and engrain its cultural focus on determining what processes make customers successful, measuring those processes, and improving their performance. The Division of Professions has a consistent line of communication with the Division of Service Operations to monitor and address ways to improve business processes and streamline workflow; improve the online application process and accessibility; and improve performance metrics through the coordinated efforts of the two divisions. This has been a successful initiative and has assisted the Division in meeting agency objectives for faster approval of licenses to join a profession or open a business, providing quality assistance to customers, and reducing the difficulty and complexity of applications.

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

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A few of the objectives achieved by the Division during Fiscal Year 2022-23 were:

- In Fiscal Year 2022-23, \$4,462,646.61 was awarded in claims from the Homeowner’s Construction Recovery Fund.
- The Florida Building Commission processed approximately 1,856 product approval applications (all of which were processed by staff).
- The Bureau of Education and Testing administered a total of 127,504 examinations:
 - 126,159 examinations administered in a computer-based testing format;
 - 1,017 examinations administered in pencil and paper; and
 - 328 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:

Fiscal Year	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%
FY 2022-23	9,110	14.13%	683	13.73%	1,141	-13.36%	503,539	-0.53%

In Fiscal Year 2022-23, the number of applications referred for board review increased by 14.13% to 9,110. Disciplinary cases referred for board discipline increased by 13.73%, and the number of disciplinary actions decreased by 13.36%. Professional licenses totaled 503,539, a decrease of .53%.

For Fiscal Year 2022-23, online proctored testing options continued to be available to candidates for certain professional licenses.

Effective March 2023, the licensure examination for the practice of professional geology began being administered via 26 computer-based testing centers throughout the state. The examination was previously administered in paper and pencil format in one centralized location.

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In coordination with DBPR's license examination provider for several professions, 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
- 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

The Division of Real Estate (DRE) is responsible for the examination, licensing, and regulation of more than 478,098 real estate professionals, corporations, schools, instructors, and 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.

DRE has worked hard to ensure Florida has a favorable regulatory climate for real estate professionals. In 2023, Florida's strong residential market was driven by in-migration and constant shortage of inventory. There has been an increase of more than 62,000 licensees or 15% licensee growth in the past three years. Through the course of the COVID-19 pandemic, the DRE 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.

DRE's services are part of the path to people pursuing their professional aspirations, entering a meaningful line of work, and opening the doors to their business. Moving forward, DRE 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.

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Online Proctored Testing

To make it easier and faster to obtain a real estate license, the Division of Real Estate initiated new, online proctored testing options for certain real estate licensees (sales associate, brokers and instructors).

Remote Spanish Examinations

Real estate examination candidates for their real estate sales, broker, and instructor examination now have the option to schedule and take their remote online proctored examination in Spanish. Since South Florida has a significant Spanish-speaking population, this will allow our citizens to take a remote real estate examination without any language barriers.

Hybrid FREC Meetings

The Florida Real Estate Commission (FREC) meetings transitioned from in-person, to videoconferencing, to hybrid delivery method, where applicants, respondents and interested parties are afforded the option to present in-person or video/teleconference. 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.

Broker Notification

In response to feedback from Florida Realtors, DBPR changed the way brokers were notified when a sales associate left the firm. There is now a trigger notification that sends an alert to the old broker that the licensee has moved brokerages.

Reciprocity Agreements (aka mutual recognition)

The FREC re-entered into a reciprocity agreement with Kentucky and West Virginia, making it the ninth and tenth state agreement for reciprocity throughout the United States. FREC is looking at more reciprocity agreements with other states such as New York and North Carolina to enable more seamless transitions for real estate professionals from other areas of the country seeking to move and continue their business in Florida.

Audit and Inspection Program

With more and more people getting their real estate license, it is more important than ever for the Division of Real Estate that real estate licensees are following the law. Floridians must feel confident they can rely on DRE to protect the public from real estate fraud, misrepresentations, concealment, schemes, or any ethical violations.

The Audit and Inspection Program's mission is to conduct brokerage office inspections and escrow account audits. In addition to protecting the public from monetary loss, this unit informs licensees of statutory obligations and assists them in remaining compliant with license law.

As a result of this implementation, the Division experienced a decrease in the number of complaints and legal cases that need to be opened against licensees by helping licensees become compliant before complaints are filed.

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DIVISION OF REGULATION

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 more than 486,178 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. In fact, the average time to investigate a complaint has been reduced from 120 days to approximately 90 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 538 sweeps, 11 undercover enforcement operations, and 684 educational outreach opportunities. Unlicensed activity sweeps and undercover enforcement operations are conducted as a part of the Division's proactive enforcement efforts. Sweeps are preemptive 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 preemptive 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 which can be used to increase community awareness about the Department's actions and 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 workdays, 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.

Activity	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23
Complaints	11,062	12,332	15,765	15,120	14,661	14,962	15,199	17,557
Investigations	5,055	5,434	6,098	5,641	6,082	4,719	4,376	5,015
Inspections	18,239	20,015	20,209	21,747	20,212	24,721	21,574	23,051
Average Inspections Per Inspector	1,140	1,251	1,347	1,450	1,263	1,545	1,348	1,440
Farm Labor Investigations & Inspections	3,390	3,520	3,288	2,997	3,217	3,077	3,256	2,022
Child Labor Investigations & Inspections	10,029	8,526	11,329	10,915	7,822	8,757	5,976	3,774
Outreach Events	921	795	730	454	323	316	640	684
Sweeps	828	722	937	713	430	406	543	538
Undercover Enforcement Operations	49	41	35	42	17	12	17	11

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 8,068 online complaints.

The Fiscal Year 2022-2023 General Appropriations Act proviso requires a report be submitted to the Legislature by November 1, 2023, 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 of Regulation participated in a nationally coordinated enforcement effort alongside 11 National Association of State Contractors Licensing Agencies (NASCLA) members to fight unlicensed activity. From June 5-23, 2023, the Division conducted a coordinated statewide sweep, targeting unlicensed construction and electrical contractors, and making 416 unannounced site visits with more than 650 license checks of construction and electrical contractors. As a result of these sweeps and enforcement operations, 97 unlicensed activity cases were initiated.

After Hurricane Ian made landfall in September 2022, the Division participated in immediate disaster relief efforts with the Florida Department of Emergency Management by manning aid stations and assisting with other relief efforts for 6 six weeks following the disaster. The Division also worked with the local State Attorney's Office and law enforcement on the Hurricane Ian Task Force to combat unlicensed construction activity and construction fraud. Division investigative staff are rotated through the disaster area in order to maintain an enhanced presence for unlicensed activity sweeps and stings.

DIVISION OF SERVICE OPERATIONS

The Division of Service Operations (DSO) 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 (FY) 2022-23, the Division continued to feel the impact of the 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 had left the Division and transferred to other divisions

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within the Department were hired back as Other Personnel Services (OPS) 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. In FY 2022-23, the CCC's incoming call volume was over 1.35 million calls. Even though the CCC was faced with a high vacancy and attrition rate in FY 2022-23, the answer rate increased to 73.55% from 58.13% in the previous fiscal year. The wait time improved to 13 minutes and 54 seconds from 38 minutes and nine seconds in the previous fiscal year. The email volume for FY 2022-23 was 168,748. The CCC responded to 171,288 emails with an average response time of 79.71 hours which improved from 191.34 hours in the previous fiscal year. To address the vacancy and attrition rates, the Division increased the base pay for all regulatory class employees and supervisors.

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 the infrastructure provide a seamless process to applicants for licensure. The average processing time for initial licensure applications was 10.91 days during this period. The impact to the average processing time in FY 2022-23 was two-fold. First, there was an industry impact from the COVID-19 pandemic that has persisted in this fiscal year and a significant increase in the number of applications. Second, there was a significant shortage of personnel to process applications despite continuous hiring efforts, and there was a lack of qualified applicants to fill the vacant positions.

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:

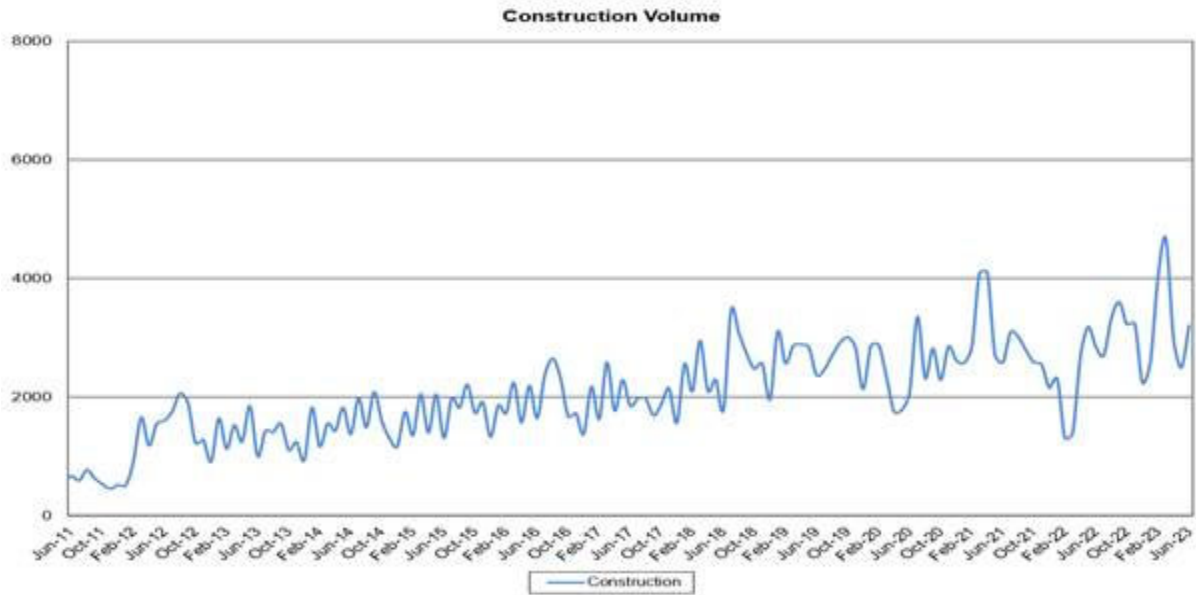
- Fully staffing all vacant positions;
- Expedient processing of license applications;
- Online application forms and submission of supporting documents;
- Reduced wait time for agent-assisted calls, through a call back;
- Robotic Process Automation; and
- Fingerprint Automation.

One of the Department's priorities is to provide a simplified and convenient application process for all our 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 2022-23, the percentage of applications submitted online averaged 64% and reached a high of 69%, reducing the amount of paper applications during this same period. The majority of the electronic submittals include

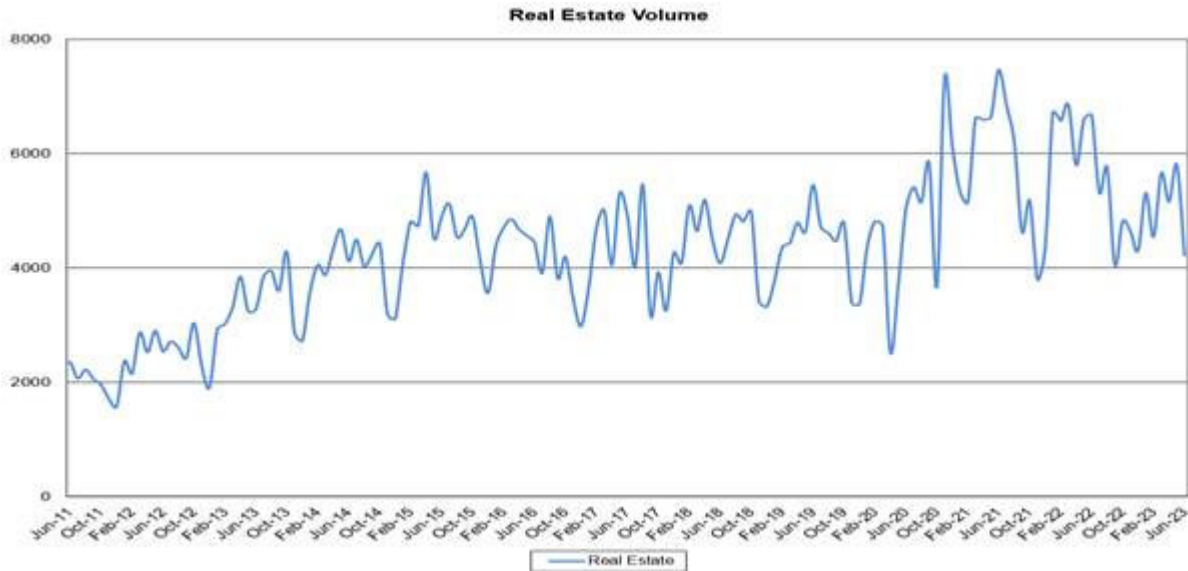
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professions such as real estate and cosmetology, which represent 82% of the applications received by the Department.

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 the post-pandemic population growth. The Department took action to allow easier reciprocity for applicants from other states. The volume of initial applications for the Real Estate Commission has increased 124% from an average of 2,247 per month in Fiscal Year 2011-12, to an average of 5,027 per month in FY 2022-23. 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 253% from an average of 903 per month to an average of 3,191 per month in FY 2022-23.



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Self-Printing of Department Licenses for Regulated Professions

As a pilot project in June 2015, the Department implemented an initiative to allow all real estate licensees to print their professional licenses through their DBPR online account. This initiative has been expanded to include all the programs handled by the Division. 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. Almost 1,201,831 licensees are now able to print their licenses as soon as the Department approves, updates, or renews them.

To pave the way to the goal of processing applications more expeditiously, the Division has designed and implemented technological solutions that streamline and automate processes that currently require staff to accomplish. With the active assistance of the Division of Technology and internal division teams, a barcoding solution had 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. During the fiscal year the BCIL worked 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 Division also implemented two automation projects during this fiscal year. Firstly, the automation of fingerprint results received from Florida Department of Law Enforcement (FDLE). This has removed the need for any manual intervention in the process. The fingerprint results from FDLE are now automatically ingested and married to open applications in the system or identified as “Undetermined” document if there was no open application for the customer.

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Secondly, automation was implemented for the approval of exam applications for the Real Estate profession when the applicant has no prior criminal history, and it has had a huge impact on application processing time for the Real Estate profession as this automation process eliminates the need for human intervention if the applicant submits a complete exam application. Currently, approximately 48% of the applications submitted for exam approval are being approved through the automated process.

In order to assess and improve customer service, the Division conducts daily customer service satisfaction surveys to 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 FY 2022-23, the CCC received 1,351,775 calls into the IVR of which 585,365 callers requested to speak to an agent. Based on random selections of those callers who spoke to call agents, the Division attempted to contact 11,893 of those callers to conduct the customer service satisfaction survey. The survey team contacted 6,417 customers and 4,917 of those customers participated in the survey. The CCC overall customer satisfaction rate for the year was 94% and 99% 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 FY 2022-23, based on a random selection of applications processed, the Division attempted to contact 1,601 applicants to conduct the customer service satisfaction survey. The survey team successfully contacted 715 applicants and 343 of those applicants participated in the survey. The average Bureau of Central Intake and Licensure satisfaction rate was at 90%.

DIVISION OF TECHNOLOGY

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

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data. Please note that information related to system security in the Long Range Program Plan is not subject to public disclosure per Sections 119.0725 and 282.318(5)(a)-(b)(1), Florida Statutes.

Versa: Regulation

In 2001, the Department contracted with Accenture LLP to re-engineer its business processes. As part of the implementation, the Department integrated Versa LicenseEase, a commercial off-the-shelf (COTS) regulatory software solution, to support all licensing, enforcement, inspection, investigation, and complaint activities. More recently, Iron Data (formerly Versa Systems) significantly improved the software's capabilities into an enhanced, web-based product known as Versa: Regulation (VR). Since ongoing support by Iron Data for LicenseEase came to an end, the Department upgraded to Versa: Regulation in May 2013. The Department continues to work with Tyler Technologies (formerly Iron Data and MicroPact) to make enhancements as needed for its business work units. The Division upgraded VR's Oracle database in 2019, a process that will allow additional upgrades to the application layer in the future.

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. The Division of Technology upgraded these systems in May 2013. In support of the agency's 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. Most significantly, in June 2015, the Division unveiled a self-printing method for over 340,000 real estate professionals to obtain their licenses online, eliminating printing and postage costs and delays, allowing licensees to begin working immediately upon approval. As of June 2023, there are over 600 license types using the paperless license process.

As of 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. Once the complaint is submitted, the record is created in Versa: Regulation and then ingested and routed to the appropriate work unit in OnBase.

Customer Relationship Management (CRM) Software Upgrade

The Department contracted with a private solutions vendor to replace its Customer Relationship Management (CRM) software with the Microsoft Dynamics CRM 4.0 system, launched in January 2012. As part of this implementation, custom code modules were developed to integrate with DBPR's primary enterprise systems: Versa: Regulation (VR) licensing software, and OnBase, document management software, for routing outside of the Customer Contact Center. The CRM has also been integrated with the stand-alone commercial off-the-shelf (COTS) product, KnoahSoft's Harmony Workforce Optimization Suite (Harmony), providing call and interaction recording.

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In 2015, DBPR contracted a staff augmentation project with another private solutions provider to synchronize its CRM 4.0 development, testing and production environments; implement enhancements to functionality; provide knowledge transfer to technology staff; and provide expert guidance on upgrading to the 2015 version of the CRM software. This effort was made in anticipation of the end of extended support for CRM 4.0 in April 2018. In June 2017, the Division of Technology contracted to update the evaluation for upgrading the software to Dynamics 365. The Division and a contracted vendor completed the upgrade to the newest version in May 2018.

DBPR Mobile App

In 2018, DBPR made enhancements to the DBPR mobile application. It now more closely resembles the updated website, has additional search functionality and provides licensees the ability to digitally display their license. The DBPR Mobile App 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.

OPEX Scanners

The Department began going paperless in 2007 and all applications, supporting documents and incoming/outgoing correspondence are scanned into OnBase, the Department's document imaging system. In Fiscal Year 2016-17, the Division of Service Operations scanned over 1,884,249 pages. The scanners being used to process this large volume of work were originally acquired in 2007 and were at the end of the support life. In addition to the age of the equipment, the scanners were not compatible with future versions of the document-imaging platform utilized by the Department. Due to the age of the existing scanners and the future compatibility, the Division had a critical need of replacing these units. The replacement of these existing high-volume scanners was essential to the Department's overall operation and commitment to the high-level of service provided to its licensees. The Department now has better efficiencies and increased handling capacity due to the speed and new features of the two new high-volume OPEX scanners that were installed during Fiscal Year 2018-19.

In 2021, the agency implemented an Image Cash Letter solution for processing incoming checks and added barcodes to all the Department's printable applications to speed up the application processing time. Barcodes were added to letters that are sent to applicants asking for additional information. The barcodes and the image cash letter solution support increased processing efficiencies in the initial intake and assignment of incoming licensure records.

Controlled Substance Reporting (CSR) Database

Effective July 1, 2011, certain distributors were required to register with the Florida Department of Health's Drugs, Devices and Cosmetics Program's Controlled Substance Reporting database (CSR) and submit monthly controlled substance transaction reports (receipts and distributions). In October 2011, the Division of Drugs, Devices and Cosmetics (DDC) was moved to Florida DBPR along with the Controlled Substance Reporting database (CSR). In Fiscal Year 2014-15, the Division of Technology's application developers began working with DDC staff to upgrade this software. The developers have created a new enterprise platform for CSR that can be adapted for other applications in the future. DDC completed user acceptance testing and went live February 2023.

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Mobile Inspection Application

The Department has five divisions with inspectors who currently utilize a mobile inspection solution to maintain inspection data and provide required information to their licensees. Since the personal digital assistant (PDA) hardware in use since 2003, was no longer commercially available, the Division of Technology developed a custom inspection application in 2011, for the Apple® iPad to replace and enhance the functionality of the obsolete hardware. This enterprise solution provides for long-term support and manageability. The mobile inspection application supports the Department's goals of protecting the health and safety of Floridians, reducing operating expenses and increasing productivity. It also reduces the time required to complete investigations while holding regulated entities more accountable. Through real-time connectivity with Versa: Regulation, the Department is able to provide up-to-date reports of food service and lodging inspection data on its website for public information.

MobileIron

In addition to monitoring network traffic, the ability to monitor mobile devices is an information security initiative. The Division has chosen MobileIron to secure the mobile devices used by the Department. The system tracks and enforces the State of Florida's information security policy on all mobile devices deployed (including smartphones, tablets, etc.). MobileIron also allows the Department to control applications downloaded to these devices. The Division upgraded MobileIron to the latest version for continued supportability in March 2021.

Automated Alert and Notification System

In 2014, the Division of Technology implemented IRIS™ (Immediate Response Information System) version 7.3 to automate notification of Department employees as needed for emergencies and other important information. This system delivers customized alerts to employees' communication devices, including phones, emails, and text messages. Alerts will be sent from the Department's management and will have detailed information and instruction relevant to the situation. The automated system is the primary method to contact employees and relieves supervisors from the need to manage a phone-tree and manually contact employees during an emergency. Therefore, implementation of IRIS supports the agency goals of streamlining government, reducing operations expenses and increasing productivity.

Disaster Recovery Migration

Disaster recovery and backup for the Department's technology resources are hosted at the Northwest Regional Data Center (NWRDC) in Tallahassee. In November 2013, Excipio Consulting completed a statewide Disaster Recovery Strategy Assessment for the Florida Legislature. While the assessment indicated that DBPR maintains sufficient disaster recovery within the Tallahassee area, the proximity of the disaster recovery site to the primary data centers place the Department's continuity of mission critical operations at risk during a catastrophic event. The report recommends that disaster recovery sites be at least 150 miles from the primary data center. The Division of Technology is working to make DBPR's disaster recovery solution more robust through partnerships with the State Data Centers, including the migration of systems and services to the Atlanta, Georgia facility managed by the Northwest Regional Data Center (NWRDC).

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Palo Alto Cortex Xpanse

During Fiscal Year 2022-23, the Division of Technology implemented Palo Alto Cortex Xpanse. It provides a complete, accurate and continuously updated inventory of all global internet-facing assets. This allows us to discover, evaluate and mitigate cyber-attack surface risks.

Armis

During Fiscal Year 2022-23, the Division of Technology implemented Armis. Armis is an agentless device security platform. It is purpose-built to protect the world of unmanaged and IoT / OT devices, providing real-time and continuous cybersecurity asset management, risk management, and automated enforcement.

ReliaQuest

During Fiscal Year 2022-23, the Division of Technology implemented ReliaQuest GreyMatter. GreyMatter is a security operations platform built on an open XDR architecture and designed to help security teams increase visibility, reduce complexity, and manage risk across their security tools, including on-premises, clouds, networks, and endpoints.

Customer Experience Modernization (CXM) Project

During Fiscal Year 22-23, the Department engaged in the creation of an Operational Work Plan (OWP) and started the procurement process for the next generation customer interface. This project will provide a new portal through which DBPR applicants and licensees can interact with the Department. The Department looks forward to the implementation of this system, which will allow customers to engage across multiple channels (chat, phone, web browser, etc.) from devices ranging from smartphones and tablets to laptop and desktop computers.

Identity Verification Project

During Fiscal Year 22-23, the Department launched a project to implement Identity Verification for applicants and licensees seeking licensure from DBPR. Through this legislatively appropriated project, the Department expects to implement safeguards to reduce the risk of fraudulent transactions through integration with commercial services that provide validation. %

QLIK

The Department of Business and Professional Regulation is currently using the SAP BusinessObjects Launchpad platform to access, organize, and distribute agency reports. Due to SAP BusinessObjects Launchpad maintenance support ending and the need to have a more robust, scalable platform, the Division of Technology selected the QLIK Sense Enterprise platform, a business data analysis, compilation, and reporting system, to replace SAP BusinessObjects Launchpad. The Division began the process of replacing reports with QLIK analytics during Fiscal Year 2018-19. The Division continued to replace reports with QLIK analytics during the 2021-22 fiscal year. The Division continues to work on replacing QLIK reports and designing new ones during the 2022-23 fiscal year.

Florida Business Information Portal

In 2015, the Legislature passed Chapter 2015-224, Laws of Florida, tasking DBPR to spearhead a project with other Florida agencies to create an online information portal to assist the public in

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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.

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 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.

For Fiscal Year 2022-23, continuous site maintenance was performed on the Business Information Portal including, but not limited to: security updates/testing; database updates/testing; site optimization; repairing broken links; and device/browser compatibility checks. There are ongoing efforts to add a translation tool that will work throughout the entire portal which will increase the usability and resources available to our users.

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**PERFORMANCE MEASURES AND STANDARDS
LRPP EXHIBIT II**

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Program: Office of the Secretary and Administration		Code: 79010000			
Service/Budget Entity: Executive Direction and Support Services		Code: 79010200			
	Approved Performance Measures for FY 2022-23	Approved FY 2022-23 Standard (Numbers)	Prior Year Actual FY 2022-23 (Numbers)	Approved FY 2023-24 Standard (Numbers)	Requested FY 2024-25 Standard (Numbers)
1	Agency administration and support costs as a percent of total agency costs	11%	10.33%	11%	11%
2	Agency administration and support positions as a percent of total agency positions	11%	10.90%	11%	11%

Program: Office of the Secretary and Administration		Code: 79010000			
Service/Budget Entity: Information Technology		Code: 79010300			
	Approved Performance Measures for FY 2022-23	Approved FY 2022-23 Standard (Numbers)	Prior Year Actual FY 2022-23 (Numbers)	Approved FY 2023-24 Standard (Numbers)	Requested FY 2024-25 Standard (Numbers)
3	Percent of time information infrastructure, scheduled computer hours and access is available	99%	99.87%	99%	99%

Program: Service Operation		Code: 79040000			
Service/Budget Entity: Customer Contact Center		Code: 79040100			
	Approved Performance Measures for FY 2022-23	Approved FY 2022-23 Standard (Numbers)	Prior Year Actual FY 2022-23 (Numbers)	Approved FY 2023-24 Standard (Numbers)	Requested FY 2024-25 Standard (Numbers)
4	Percent of calls transferred to a call agent that are answered before call is abandoned	90%	73.55%	90%	90%
5	Percent of calls transferred to a call agent that are answered within 5 minutes	90%	34.49%	90%	90%
6	Percent of satisfied customers based on survey	90%	94%	90%	90%

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Program: Service Operation			Code: 79040000		
Service/Budget Entity: Central Intake			Code: 79040200		
	Approved Performance Measures for FY 2022-23	Approved FY 2022-23 Standard (Numbers)	Prior Year Actual FY 2022-23 (Numbers)	Approved FY 2023-24 Standard (Numbers)	Requested FY 2024-25 Standard (Numbers)
7	Percent of complete applications approved or denied within 90 days	98%	99.73%	98%	98%

Program: Professional Regulation			Code: 79050000		
Service/Budget Entity: Compliance and Enforcement			Code: 79050100		
	Approved Performance Measures for FY 2022-23	Approved FY 2022-23 Standard (Numbers)	Prior Year Actual FY 2022-23 (Numbers)	Approved FY 2023-24 Standard (Numbers)	Requested FY 2024-25 Standard (Numbers)
8	Percent of required inspections completed	99%	95%	99%	99%
9	Percent of licenses that correct violations through alternative means (notices of non-compliance, citations or alternative dispute resolution)	39%	45%	39%	45%
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%	95%	87%	92%

Program: Professional Regulation			Code: 79050000		
Service/Budget Entity: Florida Athletic Commission			Code: 79050400		
	Approved Performance Measures for FY 2022-23	Approved FY 2022-23 Standard (Numbers)	Prior Year Actual FY 2022-23 (Numbers)	Approved FY 2023-24 Standard (Numbers)	Requested FY 2024-25 Standard (Numbers)
12	Percent of complete applications approved or denied within 90 days	100%	100%	100%	100%

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Program: Professional Regulation			Code: 79050000		
Service/Budget Entity: Testing and Continuing Education			Code: 79050500		
	Approved Performance Measures for FY 2022-23	Approved FY 2022-23 Standard (Numbers)	Prior Year Actual FY 2022-23 (Numbers)	Approved FY 2023-24 Standard (Numbers)	Requested FY 2024-25 Standard (Numbers)
13	Percent of complete provider and individual course applications approved or denied within 90 days	98%	98%	98%	98%

Program: Professional Regulation			Code: 79050000		
Service/Budget Entity: Farm and Child Labor Regulation			Code: 79050600		
	Approved Performance Measures for FY 2022-23	Approved FY 2022-23 Standard (Numbers)	Prior Year Actual FY 2022-23 (Numbers)	Approved FY 2023-24 Standard (Numbers)	Requested FY 2024-25 Standard (Numbers)
14	Percent of farm labor contractors inspected found to be in compliance with the law	96%	98%	96%	96%
15	Percent of employers brought into compliance with child labor laws on follow-up investigations	85%	96%	85%	95%

Program: Professional Regulation			Code: 79050000		
Service/Budget Entity: Drugs Devices, and Cosmetics			Code: 79050800		
	Approved Performance Measures for FY 2022-23	Approved FY 2022-23 Standard (Numbers)	Prior Year Actual FY 2022-23 (Numbers)	Approved FY 2023-24 Standard (Numbers)	Requested FY 2024-25 Standard (Numbers)
16	Percent of complete license applications approved or denied within 90 days (Drugs, Devices, Cosmetics and Household Products Regulation)	100%	99%	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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Program: Hotels and Restaurants				Code: 79200000	
Service/Budget Entity: Compliance and Enforcement				Code: 79200100	
	Approved Performance Measures for FY 2022-23	Approved FY 2022-23 Standard (Numbers)	Prior Year Actual FY 2022-23 (Numbers)	Approved FY 2023-24 Standard (Numbers)	Requested FY 2024-25 Standard (Numbers)
25	Percent of food establishments inspected according to statute	94%	92%	94%	95%
26	Percent of lodging establishments inspected according to statute	92%	98%	98%	95%
27	Percent of elevators, escalators and other vertical conveyance devices inspected according to statute	95%	95%	95%	95%
28	Percent of complete public food establishment license applications approved or denied within 90 days	98%	99%	98%	98%
29	Percent of complete public lodging establishment license applications approved or denied within 90 days	98%	99%	98%	98%
30	Percentage of elevator certificates of operation applications approved or denied within 90 days	98%	99%	98%	98%

Program: Alcoholic Beverages and Tobacco				Code: 79400000	
Service/Budget Entity: Compliance and Enforcement				Code: 79400100	
	Approved Performance Measures for FY 2022-23	Approved FY 2022-23 Standard (Numbers)	Prior Year Actual FY 2022-23 (Numbers)	Approved FY 2023-24 Standard (Numbers)	Requested FY 2024-25 Standard (Numbers)
31	Percent of total retail alcohol and tobacco licensees and permit holders inspected	40%	33%	40%	40%
32	Percent of alcoholic beverage retailers tested found to be in compliance with underage persons' access	80%	88%	80%	80%
33	Percent of tobacco retailers tested found to be in compliance with underage persons' access	85%	90%	85%	85%
34	Percent of inspections resulting in licensees in compliance with laws and regulations	75%	85%	75%	75%

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Program: Alcoholic Beverages and Tobacco		Code: 79400000			
Service/Budget Entity: Standards and Licensure		Code: 79400200			
	Approved Performance Measures for FY 2022-23	Approved FY 2022-23 Standard (Numbers)	Prior Year Actual FY 2022-23 (Numbers)	Approved FY 2023-24 Standard (Numbers)	Requested FY 2024-25 Standard (Numbers)
35	Percent of complete license applications approved or denied within 90 days	98%	95.5%	98%	98%

Program: Alcoholic Beverages and Tobacco		Code: 79400000			
Service/Budget Entity: Tax Collection		Code: 79400300			
	Approved Performance Measures for FY 2022-23	Approved FY 2022-23 Standard (Numbers)	Prior Year Actual FY 2022-23 (Numbers)	Approved FY 2023-24 Standard (Numbers)	Requested FY 2024-25 Standard (Numbers)
36	Collections per dollar of auditing expenditure	\$250	\$250.00	\$250	\$250
37	Percent of wholesale licensees providing timely and accurate tax reporting and remittance as required by Florida Statutes	80%	85%	80%	80%

Program: Florida Condominiums, Timeshares and Mobile Homes		Code: 79800000			
Service/Budget Entity: Compliance and Enforcement		Code: 79800100			
	Approved Performance Measures for FY 2022-23	Approved FY 2022-23 Standard (Numbers)	Prior Year Actual FY 2022-23 (Numbers)	Approved FY 2023-24 Standard (Numbers)	Requested FY 2024-25 Standard (Numbers)
38	Average number of days to resolve cases submitted for arbitration	95	77	95	95
39	Average number of days to resolve investigations of consumer complaints	90	27	90	60
40	Average number of days to review and issue yacht and ship broker and salesperson licenses	15	13	15	15
41	Percent of condominium, timeshare and mobile home filings reviewed within statutory requirements	98%	100%	98%	98%

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**ASSESSMENT OF PERFORMANCE FOR APPROVED
PERFORMANCE MEASURES
LRPP EXHIBIT III**

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LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Business and Professional Regulation
Program: Service Operations
Service/Budget Entity: Customer Contact Center/79040100
Measure: #4 Percent of calls transferred to a call agent that are answered before a call is abandoned.

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%	73.55%	-16.45	18.28%

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:

During Fiscal Year (FY) 2022-23, the answer rate for the Customer Contact Center (CCC) was 73.55%. In FY 2022-23 the CCC received 1,351,775 calls of which 585,385 callers requested to speak to an agent. The CCC continues to experience a high attrition rate leaving several positions vacant for an extended period of time. The Bureau was in a constant state of hiring and training new employees. This was the single most significant factored that hindered the CCC from meeting the performance expectation during this period. While the attrition and vacancy rate improved in FY 2022-23, both were still relatively high during critical times during the fiscal year.

New call agents are required to complete two to four weeks of training before they are able to answer calls and be released to the floor to independently handle calls. In FY 2022-23, the CCC's average call handle time increased to 6 minutes 33 seconds. The increase in call handling time impacted the answer rate and increased the average rate time.

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External Factors (check all that apply):

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

Explanation: N/A

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 CCC is currently working with technology to install a Call Back feature that will allow the customers to select a call back if the wait time gets too high. This feature should improve CCC's answer rate as customers will no longer have to wait on the line for an extended period of time. The CCC's new hire training has been streamlined from 4-6 weeks to 2-4 weeks. This updated training allows agents to independently take calls quicker. In addition, the Department has increased the base pay for all regulatory class employees and supervisors. This increase has helped in the recruiting and retention of employees.

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LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Business and Professional Regulation
Program: Division of Service Operations
Service/Budget Entity: Customer Contact Center/79040100
Measure: #5 Percent of calls transferred to a call agent that are answered within 5 minutes.

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%	34.49%	-55.51	61.68%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|--|--|
| <input 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:

During Fiscal Year (FY) 2022-23, the average wait time for the Customer Contact Center (CCC) was 13 minutes 54 seconds. In FY 2022-23, the CCC received 1,351,775 calls of which 585,365 callers requested to speak to an agent. The CCC answered 383,747 within five minutes of requesting an agent. The CCC's vacancy and attrition rate was high throughout the fiscal year which resulted in several positions being vacant for extended periods of time. The Bureau was in a constant state of hiring and training new employees. This was the single most significant factor that hindered the Bureau from meeting the performance expectation during this period. Due to the influx of new call agents in FY 2022-23, the CCC's average call handle time increased to six minutes 33 seconds. The 23 second increase in call handle time impacted the answer rate and increased the average wait time.

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External Factors (check all that apply):

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

Explanation: N/A

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 Department has increased the base pay for all regulatory class employees and supervisors. This increase has helped in recruiting and retention of employees. In addition, the CCC's new hire training has been streamlined from 4-6 weeks to 2-4 weeks. This updated training allows agents to begin independently handling calls sooner.

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LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Business & Professional Regulation
Program: Professional Regulation
Service/Budget Entity: Compliance and Enforcement
Measure: #8 Percent of required inspections completed

Action:

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

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
99%	95%	4 (under)	4%

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 the 2022-2023, the Division of Regulation faced staffing issues beyond the control of the Division. In the second largest region, the Division only had one inspector for six months, then the new hire needed training to bring them up to speed.

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 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:

Over the past 10 years, the number of establishments that require inspections has grown 22.9%, but no additional staff have been added to the Division.

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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:

Through a Legislative Budget Request, the Division has requested three additional inspectors in high growth areas of the state. This request will help the Division complete this measure in future years.

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LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Business & Professional Regulation

Program: Drugs, Devices and Cosmetics

Service/Budget Entity: Compliance and Enforcement/79050800

Measure: #16 Percent of complete license applications approved or denied within 90 days

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
100%	99%	(1%)	(1%)

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 checked="" type="checkbox"/> Other (Identify) |

Explanation:

The Division has a staff of seven in the application processing unit including a Unit manager and six application processors. This team is responsible for reviewing and handling over 20,000 new and renewal applications annually and the sheer increase in application volume year over year since the 2018-19 fiscal year has been the primary driver in our falling short of this measure. In addition, this unit has struggled with a high turnover rate — as have many organizations over the past few years — resulting in the unit operating most of the fiscal year with one or two positions vacant and with several team members who may not be as efficient and fluid in their roles due to their limited tenure in these application processing roles.

External Factors (check all that apply):

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

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Explanation:

Since the 2018-19 fiscal year end, the Division has seen a huge increase in the number of applications annually and in the number of active permits due primarily to the number of Healthcare Clinic Establishment (HCCE) permit type being received annually after this permit was established through legislation prior to 2018-19. New legislation enacted this past legislative session under Florida's Prescription Drug Reform Act may also increase the workload of the application processing unit as the Division is tasked with collecting drug price information from certain prescription drug manufacturers licensed with Florida through the Division of Drugs, Devices and Cosmetics.

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:

While the Division fell just short of the 100% performance measure in this assessment, we are adjusting within the application processing team to assist each processor in better managing their application queues to make more timely elevation of those applications approaching the 90-day mark. We are working to establish better training for our new application processors to better define the importance of managing the aging of open applications and to better train them on direct communication with stakeholders — where applicable — to obtain deficiency items in a more efficient and timelier basis. We are reverting to a more real time review of application aging from the Director level through the Application Processing Supervisor level to better assist processors in addressing aging applications on a weekly basis.

The Division is also submitting a Legislative Budget Revision Request for this upcoming legislative session requesting one additional FTE at the Regulatory Specialist III level. This is the formal job title of most application processors in the Division, and we feel the increase in applications and active permits along with the increase in revenues year over year since the 2018-19 fiscal year justifies an additional FTE which will help us better manage and serve the stakeholders we regulate.

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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: #17 Percent of Florida resident prescription drug wholesale distributor permit holders inspected

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%)

Factors Accounting for the Difference:

Internal Factors (check all that apply):

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

Explanation:

The Division of Drugs, Devices, and Cosmetics has 10 drug inspectors responsible for inspecting Florida resident prescription drug wholesale distributors, in addition to other permit types issued through the Division including resident drug manufacturers, OTC drug manufacturers and cosmetic manufacturers. Based on various factors, the Division assigned prescription drug wholesale distributors to the “High Risk” category which has an inspection frequency schedule of every 72 months (6 years). Based on the number of resident prescription drug wholesale distributors licensed in Florida, the Division would need to inspect 16.7 percent of Florida resident wholesale drug distributors annually. The Division increased the inspection measure during the 2019-20 fiscal year from 17% to 18% in an effort to operate at a higher measure moving forward. The DDC Compliance team fell short of this 18% goal during this past fiscal year by accomplishing a 14% inspection rate of those establishments permitted within Florida as wholesale drug distributors. Vacancy rates in the Drug Inspector positions due primarily to the competitive work environment have made it difficult for the Division to consistently maintain all positions as a problem also faced by many other organizations requiring staff with the skills necessary of our Drug Inspection team

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members. In addition, compliance staff have been diverted to address, plan and implement “ad hoc” projects that may impact the core priorities of the position during the short term, with the plan to better regulate in a more efficient and streamlined process going forward.

External Factors (check all that apply):

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

While changes (or proposed changes) in state and/or federal laws related to the industry are always a factor, the Division has had to divert staff within the compliance/drug inspection team to address, analyze and plan regulatory oversight of possible changes related to federal changes to the Drug Supply Chain Security Act as well as assisting to plan and assist with Florida’s Section 804 Safe Importation Program proposal first submitted to the FDA in November 2020 and subsequently revised through April of 2023.

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 Division has proposed salary adjustments to better recruit and retain qualified drug inspectors and reduce the turnover rate. The Division has operated these past several fiscal years in a favorable position related to overall compensation budget/rate as compared to allocated budget/rate and the Division is working to propose salary adjustments for position pay increases while still operating within the overall allocated budget as relates to the Division’s compliance unit.

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LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Business & Professional Regulation

Program: Division of Hotels & Restaurants

Service/Budget Entity: Bureau of Sanitation & Safety Inspections

Measure: #18 Percent of food establishments inspected according to statute

Action:

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

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
98%	92%	Under	6%

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 experienced a 22% vacancy rate among inspection staff during FY 2022-23. Moreover, several vacancies existed from FY 2021-22 that remain unfilled as a result of a lack of interested candidates. Much of this difficulty with hiring is in Southeast Florida and is attributed to salaries that were not competitive enough for that market. The Division lowered its hiring qualifications for inspectors in February 2023. The Division also increased the hiring salary for these positions in February 2023 and again in July 2023 and is now seeing an increase in the number of those positions being filled. At the conclusion of FY 2022-23, the Division still had 36 vacancies among its 233 inspection staff positions (15% of total inspector/senior inspector positions vacant).

External Factors (check all that apply):

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

Explanation:

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Hurricanes Ian and Nicole hampered productivity because they reduced the number of Division workdays and they necessitated disaster assessments in affected areas that did not count toward the annual inspection requirement. The Division completed a combined total of 4,376 disaster assessments in FY 2022-23 during time that would have otherwise been spent performing statutorily required food service inspections.

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 has submitted a budget amendment request for additional salary dollars that can be applied to inspection staff positions, both filled and vacant positions. It is anticipated that increasing hiring salaries and salaries for existing staff by an additional 5%, as requested, will benefit retention and recruitment.

The Division recommends that annual employee salary increases continue to be considered each year moving forward. Municipalities in Southeast Florida are currently ranked among those having the highest costs of housing and the highest inflationary rates anywhere in the USA. The Division believes it will be critical to match pay with the rapidly increasing costs of living in FL, a need that is especially critical in regions of FL that have the highest costs of housing.

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

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%)	(7.29%)

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 continues to experience an approximate 43% vacancy rate of Investigation Specialists during FY 2022-23, 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 which had sufficient staff to complete these inspections in addition to current workload, therefore 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 | |

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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 State budget bill that has been signed that includes pay raises for state workers as well as law enforcement.

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 participated and included in their recruitment of Law Enforcement the Bonus Payment Program. In the states effort to recruit law enforcement officers a one-time bonus payment of up to \$5,000.00 to each newly employed officer within the state. The program is 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 2023-2024.

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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: #28 Percent of complete license applications approved or denied within 90 days

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%	95.5%	(2.5)	(2.5%)

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 60% vacancy rate during Fiscal Year 2022-23, 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.

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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 State budget bill that has been signed that includes pay raises for state workers.

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 our licenses to meet the standards and licensure levels in Fiscal Year 2023-2024. Additional recruitment, training, and other personnel actions, as well as improvements to the Division's and the Department's technology resources will assist in the Bureau's efforts.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
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LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Business Professional and Regulation

Program: Office of the Secretary and Administration

Service/Budget Entity: Executive Direction and Support Services

Measure: Agency administration and support costs as a percent of total agency costs (#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) are 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 upon the computing user community.

Validity:

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

Reliability:

Data collected for this measure is reliable, monitored continuously and analyzed annually. Since the individual components of the critical infrastructure are monitored continuously, any outages are recorded, even if the disruption is too brief/minimal to impact services. The monitoring system has been configured to create reports as requested. 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 workday 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 our 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 workday 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 agents 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 eleven 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.

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.

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Validity:

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

Reliability:

This measure is reliable because the data is cross referenced on a regular basis by queries of our document imaging and workload management software. Reports are run within the SAP Business Objects Info View interface on a daily basis to assess the status of our 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 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 licensees 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 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 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 31st day after the initial receipt of the application. The ending date for measuring the time to process an application is the date an applicant's request for licensure or licensure examination is denied or approved as noted on the application or when an application is withdrawn by the applicant.

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The percent of complete board referred applications approved or denied within 90 days will be 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 are 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.

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A checklist is 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 applications 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 our customers and provide faster approval of courses that will be conducted for our licensees, which will provide a greater selection of courses offered.

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

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This measure provides for the percentage of complete continuing education and provider applications processed within 90 days of receipt. The intent is to ensure compliance with processing requirements as established in performance measures, meet the statutory requirements of Section 120.60(1), 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 (2) sources. First, the Department may receive a complaint (written or verbal) from a farm worker or other sources, of unregistered activity or non-compliance with the farm labor laws. These complaints are logged and assigned to an investigator in the geographical area nearest to the complainant or the site of the allegation. Investigators are located in agriculturally significant areas throughout the state. Second, the investigator, through routine canvassing of their assigned area, may observe non-compliance of the laws when conducting field compliance inspections of farm labor contractor activity. Compliance inspections include safety/health inspections, payroll 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

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inspections, warnings issued, field citations issued, cases developed, type of violation, and the number 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 FY 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 and sent to legal.

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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 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 vial 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 our document imaging and workload management software. Reports are run within the Report Services interface on a daily basis to assess the status of our application processing queues.

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

The data entered into 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 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 by the single licensing system and OnBase document management system with a random

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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 the Department's software reporting tool known as Qlik. Division management 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 time share 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 time share 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 the Department's software reporting tool known as Qlik. Division management 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 Department software reporting tool known as Qlik. 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 Department's single licensing system. Supervisors monitor accuracy daily through direct supervision of data entry and in response to complaints. Division managers review reports

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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 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 food service establishments, an opening inspection is then scheduled and completed by Division inspectors before the application is approved and a license is issued.

Public food service establishment licenses expire annually according to a bi-monthly schedule set by Rule 61C-1.002(6), Florida Administrative Code, depending on location within the Division's seven districts. About two months before expiration, the Division mails notices to expiring licensees requiring payment of an annual license fee. Operators remit payment along with any address changes through Department of Revenue (contracted by DBPR for this purpose), directly to Central Intake Unit, or online. If there are no changes to license information, automated batch processes approve the renewal transaction and issue the license. For renewals requiring additional processing, Division licensing staff records changes, reconciles fees, and resolves problems before issuing the license.

The percent of public food establishment licenses processed within 90 days is computed by counting the number of licenses issued that meet the standard for timely processing and dividing that number by the total number of licenses issued. Data is obtained directly from reports generated from license application data in the Department's single licensing system. This standard is evaluated using a Department software reporting tool known as Qlik. 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 quicker 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 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 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.

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Public lodging establishment licenses expire annually according to a bi-monthly schedule set by Rule 61C-1.002(6), Florida Administrative Code, depending on location within the Division's seven districts. About two months before expiration, the Division mails notices to expiring licensees requiring payment of an annual license fee. Operators remit payment along with any address changes through Department of Revenue (contracted by DBPR for this purpose), directly to Central Intake Unit, or online. If there are no changes to license information, automated batch processes approve the renewal transaction and issue the license. For renewals requiring additional processing, division licensing staff records changes, reconciles fees, and resolves problems before issuing the license.

The percent of public lodging establishment licenses processed within 90 days is computed by counting the number of licenses issued that meet the standard for timely processing and dividing that number by the total number of licenses issued. Data is obtained directly from reports generated from license application data in the Department's single licensing system. This standard is evaluated using a Department software reporting tool known as Qlik. 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 quicker 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 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 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.

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Information in this measure is derived from the electronic single licensing system (SLS), the data management system used by the Department to coordinate regulatory functions. License applications and fee payments are received and initially processed by the Department's Central Intake Unit. The Division of Hotels and Restaurants' Licensing Section evaluates the application according to statutory and rule requirements and completes initial processing. Division licensing staff records new license application information, reconciles license fees, resolves licensing problems, and provides license information to the public and the Division's field staff.

Rule 61C-5.006(3), Florida Administrative Code, sets expiration for all certificates on August 1 of each year. About three months before expiration, the Division mails notices to expiring licensees requiring payment of an annual license fee and satisfactory (no violation) inspection. Operators remit payment along with any address changes through Department of Revenue (contracted by DBPR for this purpose), directly to Central Intake Unit, or online. Private elevator inspectors send inspection reports to the Division during the 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 Department software reporting tool known as Qlik. These reports are run by program staff monthly, quarterly, and on demand.

Validity:

This measure reflects the Division's achievement in processing complete certificate applications in a timely manner as required by Section 120.60(1), Florida Statutes. Since initial intake and processing are completed by the Department's Central Intake Unit, processing time for that unit is measured separately. Faster approval of licenses allows the building industry to open businesses quicker and promotes the Department's goal to remove barriers to business and enhance Florida's pro-business climate.

Reliability:

Requested information on license application forms is checked annually and as needed by division management and legal staff to ensure conformity with requirements of relevant Florida statutes and rules. Division license processors routinely compare incoming documentation for all applications received in the document management system queues with initial data input by Central Intake Unit to confirm data accuracy. Division processors enter additional data needed according to strict guidelines for data integrity and standardization, as documented by licensing

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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 authorized to do business is defined as a license that has a primary status of "current" or

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“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 100 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 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 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.

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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 (#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 compliance rates of retail alcoholic beverage licenses during undercover compliance checks 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 1 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.

This measure is calculated as follows:

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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.

In addition, this measure is reliable because reports are run on a monthly basis which identifies

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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 Bprt1fp01 in a folder titled LRPP Exhibit IV Queries\Enforcement\LRPP Enforcement\Percentage of Compliance. The query title is as follows:

Survey Compliance Rate YAM

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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 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 18 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.

This measure is calculated as follows:

The randomly selected licensed establishments that had a successful compliance check and the

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result of those compliance checks is obtained by querying Versa: Regulation. A successful compliance check means that the undercover, underage operative did attempt to purchase regulated tobacco products. The numerator for this measure is comprised of the number of 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.

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.

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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 Bprtlfp01 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 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 invoice and the time taken to process them is obtained via query of Versa: Regulation.

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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 Bprt1fp01 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 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.

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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 who deal in cigarettes, tobacco products, and alcoholic beverage products within Florida. Each of these entities has specific requirements that must be met to obtain and maintain that license, including 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 using 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 our customers.

Reliability:

The Division is confident that reporting data is dependable and a consistent measure for determining the average number of days to resolve 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 we are 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 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

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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 regarding the statutory time frames, as well as the other sections that are not subject to statutory time frames. The public benefit from a timelier 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 for form, 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 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

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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 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

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Report.” The percent of filings reviewed as prescribed by law is calculated by subtracting the number of missed deadlines from total filings reviewed to arrive at the number of timely reviewed filings. The total number of reviewed filings is then divided by the number of timely reviewed filings.

Validity:

The measure indicates whether the Division is performing its duties within statutorily mandated timeframes (see citations to rule and statutorily mandated timeframes in Data Sources and Methodology section) and is providing quality assistance to our customers. The data is verifiable through review of Division filings.

Reliability:

The Division is confident that reporting data is dependable and a consistent measure for determining if filings are reviewed within statutory timeframes. Division supervisory staff randomly selects filings on a bimonthly basis and 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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**ASSOCIATED ACTIVITIES CONTRIBUTING TO PERFORMANCE
MEASURES
LRPP EXHIBIT V**

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EXHIBIT V – ASSOCIATED ACTIVITIES

LRPP Exhibit V: Identification of Associated Activity Contributing to Performance Measures		
Measure Number	Approved Performance Measures for FY 2022-23	Associated Activities
1	Agency administration and support costs as a percent of total agency costs	Executive Direction and Administrative Support
2	Agency administration and support positions as a percent of total agency positions	Executive Direction and Administrative Support
3	Percent of time information infrastructure, scheduled computer hours and access is available	Information Technology
4	Percent of calls transferred to a call agent that are answered before call is abandoned	Call Center
5	Percent of calls transferred to a call agent that are answered within five 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

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12	Percent of complete applications approved or denied within 90 days	Protect Boxers
13	Percent of complete provider and individual course applications approved or denied within 90 days	Testing
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	Drug, Device and Cosmetic Regulation
17	Percentage of Florida resident prescription drug wholesale distributor permit holders inspected	Drug, Device and Cosmetic 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

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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
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
32	Average number of days to resolve investigations of consumer complaints	Compliance and Enforcement Activities
33	Average number of days to review and issue yacht and ship broker and salesperson license	Compliance and Enforcement Activities
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
LRPP EXHIBIT VI**

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BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF		FISCAL YEAR 2022-23			
SECTION I: BUDGET		OPERATING		FIXED CAPITAL	
TOTAL ALL FUNDS GENERAL APPROPRIATIONS ACT		16 0,241,181		0	
ADJUSTMENTS TO GENERAL APPROPRIATIONS ACT (Supplementals, Vetoes, Budget		1,555,029		0	
FINAL BUDGET FOR AGENCY		16 1,796,210		0	
SECTION II: ACTIVITIES * MEASURES		Number of Units	(1) Unit Cost	(2) Expenditures	(3) FCO
Executive Direction, Administrative Support and Information Technology (2)					0
Licensure/Revenue * Number of transactions processed		949,658	4.88	4,631,458	
Protect Boxers* Number of scheduled boxing, kickboxing, and mixed martial arts events.		121	8,685.31	1,050,923	
Call Center * Number of calls, emails, public contacts		1,518,523	4.83	7,331,950	
Central Intake - Initial Applications* Number of initial applications processed		158,191	34.31	5,427,813	
Central Intake - Renewals* Number of renewals processed		504,376	2.01	1,015,403	
Testing* Number of candidates tested		124,707	18.95	2,363,391	
Continuing Education* Number of non-deficient, complete provider and individual course applications		5,062	315.80	1,598,604	
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	68.99	2,826,487	
Unlicensed Activity * Number of Outreach and Enforcement Actions		9,421	217.30	2,047,220	
Monitor Employers For Compliance With Migrant Farmworker Labor Laws* Number of Investigations and Inspections		2,022	945.35	1,911,501	
Monitor Employers For Compliance With Child Labor Laws* Number of Investigations and Inspections		3,774	197.75	746,292	
Compliance And Enforcement Activities* Number of enforcement actions.		74,606	215.30	16,063,002	
Standards And Licensure Activities* Number of licensees		980,355	10.54	10,331,610	
Compliance And Enforcement Activities For Hotels And Restaurants* Inspections and enforcement actions		172,047	162.18	27,901,728	
Compliance And Enforcement Activities For Elevators* Inspections and enforcement actions		5,667	339.92	1,926,318	
School-to-career-grant * Students served through grant program.		46,220	15.29	706,698	
Standards And Licensure Activities For Hotels And Restaurants* Number of licensees for public lodging and food service		132,557	11.88	1,574,372	
Standards And Licensure Activities For Elevators* Number of licensees for elevators, escalators and other vertical		60,480	9.99	604,418	
Compliance And Enforcement Activities* Number of enforcement actions for Alcoholic Beverages and Tobacco		92,780	214.41	19,892,992	
Code Promulgation * Code Amendments Promulgated		1,270	2,325.70	2,953,635	
Regulation Of Manufactured Buildings* Permits Issued for Manufactured Buildings		51,909	4.67	242,484	
Standards And Licensure Activities* Number of applications processed for Alcoholic Beverages and Tobacco		39,775	122.06	4,854,799	
Tax Collection And Auditing * Number of audits conducted for Alcoholic Beverages and Tobacco		6,502	1,166.80	7,586,554	
Compliance And Enforcement Activities- General Regulation (yacht And Ship)* Number of regulatory activities.		4,763	49.86	237,468	
Compliance And Enforcement Activities- Timeshare* Number of regulatory activities.		4,561	232.01	1,058,177	
Compliance And Enforcement Activities- Condominiums* Number of regulatory activities.		68,877	83.84	5,774,508	
Compliance And Enforcement Activities- Mobile Homes* Number of regulatory activities.		6,548	67.84	444,188	
Homeowners' Associations* Number of compliance actions.		220	955.52	210,215	
Condominium Ombudsman* Number of activities in fulfillment of statutory duties.		5,378	89.80	482,964	
TOTAL				134,222,411	
SECTION III: RECONCILIATION TO BUDGET					
PASS THROUGHS					
TRANSFER - STATE AGENCIES					
AID TO LOCAL GOVERNMENTS					
PAYMENT OF PENSIONS, BENEFITS AND CLAIMS				4,969,558	
OTHER					
REVERSIONS				22,604,261	
TOTAL BUDGET FOR AGENCY (Total Activities + Pass-throughs + Reversions) - Should equal Section I above (4)				16 1,796,230	
SCHEDULE XI/EXHIBIT VI: AGENCY-LEVEL UNIT COST SUMMARY					

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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 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.

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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.

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.

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.

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.,

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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.

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

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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 4-year, staggered terms and representatives serve 2-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 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.

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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 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

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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.

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

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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.