

OREGON HEALTH LICENSING AGENCY

Annual Performance Progress Report (APPR) for Fiscal Year 2006-07

Submitted: September 30, 2007

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OREGON HEALTH LICENSING AGENCY

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.

I. EXECUTIVE SUMMARY

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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

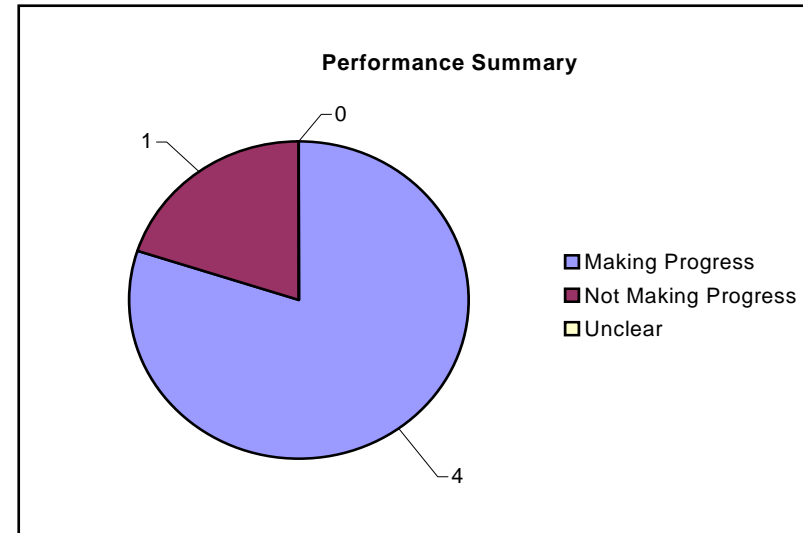
OHLA manages and monitors more than 69,000 active authorizations to practice in multiple health and related professions. The agency's overriding goal is to provide a high level of consumer protection while regulating in the least burdensome manner.

2. THE OREGON CONTEXT

The agency contributes to the state's health and safety through establishment of professional standards and monitoring and enforcement of a diverse set of practitioners and businesses. OHLA contributes to the economic well being of the state by reducing barriers to professional practice through regulatory streamlining initiatives and supports a positive business climate by fostering collaboration, inclusiveness and transparency in the regulatory process.

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 latest data show the agency is making progress in customer service-related performance areas, with a nine-percent increase in online license renewals and a nine-percent increase in same-day licensing for business applicants. Customer service satisfaction survey results showed a slight decrease in some areas from the average of 80 percent of respondents indicating agency service was “good” or “excellent” but not enough to be statistically, or practically, significant. The agency’s response to critical status complaints, however, was weakened by instability in enforcement staffing as the number of these types of complaints increased from 31 to 38 in the reporting period from July 1, 2006 to June 30, 2007. As a result, the agency’s timely response to and investigation of complaints with high-risk factors to public health and safety fell from 84 to 76 percent of total critical status complaints received. Despite staffing instability, OHLA actually responded to three more critical status complaints in a timely manner than in the previous reporting period.

4. CHALLENGES

The primary challenge is continuing to refine the agency’s efforts to achieve even higher performance results. Developing new and creative strategies to maintain those performance levels over time will also be crucial. 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 2006-07 fiscal year is approximately \$2.5 million, or half of the agency’s biennial budget for 2005-07. KPMs that are efficiency measures are KPMs #3 and #4. Both KPM efficiency measures are showing continued progress toward targeted goals.

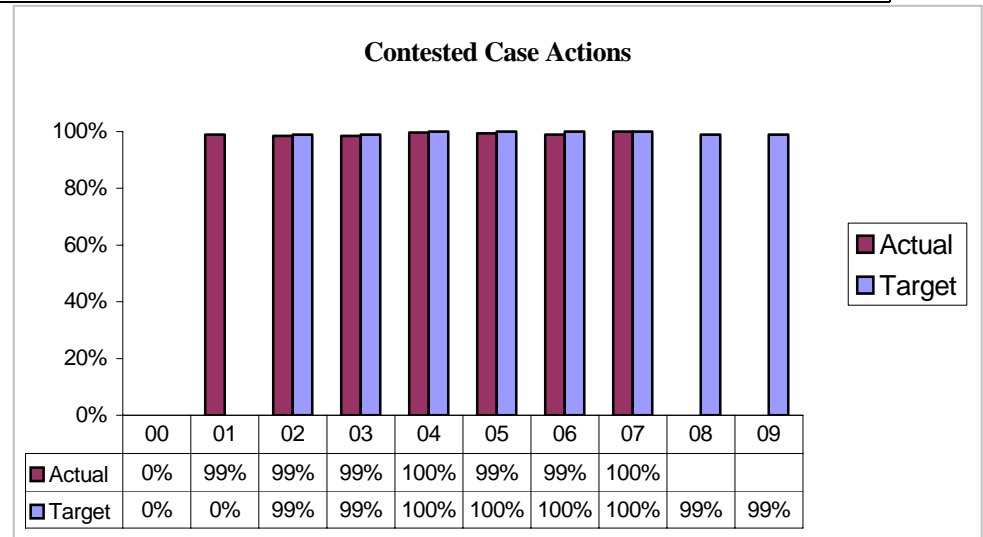
OREGON HEALTH LICENSING AGENCY

II. KEY MEASURE ANALYSIS

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.

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	Regulatory Operations Division	

- 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 from July 1, 2006 to June 30, 2007. OHLA tracks total disciplinary final orders and those orders that are resolved informally (approximately 1,300+ annually) compared to the few contested cases that proceed to a formal hearing.



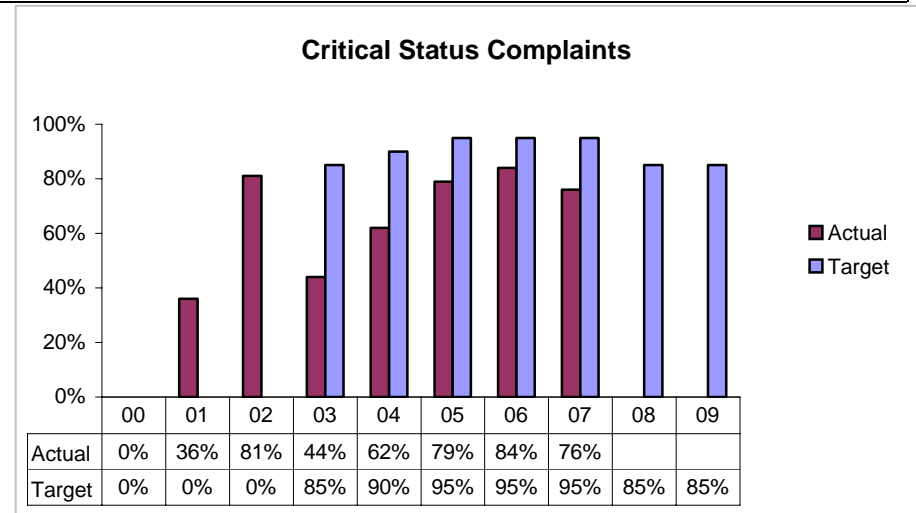
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KPM #2	CRITICAL STATUS COMPLAINTS	Measure since: 2001
	Percent of "critical" status complaints investigated within one week of receipt (unlicensed activity and high risk health issues).	
Goal	Critical Complaints: Actively promote consumer protection 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	Regulatory Operations Division	

- 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 high-risk 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 was showing gradual improvement in this performance category but, due to instability in agency enforcement staffing, was unable to continue that upward trend in the last reporting period. However, OHLA received seven more critical status complaints and responded to three more in a timely manner than in the previous reporting period.
- 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.
- 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.



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7. **ABOUT THE DATA:** Reporting cycle is Oregon fiscal year from July 1, 2006 to June 30, 2007. OHLA responded to 38 critical status complaints in this reporting period and responded and investigated 29 within one week of receipt, compared to 31 critical status complaints received and 26 investigated in a timely manner in the previous reporting period.

OREGON HEALTH LICENSING AGENCY

II. KEY MEASURE ANALYSIS

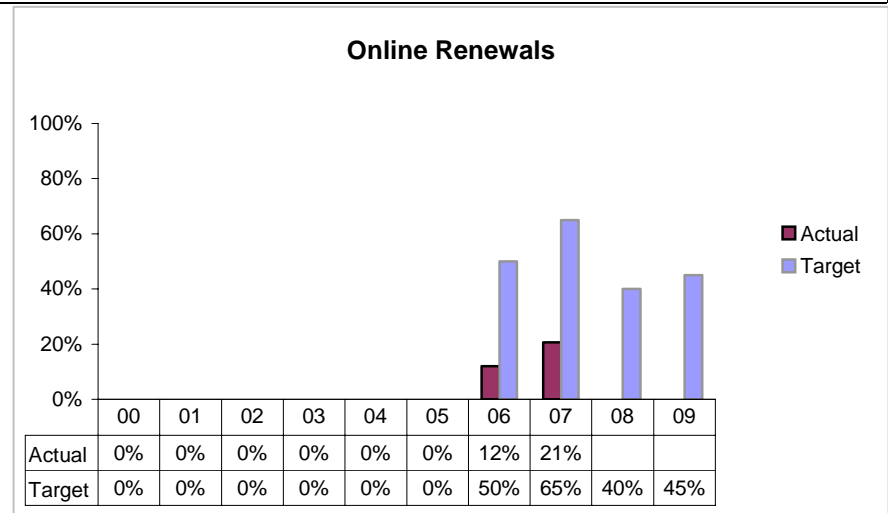
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KPM #3	ONLINE RENEWALS Percent of online renewals compared to total renewals processed by agency.	Measure since: 2005
Goal	Customer Service: Provide excellent customer service to agency stakeholders.	
Oregon Context	Aligns with OHLA Mission Statement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

1. **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.

2. **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.

3. **HOW WE ARE DOING:** For certain OHLA-regulated professions, online renewal rates are close to the 50 percent target. The largest regulated licensee group, the four fields of practice of cosmetology, has traditionally believed to be less computer literate than other groups. However, the more than 27,000 licensed barbers, estheticians, hair designers and nail technicians in Oregon are beginning to prove this long-standing perception to be inaccurate as their online license renewal percentage continues to climb.



4. **HOW WE COMPARE:** The Department of Consumer & Business Services targets 40 percent of customer transactions to be completed electronically. No percentages achieved were available.

5. **FACTORS AFFECTING RESULTS:** Historical lack of computer use among some OHLA-regulated professions is becoming less of a factor as computer use among the general public continues to increase. 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.

6. **WHAT NEEDS TO BE DONE:** OHLA will continue to target promotion of online services to the four fields of practice of cosmetology along with all OHLA-regulated professions and plans to expand online renewals to include late renewals among other e-commerce features.

7. **ABOUT THE DATA:** Reporting cycle is Oregon fiscal year from July 1, 2006 to June 30, 2007.

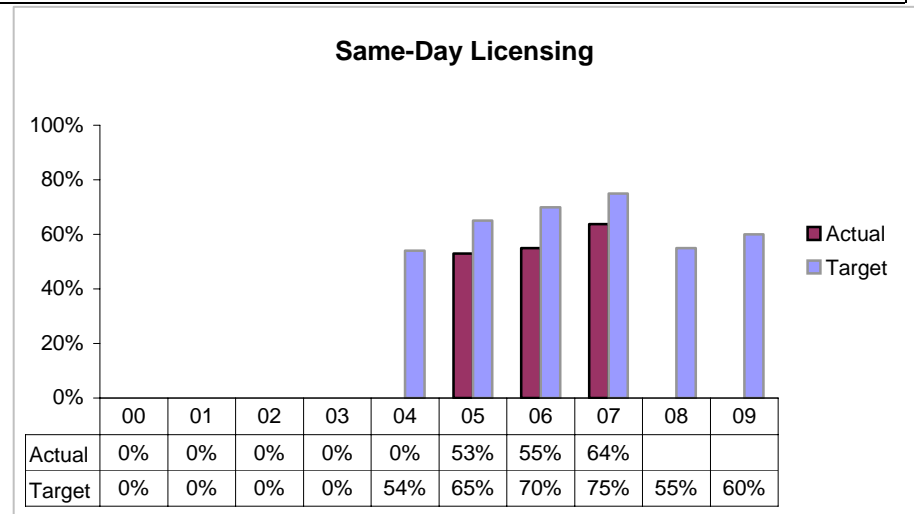
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II. KEY MEASURE ANALYSIS

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KPM #4	SAME-DAY LICENSING	Measure since: 2005
	Percent of completed business license applications received by the agency that are processed and attain a "same-day licensing" approval.	
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	Business Services Division	

- 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, but jumped a full nine percentage points in the last reporting period.
- 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, a barber or nail technician, OHLA licenses 17 different health and related professions with varying degrees of qualifiers, from athletic trainers to sex offender therapists.
- 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 steps to eliminate redundant qualifiers and to recognize license-for-license qualifications making same-day licensing possible 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.



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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 from July 1, 2006 to June 30, 2007.

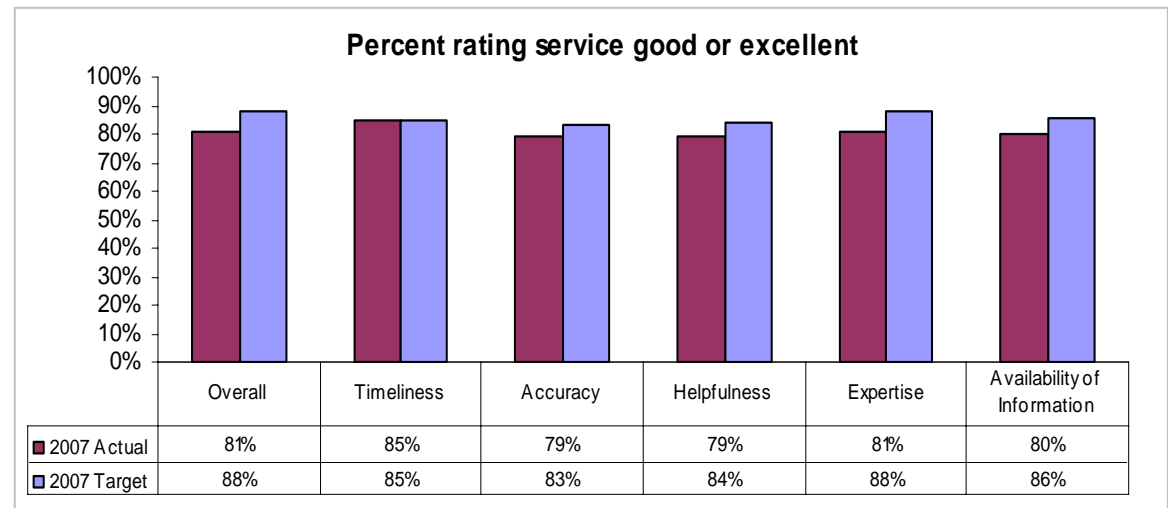
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KPM #5	CUSTOMER SERVICE : Percent of customers rating their satisfaction with the agency’s customer service as “good” or “excellent”: overall, timeliness, accuracy, helpfulness, expertise, availability of information	Measure since: 2005
Goal	Customer Service: Provide excellent customer service to agency stakeholders.	
Oregon Context	Aligns with OHLA Mission Statement	
Data source	Survey results	
Owner	Policy, Board & Program 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 performance 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 close to 80 percent in all categories, the agency’s customer service satisfaction survey results continue to show that our emphasis on customer service is paying off.
- 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 July 2, 2007. The agency used a 10% random sample of licensees who renewed their license, certificate or registration from January 1, 2007 through June 1, 2007, totaling approximately 1200 surveys sent and 125 completed surveys returned.



OREGON HEALTH LICENSING AGENCY

III. USING PERFORMANCE DATA

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

<p>1 INCLUSIVITY</p> <p>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 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 for 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 OHLA’s Web site at http://www.oregon.gov/OHLA/about_us.shtml.</p> <p><u>Agency Staff:</u> The agency’s three division managers (Business Services; Policy, Board & Program; and Regulatory Operations) established performance measures for each division. Staff from each division of the agency participate in and are responsible for analysis, 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 from and participation of its board and council members, professional association representatives, practitioners, business owners, interested parties and other regulatory and governmental agencies. Outcomes are reported at the regularly scheduled board and council meetings as well as special outreach events 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 remained an important objective during 2006-07. 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 How are performance measures used for management of the agency? What changes have been made in the past year?</p>	<p>Performance measures directly link to a specific agency unit or function and are evaluated periodically to gauge progress and assess outcomes. Individual criterion is used to pinpoint fluctuations, mitigating circumstance or contributing factors to the success or shortfall of meeting targeted objectives.</p> <p>The agency has continued efforts during the 2006-07 reporting period at collaborative fact finding with regulatory partners to improve agency administration and regulation. Regulatory streamlining – initiatives to make regulation faster, cheaper and easier for licensees – plays a instrumental role in OHLA budget development, strategic planning, and evaluating outcomes of Key Performance Measures. The agency’s primary objective is public protection commensurate with reducing artificial barriers to professional practice and providing customers with timely, accurate and helpful service.</p> <p>The efficiencies implemented during the 2005-06 fiscal year improved customer “access” and increased public awareness of health and safety regulations through educational outreach endeavors; however, overall customer satisfaction was lower based on survey results, even if only by a few percentage points. This outcome prompted an agency-wide performance assessment that indicated improvement needed to the agency’s service delivery structures. Reorganization of agency divisions, delivery systems and policies and procedures are being implemented to address underperformance and resolve deficiencies.</p>
<p>3 STAFF TRAINING What training has staff had in the past year on the practical value and use of performance measures?</p>	<p>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 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>Licensing Line</i> is a FREE bimonthly e-mail newsletter from the Oregon Health Licensing Agency (OHLA) featuring the latest news from the OHLA central agency and the multiple health and related professions the agency regulates. More than 1250 subscriptions are currently 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 remained an important objective during 2006-07. The public’s involvement is clearly tied to the agency’s mission as a consumer protection agency. The increased outreach 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>

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III. USING PERFORMANCE DATA