

OREGON HEALTH LICENSING AGENCY Annual Performance Progress Report (APPR) for Fiscal Year 2006

2007-09 Budget Form 107BF04c

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To obtain additional copies of this report, contact the Oregon Health Licensing Agency at 700 Summer St NE Suite 320, Salem, OR 97301-1287, (503) 378-8667 extension 4323 or visit <http://www.oregon.gov/OHLA/>

Agency Mission

To protect the health and safety of Oregon citizens by setting, communicating and enforcing uniform regulatory standards for multiple health and related professions while supporting a positive business climate in the state.

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ABOUT THIS REPORT

Purpose of Report

The purpose of this report is to summarize the agency's performance for the reporting period, how performance data are used and to analyze agency performance for each key performance measure legislatively approved for the 2005-07 biennium. The intended audience includes agency managers, legislators, fiscal and budget analysts and interested citizens.

1. PART I: EXECUTIVE SUMMARY defines the scope of work addressed by this report and summarizes agency progress, challenges and resources used.
2. PART II: USING PERFORMANCE DATA identifies who was included in the agency's performance measure development process and how the agency is managing for results, training staff and communicating performance data.
3. PART III: KEY MEASURE ANALYSIS analyzes agency progress in achieving each performance measure target and any corrective action that will be taken. This section, the bulk of the report, shows performance data in table and chart form.

KPM = Key Performance Measure

The acronym "KPM" is used throughout to indicate **Key Performance Measures. Key performance measures are those highest-level, most outcome-oriented performance measures that are used to report externally to the legislature and interested citizens. Key performance measures communicate in quantitative terms how well the agency is achieving its mission and goals. Agencies may have additional, more detailed measures for internal management.**

Consistency of Measures and Methods

Unless noted otherwise, performance measures and their method of measurement are consistent for all time periods reported.

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2007-09 KPM#	2007-09 Key Performance Measures (KPMs)	Page #
1	CONTESTED CASE ACTIONS: Percent of contested case actions that are resolved through <u>informal settlement resolution</u> and prior to a formal hearing before the Central Hearing Officer Panel.	7
2	CRITICAL STATUS COMPLAINTS: Percent of “critical” status complaints investigated within one week of receipt (unlicensed activity and high risk health issues).	8
3	ONLINE RENEWALS: Percent of online renewals compared to total renewals processed by agency.	9
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5	CUSTOMER SERVICE: Percent of customers rating their satisfaction with the agency’s customer service as “good” or “excellent”: overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	12

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1. SCOPE OF REPORT

The scope of the agency’s performance measures are aligned with OHLA’s mission and key goals, which are to:

- Actively promote consumer protection through education, enforcement and partnerships
- Promote a positive business environment by reducing barriers to professional practice
- Provide excellent customer service to all agency stakeholders

OHLA manages and monitors more than 84,000 authorizations to practice in multiple health and related professions. The agency’s overriding goal is to provide a high level of consumer protection while regulating in the least burdensome manner.

2. THE OREGON CONTEXT

The agency contributes to the state’s health and safety through establishment of professional standards and monitoring and enforcement of licensees and small businesses. OHLA also contributes to the economic well being of the state by reducing barriers to professional practice and supporting a positive business climate.

OHLA partners with other state regulatory agencies to address sometimes contentious scope of practice issues among professions, developing a dialogue to find inclusive solutions rather than to create exclusive professional boundaries that unnecessarily limit scopes of practice. The agency also partners with law enforcement and public health agencies throughout the state in responding to critical public safety issues, from unlicensed activity to potential infection outbreaks. The agency partners with other state agencies, professional associations and organizations to communicate important public safety messages to varied audiences.

The agency’s efforts directly or indirectly relate to several Oregon benchmarks: economic diversification, cost of doing business, infant mortality (through licensing standards for/monitoring of direct entry midwives), perceived health status (through licensing standards for/monitoring of a variety of health and related professions), and cooperative policing.

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3. PERFORMANCE SUMMARY

The percentage decrease in KPM #1 is not statistically or practically significant as it represents only a slight change in the number of formal hearings held. The trend for KPM #1 continues to be at 98 or 99 percent since 2001.

Progress Summary	Key Performance Measures (KPMs) with Page References	# of KPMs
KPMs MAKING PROGRESS at or trending toward target achievement	KPM 2 - Critical Status Complaints (page 8), KPM 3 - Online Renewals (page 9), KPM 4 - Same Day Licensing (page 10-11), KPM 5 - Customer Service Survey (page 12)	4
KPMs NOT MAKING PROGRESS not at or trending toward target achievement	KPM 1 Contested Case Actions (page 7)	1
KPMs - PROGRESS UNCLEAR target not yet set	None	0
Total Number of Key Performance Measures (KPMs)		5

4. CHALLENGES

The primary challenge is continuing to refine the agency’s efforts to achieve even higher performance results, then maintaining those performance levels over time. For each KPM, there are foreseen and unforeseen challenges that must be addressed and solutions implemented to enhance and expand the agency’s impact as a consumer protection agency.

5. RESOURCES USED AND EFFICIENCY

OHLA’s budget for the 2006 fiscal year is approximately \$2.5 million, or half of the agency’s biennial budget. KPMs that are efficiency measures are KPMs #3 and #4. Both KPM efficiency measures are showing progress toward targeted goals.

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The following questions indicate how performance measures and data are used for management and accountability purposes.

<p>1 INCLUSIVITY Describe the involvement of the following groups in the development of the agency’s performance measures.</p>	<p>OHLA is a state consumer protection agency providing centralized regulatory oversight for multiple health and related professions. The volunteer citizen boards and councils under the OHLA central agency’s administration provide profession-specific expertise and consultation and set their own priorities in response to changes in their prospective professions, but are not responsible for central agency operations. The OHLA central agency has administrative oversight and licensing, investigative and disciplinary authority over the professions under its jurisdiction. The central agency was established to provide a uniform structure and accountability to the multiple boards and councils under its administration, but maintains an open, transparent and inclusive environment for policy formulation and decision making. For more information on the agency’s model visit the Web site at http://www.oregon.gov/OHLA/about_us.shtml.</p> <p><u>Staff:</u> The agency’s three division managers (Administrative Services, Regulatory Operations and Fiscal Services) developed performance measures for each division. Staff from each division of the agency participates in and is responsible for data sourcing and collection, calculations and criteria used for setting each measure’s targets for 2007 through 2009 to ensure reliability and relevance.</p> <p><u>Elected Officials:</u> The Legislature approved the agency’s 2005-07 measures during the agency’s budget hearing before the 2005 Legislative Assembly.</p> <p><u>Stakeholders:</u> The agency continues to generate support and participation from its board and council members, professional association representatives, practitioners, small business owners, interested parties and agency staff. Outcomes are reported at the routinely scheduled meetings as a means to improve essential regulatory functions, business operations and customer service, and information is available for review and comment from interested parties in attendance at meetings.</p> <p><u>Citizens:</u> The number of public/citizens, practitioners and other related professional representatives attending agency public meetings has increased during 2005-06, providing additional perspective and information on improving service delivery. The public’s involvement is clearly tied to the agency’s mission as a consumer protection agency. Increased involvement has generated a sharper focus on educating the public on what to look for in selecting a practitioner and articulating consumer rights for full disclosure of facts in making an informed decision concerning services.</p>
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<p>2 MANAGING FOR RESULTS</p> <p>How are performance measures used for management of the agency? What changes have been made in the past year?</p>	<p>In 2002, the Oregon Health Licensing Agency published its first <i>Executive Report</i>, mapping the agency’s mission, goals and objectives and setting a strategic plan for the agency’s consumer protection efforts – focusing on integrated, seamless service delivery. Gauging results provides an evaluation tool for measuring the effectiveness of attaining agency goals in the following areas: effective agency business practices and workflow procedures; proficiency and quality of customer service delivery; efficiency of resource management related to return-on-investment; and inclusiveness and responsiveness to stakeholders and consumers of multiple fields of professional practice.</p> <p>Performance measures directly link to a specific agency unit or function and are reviewed quarterly or semi-annually to evaluate progress and outcomes. Individual criterion is evaluated to pinpoint fluctuations, mitigating circumstance or contributing factors to the success or shortfall of meeting targets. Where underperformance is evident, management addresses factors and formulates strategies for resolving any deficiency. The measures are reported to stakeholders to gain additional participation.</p> <p>The agency has continued efforts at collaborative fact finding with regulatory partners in 2005-06 to provide a forum for improving administration and regulation. Regulatory streamlining – initiatives to make regulation faster, cheaper and easier for licensees – also plays a key role in OHLA budget and strategic planning, and Key Performance Measures. A key objective is to gauge how well OHLA is achieving results in consumer protection while reducing artificial barriers to professional practice and providing customers with timely, accurate and helpful service.</p> <p>OHLA surveyed facility owners to gain feedback on the inspection process, particularly how well enforcement officers explain state requirements and educate facility owners, individual practitioners and independent contractors about their responsibilities as licensed professionals. OHLA is reviewing ways to hit performance targets that result in greater public protection to address the large increase in volume and the growing complexity of disciplinary cases that may involve everything from a fetal demise (an infant death during delivery) involving direct entry midwives to bacterial infections from pedicure foot spas.</p> <p>The agency has effectively removed regulatory hurdles further by streamlining the licensing process allowing applicants to be more quickly eligible for employment opportunities in Oregon. Recognition of out-of-state credentials and licensure has streamlined the application, examination and licensing requirements for denturists and cosmetologists. Adoption of the national cosmetology written examination enables license-for-license recognition between states utilizing the national examination. The agency outsourced examination test sites for cosmetology applicants, contracting with a private testing service provider for remote examination sites throughout Oregon, Washington and California as an option to reduce time and travel expenses for applicants.</p> <p>OHLA offers a new online renewal feature on its Web site at www.oregon.gov/OHLA. Licensees may access the online renewal feature 24 hours a day, seven days a week, using SecurePay encryption technology. OHLA is in the planning stages to expand online services in 2007, including application for business licenses and payment of civil fines online. OHLA established a special online renewal hotline number at 503-378-8667, extension 4358 to assist licensees with their online transactions.</p>
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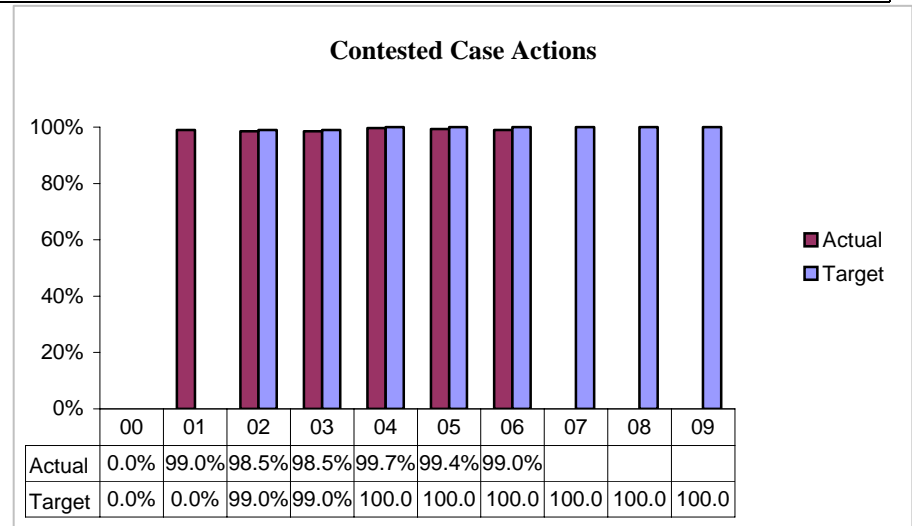
<p>3 STAFF TRAINING</p> <p>What training has staff had in the past year on the practical value and use of performance measures?</p>	<p>The Administrative Services Division Manager and the Executive Assistant/Board Liaison received formal training in Performance Measurement development from Department of Administrative Services and the Oregon Progress Board classes. Regular participation at Oregon Progress Board work sessions yield valuable information that is utilized by the agency’s KPM Team, especially in areas of quality of data and reporting methodology. The agency conducts monthly division meetings and periodic work sessions that are focused on attainment of agency goals and improvement -- tracking mechanisms, reviewing outcomes and pinpointing resolutions to impediments in meeting targeted goals. Agency staff attend the periodic conferences, work sessions and brown bag luncheons sponsored by the Oregon Progress Board (OPB) and also make use of the expertise and open communication with “open dialog” with OPB’s staff – relying on their advice and direction to ensure sound principles and practices are in place for setting reasonable but attainable targets and tracking results.</p>
<p>4 COMMUNICATING RESULTS</p> <p>How does the agency communicate performance results to each of the following audiences and for what purpose?</p>	<p><u>Staff:</u> Performance measures are communicated to agency staff and board/council members at scheduled meetings and internal manager/staff meetings.</p> <p><u>Elected Officials:</u> Results are communicated to the Legislature through the Oregon Progress Board reports and biennially to the Legislature during agency budget hearings before the Ways & Means Committee. Performance measures are reviewed and discussed biannually during budget development and review with the Department of Administrative Services Budget Analyst and also with the Legislative Fiscal Office / Budget Analyst.</p> <p><u>Stakeholders:</u> The agency’s <i>Customer Connection</i> program provides an ongoing and visible backdrop to keep customer service resources accessible to customers and customer service standards at the forefront of agency staff thinking and action. <i>Licensing Line</i> is a FREE monthly e-mail newsletter from the Oregon Health Licensing Agency featuring the latest news from the Oregon Health Licensing Agency (OHLA) central agency and about developments in the multiple health and related professions the agency regulates. Subscriptions are sent to elected officials, other agencies, practitioners and stakeholders.</p> <p><u>Citizens:</u> The number of public/citizens, practitioners and other related professional representatives attending agency public meetings has increased during 2005-06, providing additional perspective and information on improving service delivery and participation by citizens in formulating public policy matters. The public’s involvement is clearly tied to the agency’s mission as a consumer protection agency. The increased involvement has generated a sharper focus on educating the public on what to look for in selecting a practitioner and articulating consumer rights for full disclosure of facts in making an informed decision concerning services. Results are communicated to all interested parties on the agency’s Web site at http://www.oregon.gov/OHLA/.</p>

III. KEY MEASURE ANALYSIS

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KPM #1	CONTESTED CASE ACTIONS	Measure since: 2001
	Percent of contested case actions that are resolved through <u>informal settlement resolution</u> and prior to a formal hearing before the Central Hearing Officer Panel.	
Goal	Contested Case Actions: Actively promote consumer protection through education, enforcement and partnerships.	
Oregon Context	Aligns with OHLA Mission Statement.	
Data source	Enforcement Case Files	
Owner	Enforcement Section	

- OUR STRATEGY:** To increase practitioner knowledge of and compliance with applicable laws and professional practice standards through informal resolution to contested case actions.
- ABOUT THE TARGETS:** The agency continues to set targets at 100 percent and achieve nearly 100 percent due to OHLA’s emphasis on informal, cost-effective compliance measures such as informal resolution.
- HOW WE ARE DOING:** OHLA continues to regulate in a manner that avoids costly and time-consuming disciplinary proceedings in nearly 100 percent of contested case actions. The agency foresees this trend to continue.
- HOW WE COMPARE:** The agency is unaware of other state agencies measuring this performance area. Some agencies measures are similar; for example, the Board of Medical Examiners measures the percentage of disciplinary actions overturned by appeal and also performs at or near 100 percent.
- FACTORS AFFECTING RESULTS:** Contested case actions that reach a formal hearing hold the potential for lengthy and costly litigation. OHLA actively promotes education of the disciplinary process among its licensees, including their due-process rights, and the benefits to both parties of informal resolution to prevent such litigation.
- WHAT NEEDS TO BE DONE:** OHLA will continue to emphasize informal resolution.
- ABOUT THE DATA:** Reporting cycle is Oregon fiscal year. OHLA tracks total disciplinary final orders against licensees that are resolved informally (approximately 1,300+ annually) compared to the few contested cases that proceed to a formal hearing.

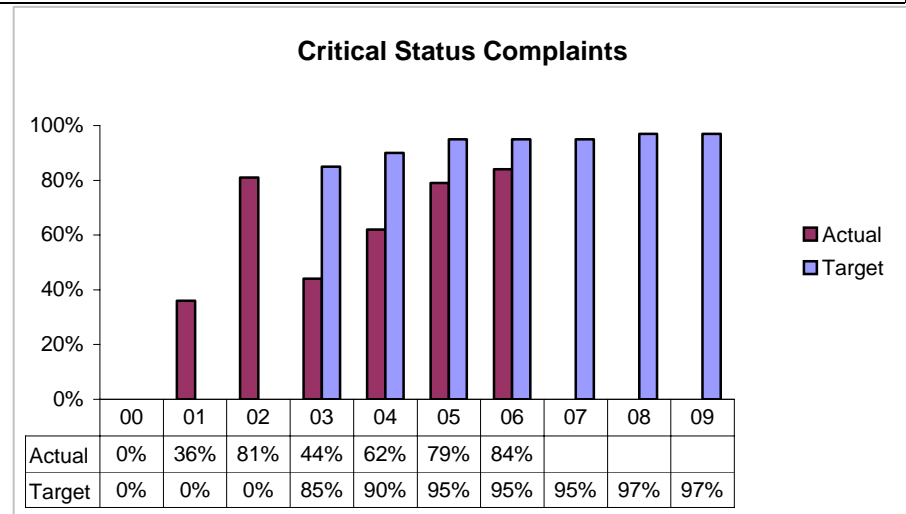


III. KEY MEASURE ANALYSIS

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KPM #2	CRITICAL STATUS COMPLAINTS	Measure since: 2001
	Percent of "critical" status complaints investigated within one week of receipt (unlicensed activity and high risk health issues).	
Goal	Critical Complaints: Actively promote consumer protection through education, enforcement and partnerships.	
Oregon Context	Aligns with OHLA Mission Statement.	
Data source	OHLA written/verbal complaints received and reviewed that meet critical status criteria.	
Owner	Enforcement Section	

- OUR STRATEGY:** To respond to and investigate critical status public health and safety issues in a timely and effective manner by identifying and prioritizing complaints related to unlicensed activity, infection outbreaks and other critical status situations.
- ABOUT THE TARGETS:** OHLA continues to progress toward achieving its target, which is set close to 100 percent due to the critical nature of such complaints. These complaints are top priority enforcement issues with the most potential for harming the public, necessitating swift and effective action.
- HOW WE ARE DOING:** OHLA is showing gradual improvement in this important area and hopes to achieve its ambitious targets in the coming years and uphold its response effectiveness at nearly 100 percent levels.
- HOW WE COMPARE:** To the agency's knowledge there are no other state agencies that measure response to complaints in the same immediate and prioritized manner. Other agencies measure how long the entire investigatory process takes, rather than how quickly they initially respond to a complaint that may pose greater and immediate public risk.
- FACTORS AFFECTING RESULTS:** Enforcement staff workload and the number of critical status complaints that come in quick succession could affect the agency's ability to reach its target performance. Due to factors related to current staffing levels, growing workload and the level of complexity of investigations described in OHLA's budget policy package #101, enforcement staff may be missing opportunities to identify more critical status issues while conducting routine inspections in the field.
- WHAT NEEDS TO BE DONE:** OHLA enforcement staff will continue to emphasize the importance of responding to critical status complaints. OHLA will continue to plan and prepare for circumstances that may stretch enforcement staff's ability to respond to multiple complaints in quick succession.
- ABOUT THE DATA:** Reporting cycle is Oregon fiscal year. There were 31 critical status complaints in this reporting cycle; the agency responded and investigated 26 within one week of receipt.

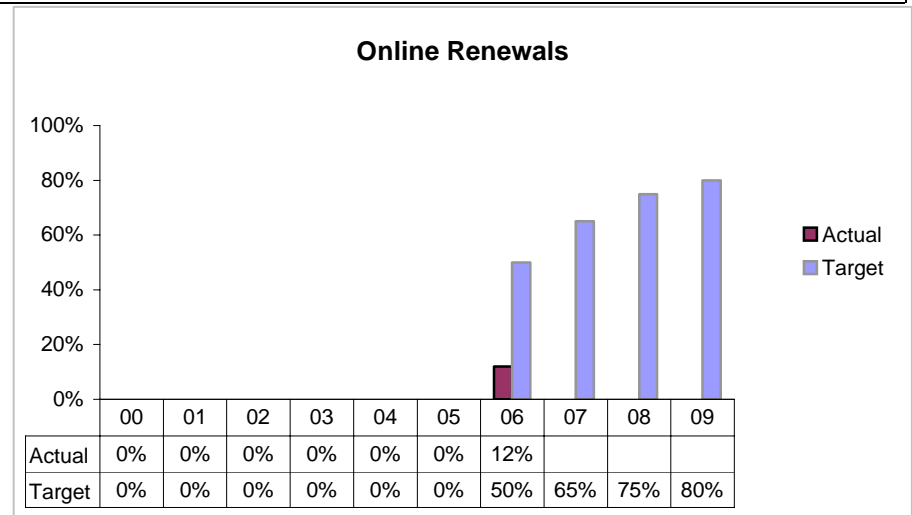


III. KEY MEASURE ANALYSIS

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KPM #3	ONLINE RENEWALS Percent of online renewals compared to total renewals processed by agency.	Measure since: 2005
Goal	Customer Service: Provide excellent customer service to agency stakeholders.	
Oregon Context	Aligns with OHLA Mission Statement.	
Data source	Agency paper and electronic records.	
Owner	Fiscal Services Division and Licensing Section	

- OUR STRATEGY:** With a goal of excellent customer service, OHLA attempts to avail all of its licensees of the variety of available agency services and resources, including online renewals, by promoting these services and resources online, in renewals and during in-person contacts.
- ABOUT THE TARGETS:** The targets are fairly ambitious, beginning with the first year target percentage of 50 percent. Targets were originally staggered at 15 percent each year beginning at 15 percent for the first year. However, the online renewal project was delayed but the targets were required to remain the same.
- HOW WE ARE DOING:** For certain regulated professions, online renewal rates are close to the 50 percent target. However, for the largest regulated profession, cosmetology, online renewal rates are low due mainly to the apparent and continuing lower computer use by this profession.



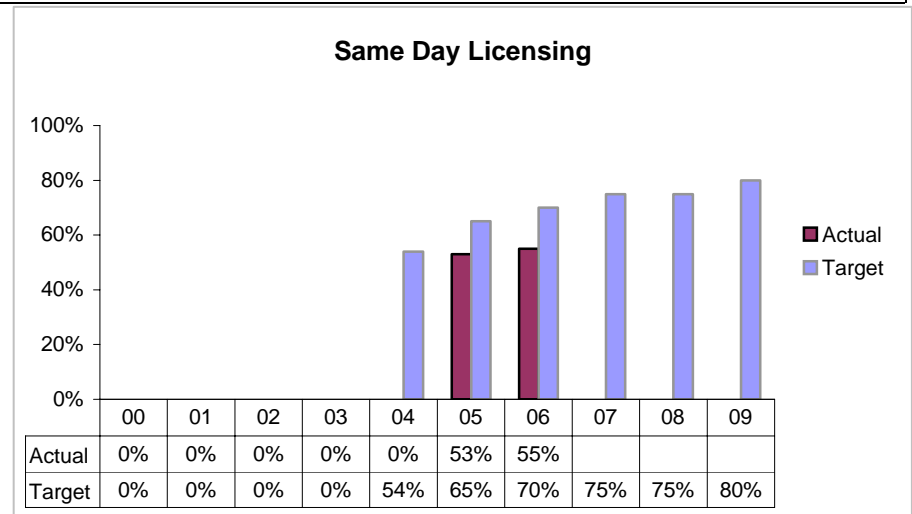
- HOW WE COMPARE:** The Department of Consumer & Business Services targets 40 percent of customer transactions to be completed electronically. No percentages achieved were available.
- FACTORS AFFECTING RESULTS:** Computer use and comfort level of conducting business online is a potentially major hurdle to overcome to achieve projected targets, particularly among cosmetologists. Also, the wording of the performance measure includes total renewals while the agency’s online system doesn’t currently allow for late renewals or renewals by licensees with outstanding disciplinary actions against them, further reducing the performance data results.
- WHAT NEEDS TO BE DONE:** OHLA will target promotion of online services to cosmetologists and plans to expand online renewals to include late renewals.
- ABOUT THE DATA:** Reporting cycle is Oregon fiscal year. OHLA’s online renewal system was implemented in May 2006, so data is only for the last two months of the reporting cycle (May and June 2006).

III. KEY MEASURE ANALYSIS

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KPM #4	SAME DAY LICENSING Percent of completed business license applications received by the agency that are processed and attain a “same day licensing” approval.	Measure since: 2005
Goal	Promote Business: Promote a positive business environment by reducing barriers to professional practice.	
Oregon Context	Aligns with OHLA Mission Statement.	
Data source	Licensing records, business applications and computer statistics.	
Owner	Licensing Section	

- OUR STRATEGY:** Continue to provide timely and effective business licensing services, particularly related to same-day licensing, in order to provide qualified applicants with quick access to the Oregon job market.
- ABOUT THE TARGETS:** Targets are based on historical rates for facility and independent contractor same-day licensing. Projected targets are based on the agency’s ability to identify and implement uniform business processes, qualification checks and to eliminate artificial barriers and inconsistencies in the licensing process for OHLA’s regulated professions.
- HOW WE ARE DOING:** Progress on this relatively new performance measure has been slight from the first reporting year to the next, from 53 percent to 55 percent compared to a targeted 70 percent.
- HOW WE COMPARE:** The agency’s programs are among the few statewide that have a separate practitioner, independent contractor business and facility license; other professional boards and councils typically license only the individual or practice. The Oregon Board of Medical Examiners issues licenses in an average 55 days. While the qualification verification process admittedly may be more involved for physicians than for example, cosmetologists, OHLA licenses 15 different health and related professions with varying degrees of qualifiers.
- FACTORS AFFECTING RESULTS:** The original intent of this Key Performance Measure was to include all new applicants – individuals, businesses and independent contractors, instead of limiting the data to measuring businesses. The agency has taken aggressive steps to eliminate redundant qualifiers and to recognize license-for-license qualifications making same day licensing capable for an increasing number of practitioners. This objective is being attained through changes implemented in 2006 to remove retesting as a qualifier for out-of-state licensed applicants, recognition of national examinations and offering examinations in remote locations throughout the state.



III. KEY MEASURE ANALYSIS

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6. **WHAT NEEDS TO BE DONE:** OHLA is working with the Department of Administrative Services to add new online capabilities including online applications, late renewals and civil penalty payments targeted for 2007-08 which will provide practitioners and business owners easier access to licensure and further enhance opportunities for same-day licensing for the majority of OHLA's professions. The agency will propose revising this KPM in 2009 to include all licensure applicants – businesses and individuals – eligible for same day licensing.
7. **ABOUT THE DATA:** Reporting cycle is Oregon fiscal year.

III. KEY MEASURE ANALYSIS

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KPMs #5 and #6	CUSTOMER SERVICE : Percent of customers rating their satisfaction with the agency’s customer service as “good” or “excellent”: overall, timeliness, accuracy, helpfulness, expertise, availability of information	Measure since: 2005
Goal	Customer Service: Provide excellent customer service to agency stakeholders.	
Oregon Context	Aligns with OHLA Mission Statement.	
Data source	Survey results.	
Owner	Administrative Services Division	

- OUR STRATEGY:** OHLA surveys a 10-percent cross section of licensees semi-annually to receive two different samplings to review and improve customer service standards and to provide opportunities for customer feedback, interaction and involvement.
- ABOUT THE TARGETS:** Targets are based on targets of other state agencies and the agency’s belief that a high percentage of licensees should have a “good” or “excellent” experience when interacting with the agency.
- HOW WE ARE DOING:** At 86 percent of survey respondents rating their satisfaction with OHLA’s customer service as “good” or “excellent,” OHLA is nearly at its 88 percent target for 2007 (2006 target not available).
- HOW WE COMPARE:** OHLA’s customer satisfaction response percentages are among some of the highest statewide.
- FACTORS AFFECTING RESULTS:** A new, more statistically meaningful survey method resulted in a higher percentage of respondents with positive ratings.
- WHAT NEEDS TO BE DONE:** OHLA will continue to emphasize customer service standards as one of its three key agency goals.
- ABOUT OUR CUSTOMER SERVICE SURVEY:** The agency conducted the Customer Service Satisfaction Survey on March 5, 2006. The agency used a 10% random sample of licensees who renewed their license, certificate or registration from July 1, 2005 through December 1, 2005, totaling 1250 surveys sent and 183 completed surveys returned.

