



Health & Human Services Quality Subcommittee

**Tuesday, January 11, 2011
9:00 AM
Webster Hall (212 Knott)**

**Dean Cannon
Speaker**

**John Wood
Chair**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Health & Human Services Quality Subcommittee

Start Date and Time: Tuesday, January 11, 2011 09:00 am
End Date and Time: Tuesday, January 11, 2011 12:00 pm
Location: Webster Hall (212 Knott)
Duration: 3.00 hrs

Overview of health care licensure and regulation processes

Update on transfer of drugs, devices & cosmetics regulation from the Department of Health to the Department of Business & Professional Regulation

NOTICE FINALIZED on 01/04/2011 15:50 by Iseminger.Bobbye

Florida Department of Health

DIVISION OF MEDICAL QUALITY ASSURANCE OVERVIEW

Florida House of Representatives
Health & Human Services Quality Subcommittee
January 11, 2011

MISSION:

Promote, protect and improve the health of all people in Florida.

VISION:

A healthier future for the people of Florida.

MEDICAL QUALITY ASSURANCE

MQA regulates over 1 million licensed health care practitioners and facilities representing more than 40 professions and 200 license types.

REGULATORY BOARDS

- **Quasi-judicial independent agencies**
- **Appointed by Governor and confirmed by Senate**
- **Composition and terms established by statute**
- **Approve or deny licenses**
- **Impose discipline**
- **Promulgate rules**
- **Set fees within caps**
- **Act upon waivers and variances**
- **Issue declaratory statements**

REGULATORY BOARDS

- Acupuncture
- Athletic Training
- Chiropractic Medicine
- Clinical Laboratory Personnel
- Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling
- Dentistry
- Hearing Aid Specialists
- Massage Therapy
- Medicine
- Nursing
- Nursing Home Administrators
- Occupational Therapy
- Opticianry
- Optometry
- Orthotists and Prosthetists
- Osteopathic Medicine
- Pharmacy
- Physical Therapy
- Podiatric Medicine
- Psychology
- Respiratory Care
- Speech-Language Pathology and Audiology

ADVISORY COUNCILS

- **Established by statute**
- **Appointed by the State Surgeon General or Boards**
- **Advise the Department on:**
 - **Rules**
 - **Discipline**
 - **Fees**
 - **Current professional trends**
 - **Legislation**

ADVISORY COUNCILS

- **Certified Nursing Assistants**
- **Dietetics & Nutrition**
- **Electrolysis**
- **Medical Physicists**
- **Licensed Midwifery**
- **Physician Assistants**
- **Drug Wholesalers**

DEPARTMENT-REGULATED PROFESSIONS

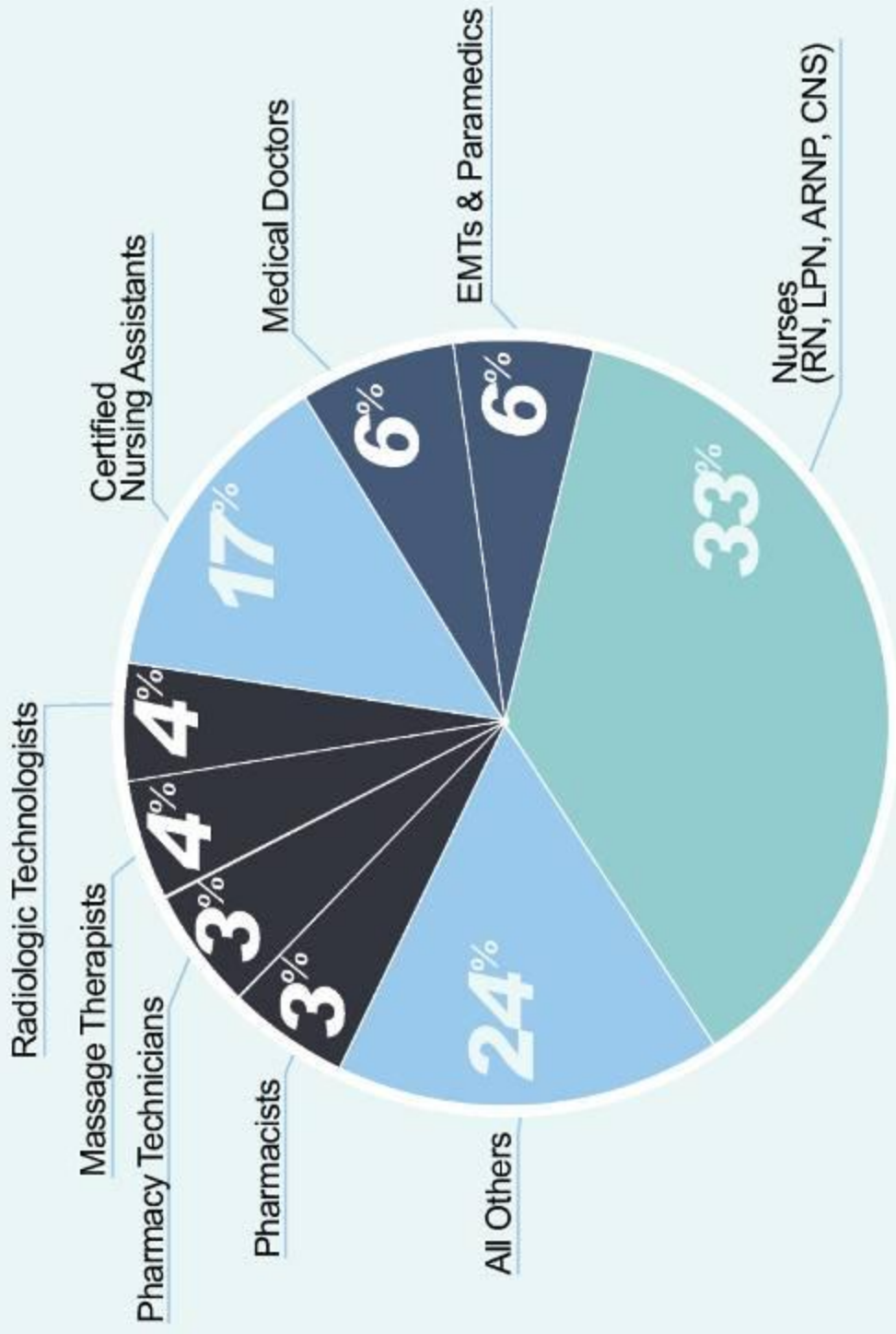
The Department:

- **Approves or denies licenses**
- **Imposes discipline**
- **Promulgates rules**
- **Issues declaratory statements**
- **Sets fees within caps**
- **Acts upon waivers and variances**
- **Issues declaratory statements**

DEPARTMENT-REGULATED PROFESSIONS

- **Emergency Medical Technicians**
- **Medical Physicists**
- **Naturopathy**
- **Paramedics**
- **Radiologic Technologists**
- **School Psychology**

LICENSEES BY PROFESSION



The Power of 3

3 Key Processes

1. Licensure
2. Enforcement
3. Information

3 Key Customers

1. Licensed Health Care Practitioners
2. Licensure Applicants
3. Health Care Consumers

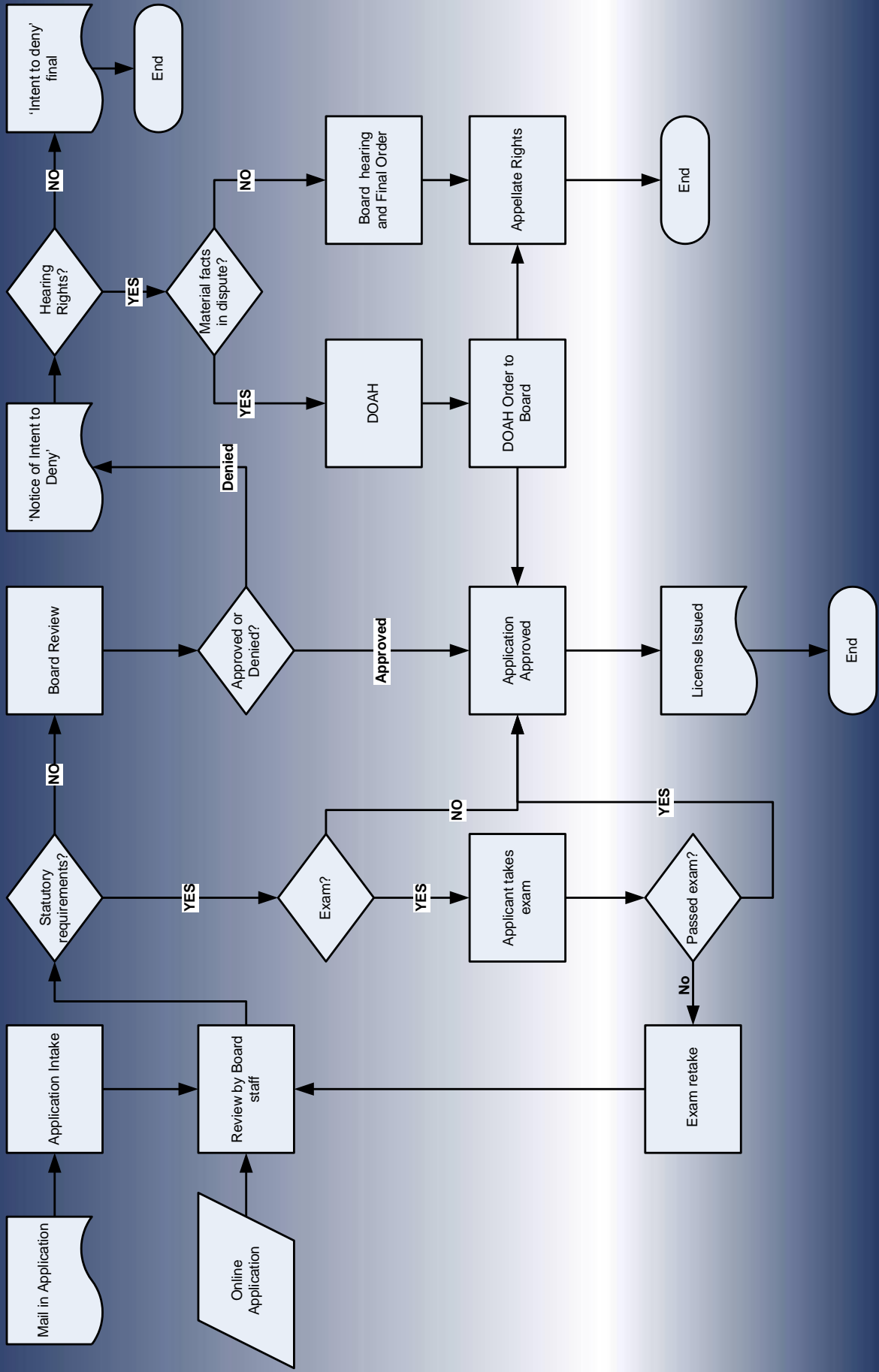
3 Key Customer Requirements

1. Timeliness
2. Access
3. Quality

CORE PROCESSES-LICENSURE FUNCTIONS

- **Develop and administer licensure examinations**
- **Process applications for licensure-30 days**
- **Approve or deny applications-90 days**
- **Renew licenses biennially**

LICENSING PROCESS

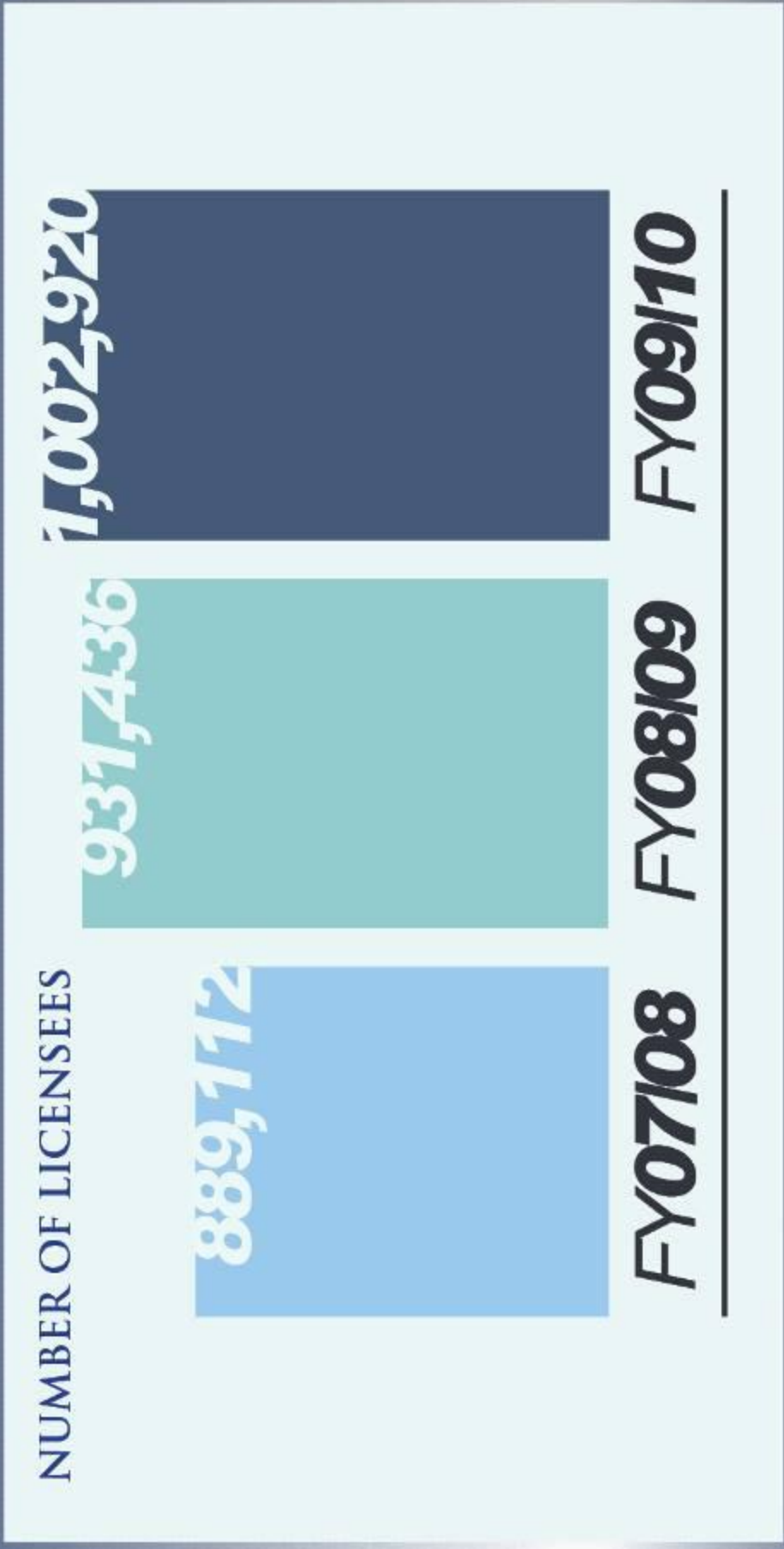


LICENSURE MEASURES

FY 2009-2010

- **Received 131,463 new licensure applications**
- **Issued 119,823 new licenses**
- **Renewed 297,417 licenses**
- **Administered 6,148 state exams**

LICENSURE MEASURES



LICENSURE MEASURES

INITIAL LICENSES ISSUED

70,392

FY07/08

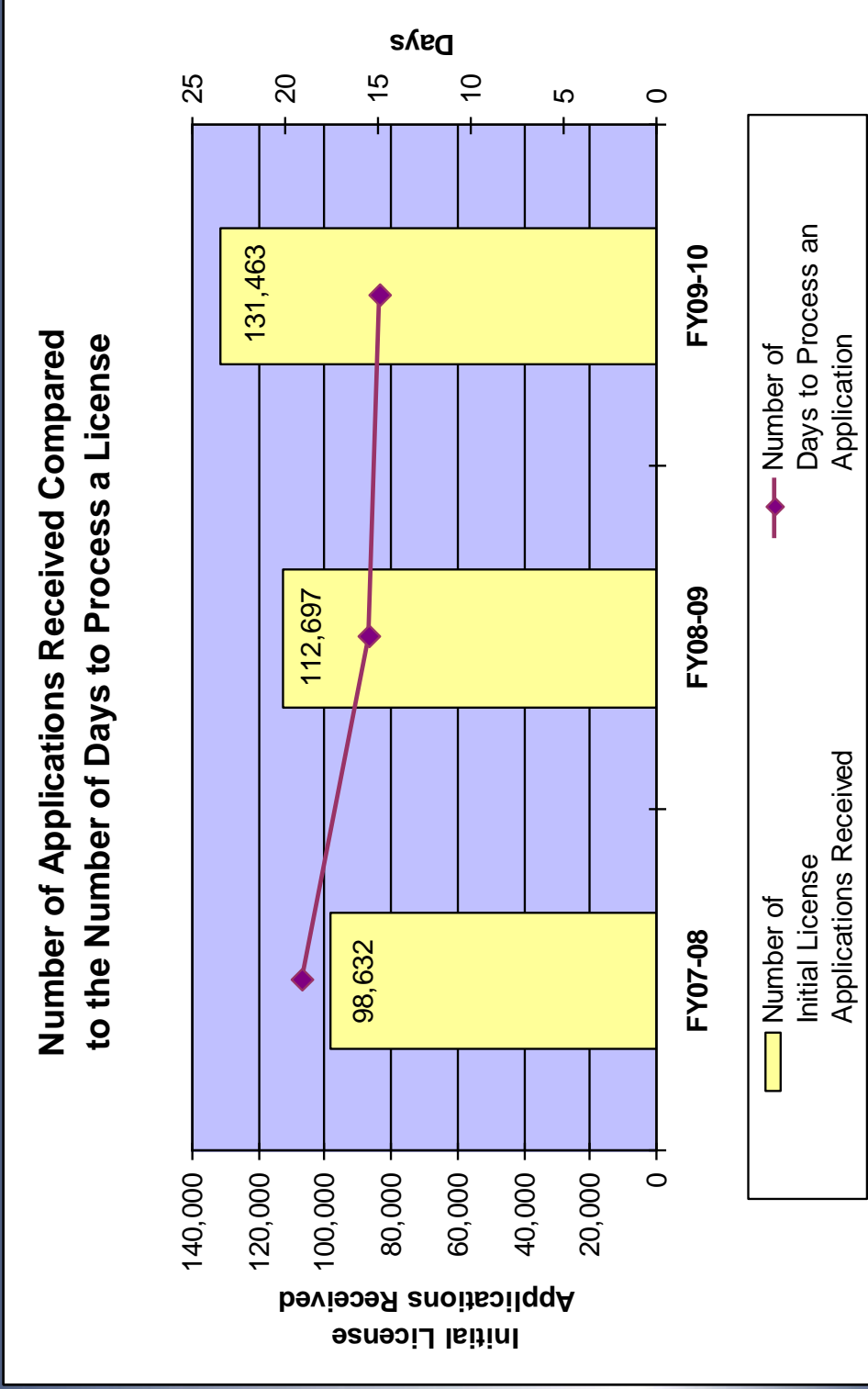
81,631

FY08/09

119,823

FY09/10

LICENSURE MEASURES



LICENSURE MEASURES

PERCENTAGE OF ONLINE RENEWALS

64.9%

81%

88.4%

FY07/08

FY08/09

FY09/10

LICENSURE MEASURES

ONLINE RENEWAL COST SAVINGS

\$759,981

\$746,170

\$856,798

FY07/08

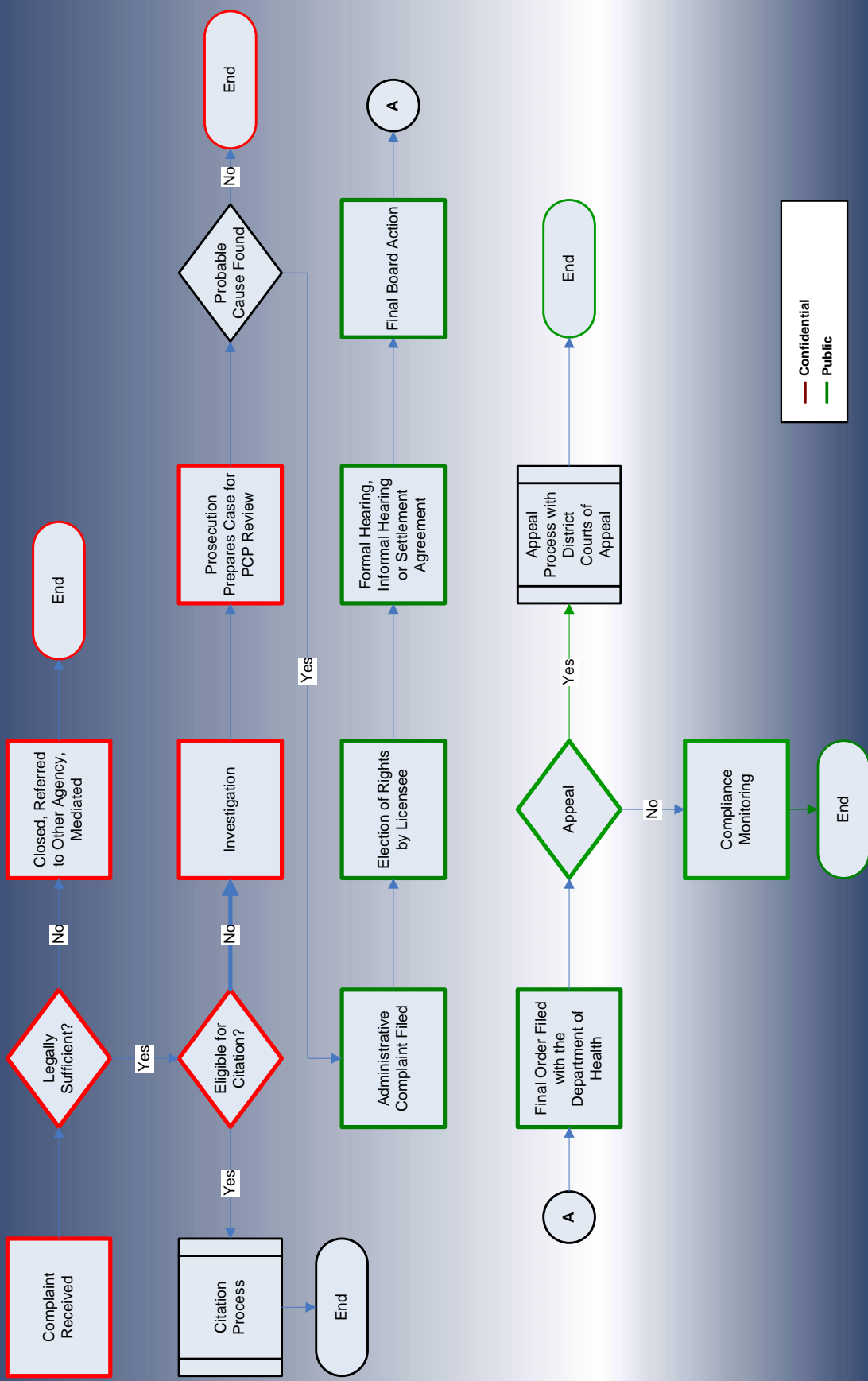
FY08/09

FY09/10

CORE PROCESS- ENFORCEMENT FUNCTIONS

- **Determine legal sufficiency and perform desk investigations**
- **Conduct alternative dispute resolution (mediation, citation and notice of noncompliance)**
- **Investigate legally sufficient complaints and perform inspections**
- **Prosecute cases for which probable cause has been found and process appeals of disciplinary cases**
- **Investigate individuals and establishments operating without a license and issue citations/cease and desist orders**

ENFORCEMENT PROCESS



— Confidential
— Public

ENFORCEMENT MEASURES

FY 2009-2010

- Analyzed 23,620 complaints
- Investigated 6,648 complaints
- Completed 25,166 inspections
- Presented 7,277 to probable cause panels
- Issued 264 emergency orders
- Issued 2,371 disciplinary final orders
- Issued 1,611 citations
- Conducted 631 investigations of criminal unlicensed practice resulting in 128 arrests

ENFORCEMENT MEASURES

PERCENTAGE OF CASES WITH A FINDING OF PROBABLE CAUSE

21.2%

21.5%

29.6%

50%

FY07/08

FY08/09

FY09/10

FIRST QTR

10/11

ENFORCEMENT MEASURES

INCREASE IN EMERGENCY ORDERS

216
orders

248
orders

264
orders

FY07/08

FY08/09

FY09/10

CORE PROCESS-INFORMATION FUNCTIONS

- **Publish information on website**
- **Respond to public record requests**
- **Administer workforce surveys**
- **Assist callers**

INFORMATION MEASURES

FY 2009-2010

- **Received 8.7 million hits to board and council websites**
- **Filled over 11,335 public record requests**
- **Handled 415,723 calls in the call center**
- **Collected 167,704 workforce surveys**

INFORMATION MEASURES

HITS TO BOARD AND COUNCIL WEBSITES

7,665,617
hits

8,757,467
hits

FY08/09

FY09/10

INFORMATION MEASURES

AVERAGE DAYS TO FULFILL PUBLIC RECORD REQUEST



FY07/08

FY08/09

FY09/10

INFORMATION MEASURES

CALL CENTER VOLUME

336,131
calls

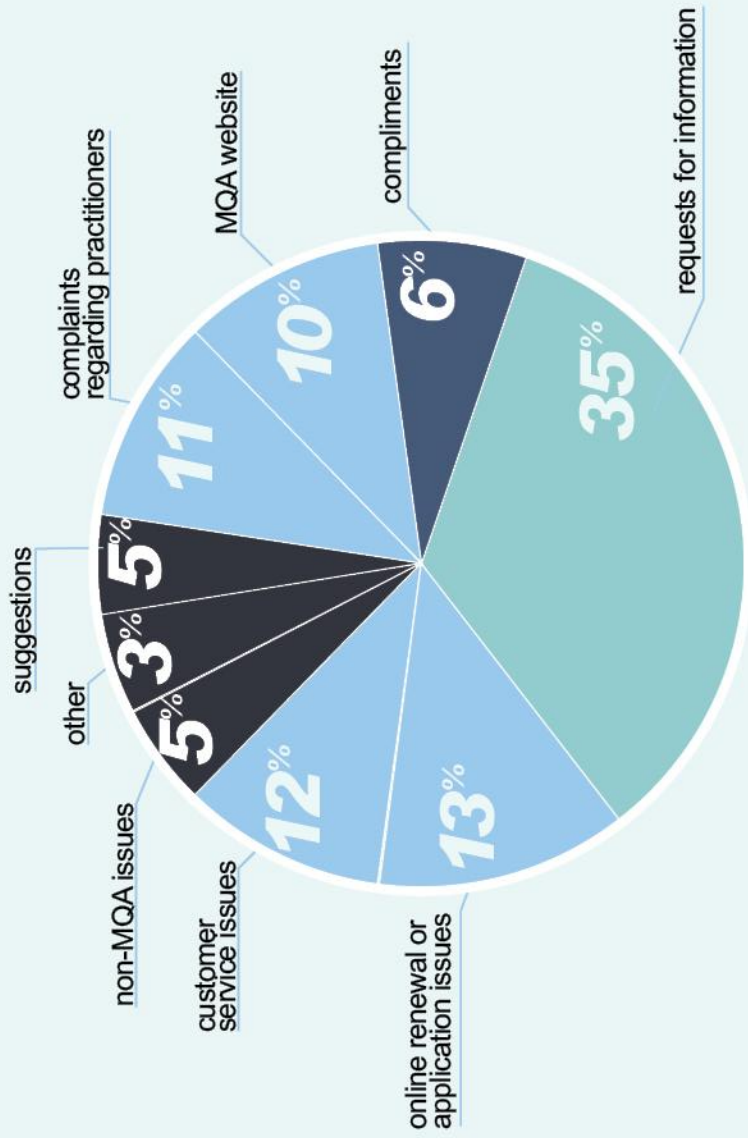
415,723
calls

FY08/09

FY09/10

INFORMATION MEASURES

MQA CUSTOMER SERVICE SYSTEM



511
responses

363
responses

FY08/09 FY09/10

FUNDING

- **Statutory Requirements:**
 - All costs of regulation borne solely by licensees and licensure applicants
 - Fees set by department and board rule within fee caps
- **Funding Sources:**
 - Initial and renewal licensure fees
 - Unlicensed activity fees
 - Administrative fines and costs
 - Service fees

FUNDING

FY 2009-2010

- **25 professions with positive cash balance**
- **13 professions with a deficit cash balance**
- **7 professions reduced fees**

FINANCIAL MEASURE

Cost Trend

AVERAGE COST OF A LICENSE

\$721

\$65,24

\$63,85

FY07/08

FY08/09

FY09/10

MQA KEY PERFORMANCE INDICATORS

STRATEGIC OBJECTIVES	LAG MEASURES	LEAD MEASURES	COMPARISON	TARGET	ACTUAL (FY 09-10)	FIRST QTR. (10-11)
Internal Business Processes Provide an efficient licensure process that meets statutory requirements Provide an efficient enforcement process that meets statutory requirements	Average number of days to issue an initial license % of ULA cases investigated and referred for criminal prosecution Avg. # of days from date of legal sufficiency to final order		43(DFS) 25.7% (AHCA) n/a	57 35% 400	54.47 76.86% 430.1	Annual 69.63% 410
Reduce the length of time to issue emergency actions from the date of the event to the date the order is issued Expanding online services	Avg # of days to take emergency action on Priority 1 investigations % of licensees renewing online		n/a 73% (DOE)	100 80	135.7 88.44%	114 Annual
Customer Ensure customers are informed of, have confidence in, and value MQA Services	% of external customers satisfied with services provided by MQA Average time (seconds) customers are waiting in queue	Average # of days to complete a public record request	10 (AHCA) 99% (DOE) n/a	10 95% 40	7 82% 144	4 72% 447
Learning and Growth Recruit, hire and retain skilled and motivated employees that will exemplify MQA mission, vision and values	% of employee satisfaction	% of employee turnover	78.6% (DOR) 7.2% (DJJ)	85% 10%	90% 16.49%	Annual Annual
Financial Ensure all regulated professions have a positive cash balance	Average cost of a license	Average # of licensees per FTE	67 (AHCA) n/a	n/a n/a	1,566 \$63.85	Annual Annual

CONTINUED IMPROVEMENT OPPORTUNITIES

Opportunity	Action Steps
<p>Decrease days to issue initial license</p>	<p>Deployment of online applications for additional professions</p>
<p>Reduce time to investigate serious cases</p>	<ul style="list-style-type: none"> • Expand use of alternative dispute resolution • Strengthen partnerships with law enforcement • Expand use of experts to review records prior to investigation
<p>Improve consumer satisfaction with website</p>	<p>MQA Internet Redesign Workgroup</p>
<p>Reduce Call Center Wait Time</p>	<ul style="list-style-type: none"> • Modify phone system • Expand online status check

Thank You

Contact Information

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MQA's Annual Report is available at:

<http://www.doh.state.fl.us/mqa/Publications/09-10mqa-ar.pdf>

House Health and Human Services Quality Committee

January 11, 2011

Agency for Health Care Administration

Division of Health Quality Assurance Responsibilities

- ▶ State Licensure of Health Care Facilities and Providers
- ▶ Federal Certification
- ▶ Certificate of Need Program
- ▶ Plans and Construction Review
- ▶ Managed Care Health Certification
- ▶ Medicaid Managed Care Contract Compliance
- ▶ Emergency Support Functions for Health Care Facilities

Licensed Health Care Facilities and Providers

- ▶ Licensure of 30 Facility Provider Types
- ▶ Over 40,000 Individual Providers
- ▶ Application Processing
 - Initial Licensure
 - License Renewal Every Two Years
 - Change of Ownership Applications
- ▶ Inspections for Licensure
 - Initial and Renewal Licensure
 - Consumer Complaints
 - Regulatory Concerns / Monitor Visits

Licensed Health Care Facilities and Providers

- ▶ Managed Care Health Care Certificate of Authority
 - Office of Financial Regulation Issues License
- ▶ Medicaid Managed Care Contract Compliance
 - Inspect
 - Investigate
- ▶ Certificate of Need
 - Hospitals
 - Hospice
 - Nursing Homes
 - Intermediate Care Facilities for Developmentally Disabled
- ▶ Plans and Construction Reviews
 - Hospitals
 - Ambulatory Surgery Centers
 - Nursing Homes
 - Intermediate Care Facilities for Developmentally Disabled

Licensed Health Care Facilities and Providers

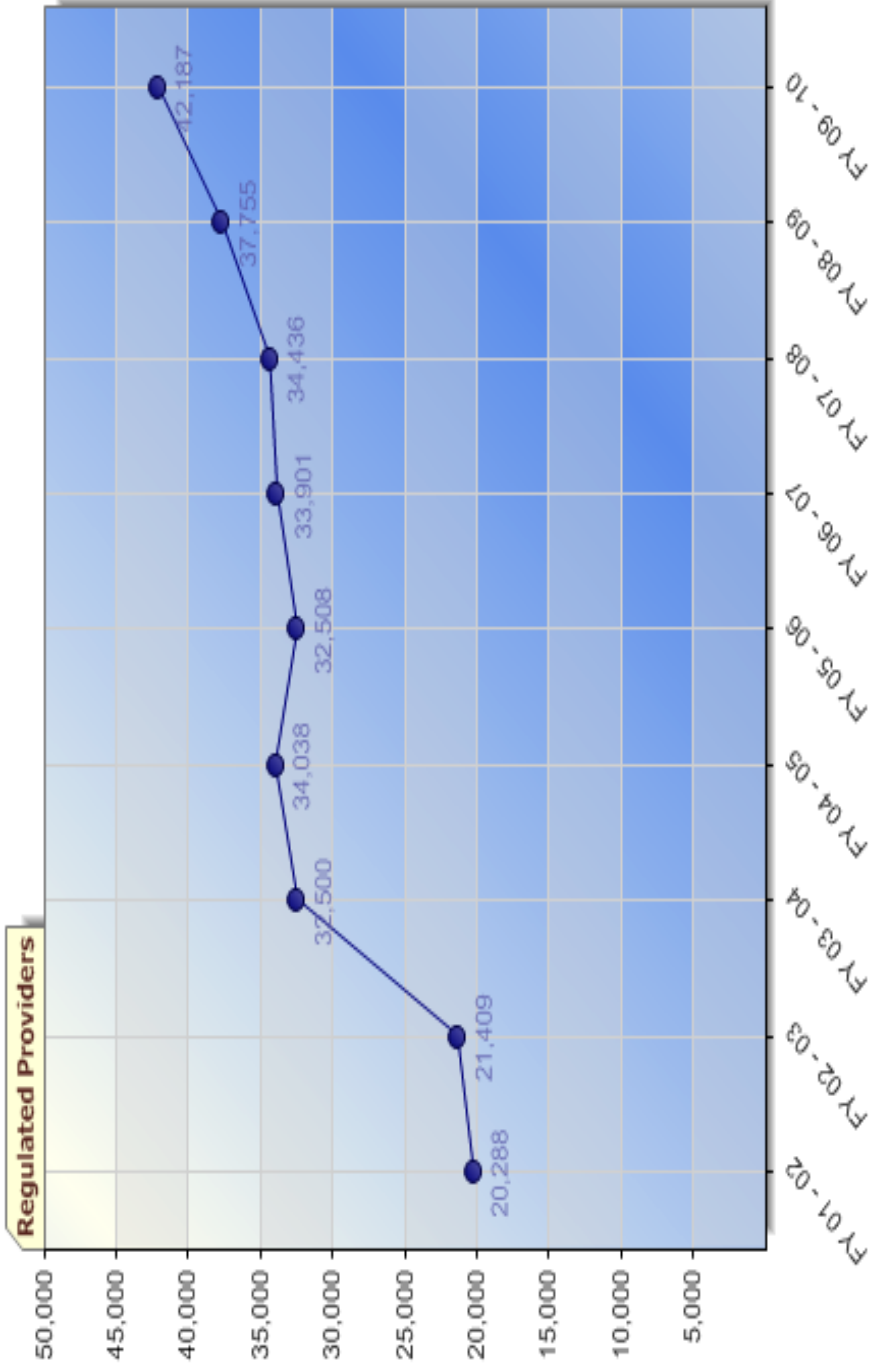
- Abortion Clinics
- Adult Day Care Centers
- Adult Family Care Homes
- Ambulatory Surgery Centers
- Assisted Living Facilities
- Birth Centers
- Clinical Laboratories
- Crisis Stabilization Units
- Health Care Service Pools
- Health Care Clinics
- Health Care Risk Managers
- Home Health Agencies
- Home Medical Equipment Providers
- Homemaker Companion Agencies
- Homes for Special Services
- Hospices
- Hospitals
- Intermediate Care Facilities for Developmentally Disabled
- Nurse Registries
- Nursing Homes
- Prescribed Pediatric Extended Care Centers
- Residential Treatment Facilities
- Short Term Residential Treatment Facilities
- Transitional Living Facilities

Federally Certified Health Care Facilities and Providers

- ▶ Contract with Federal Centers for Medicare and Medicaid Services
- ▶ Federal Certification for Medicare and Medicaid Participation
- ▶ Process Enrollment for Certification
- ▶ Inspections for Initial and Recertification
- ▶ Complaint Investigations
- ▶ AHCA is Federally Funded for these Duties
- ▶ Providers May be:
 - Licensed Only
 - Licensed and Certified
 - Certified Only

Dashboard Internal

Agency Performance Measures



Number of Providers

[More Information...](#)

[Back to Main Page](#)

Agency for Health Care
Administration

Division of Health Quality Assurance

- ▶ **Annual Licensure Statistics:**
 - 16,000 Licensure Applications
 - 63,000 Background Screenings (Exceed 200,000 10/11)
 - 8,000 Complaints
 - 21,000 Inspections and Investigations
 - 1,200 Certificate of Need Applications and Reviews
 - 1,900 Financial Reviews
 - 2,100 Plans and Construction Reviews
 - 160,000 Consumer Calls (Call Center)
 - 2,300 Public Information Requests
 - 2,000 Written Correspondence Assignments
- ▶ **Managed Care Statistics:**
 - 3,800 Medicaid Application and Contract Compliance
 - 550 Complaints/24 Applications Health Care Provider Certificates
 - 500 Subscriber Assistance Program Cases
 - 50 Workers Compensation Applications

Licensure Process

- ▶ Application Submitted
 - Provider Demographic Information
 - Ownership – Controlling Interests, Disclosures
 - Administration and Management
 - As Applicable:
 - Operations – Insurance, Financial Ability to Operate, Bonding
 - Location – Certificate of Need, Plans and Construction, Zoning, Fire Safety Inspection, Food Service Inspection
 - Qualifications – Staffing, Background Screening

- ▶ Application Review
 - Determine if Complete/ Sufficient
 - Request Missing Information

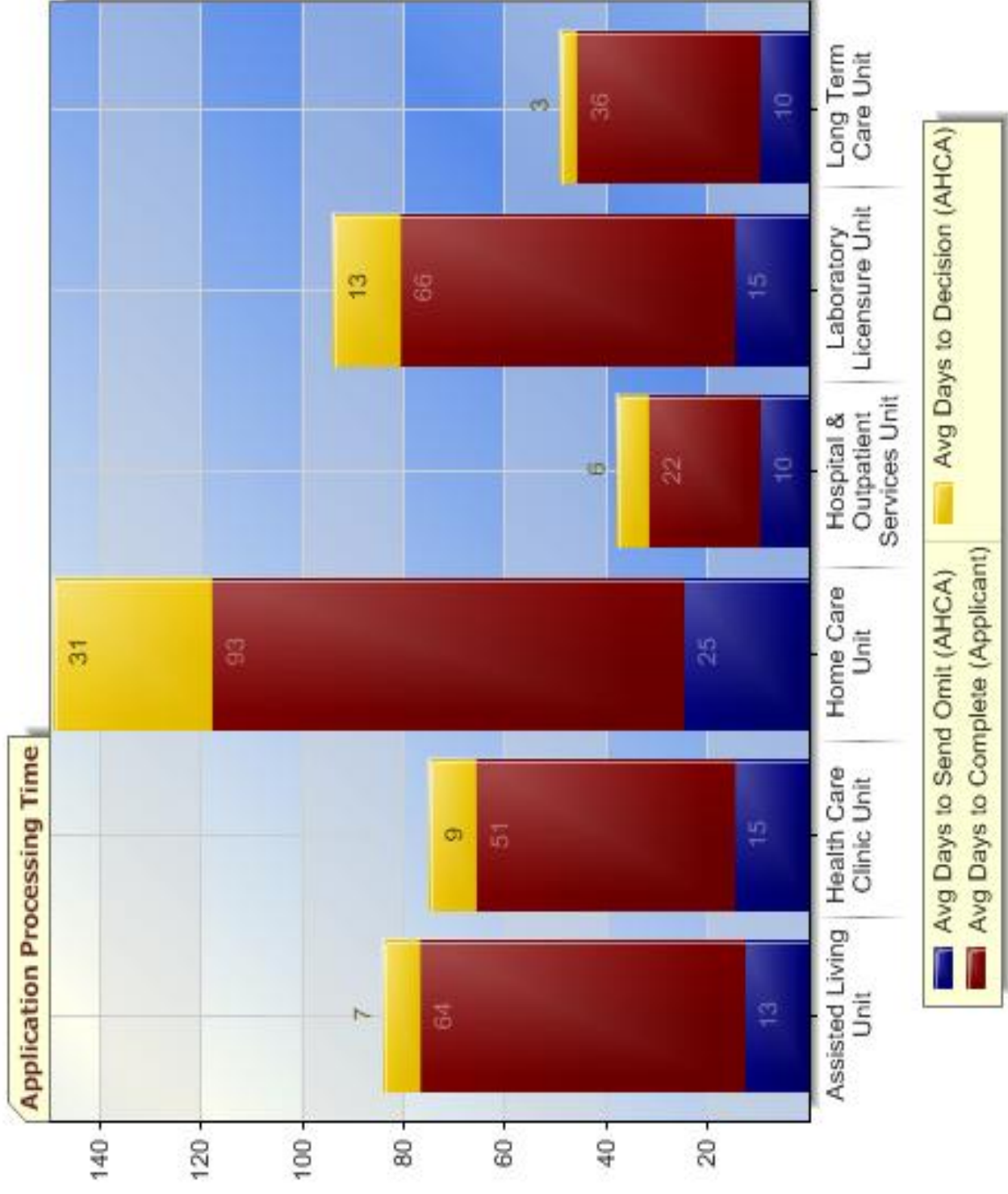
- ▶ Verify History or Outstanding Issues
 - Background Screening
 - Prior Operation
 - Fees, Fines, Overpayments Outstanding

Licensure Process

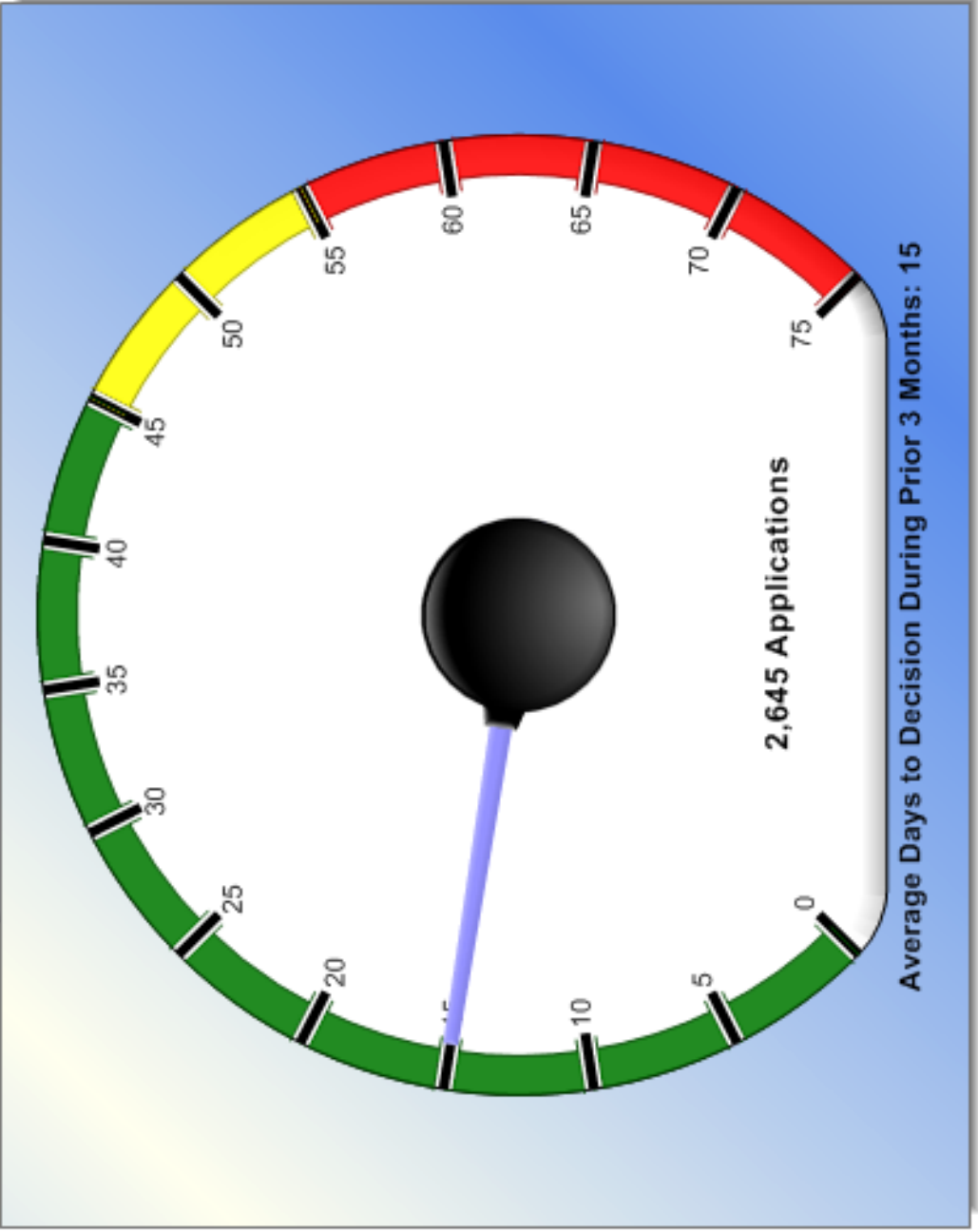
- ▶ **Authorize Inspection**
 - Provider Requests When Ready
 - Inspection Scheduled (Initial Licensure Only)

- ▶ **Inspection Conducted**
 - Determine Compliance
 - Verify Application
 - Staffing, Qualifications, Policies, Physical Plant, Equipment
 - Determine Successful Completion or Violations

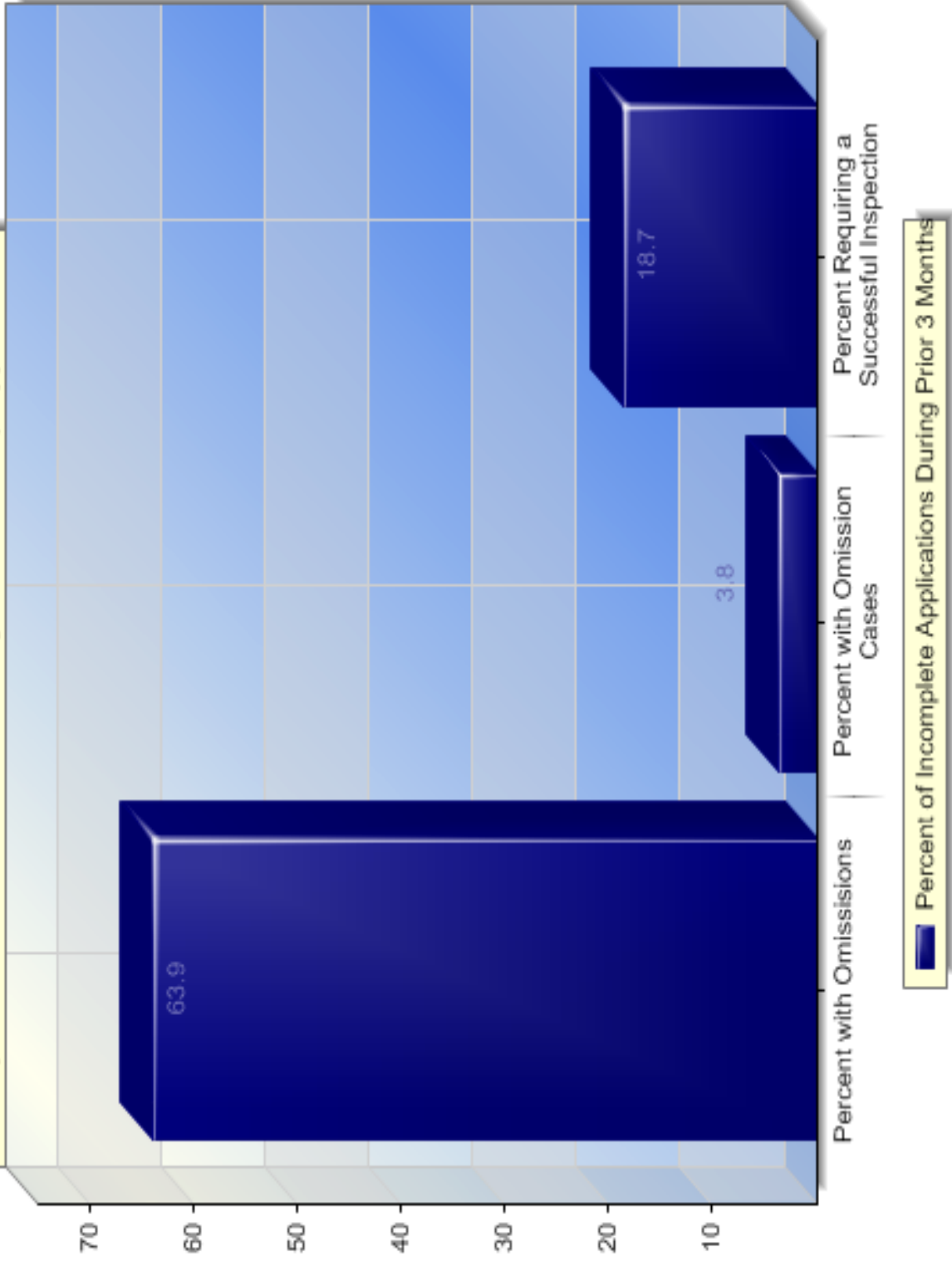
- ▶ **Final Application Review**
- ▶ **License Decision – Approve or Deny**



Application Decisions



Incomplete Initial Renewal and Change of Ownership Applications

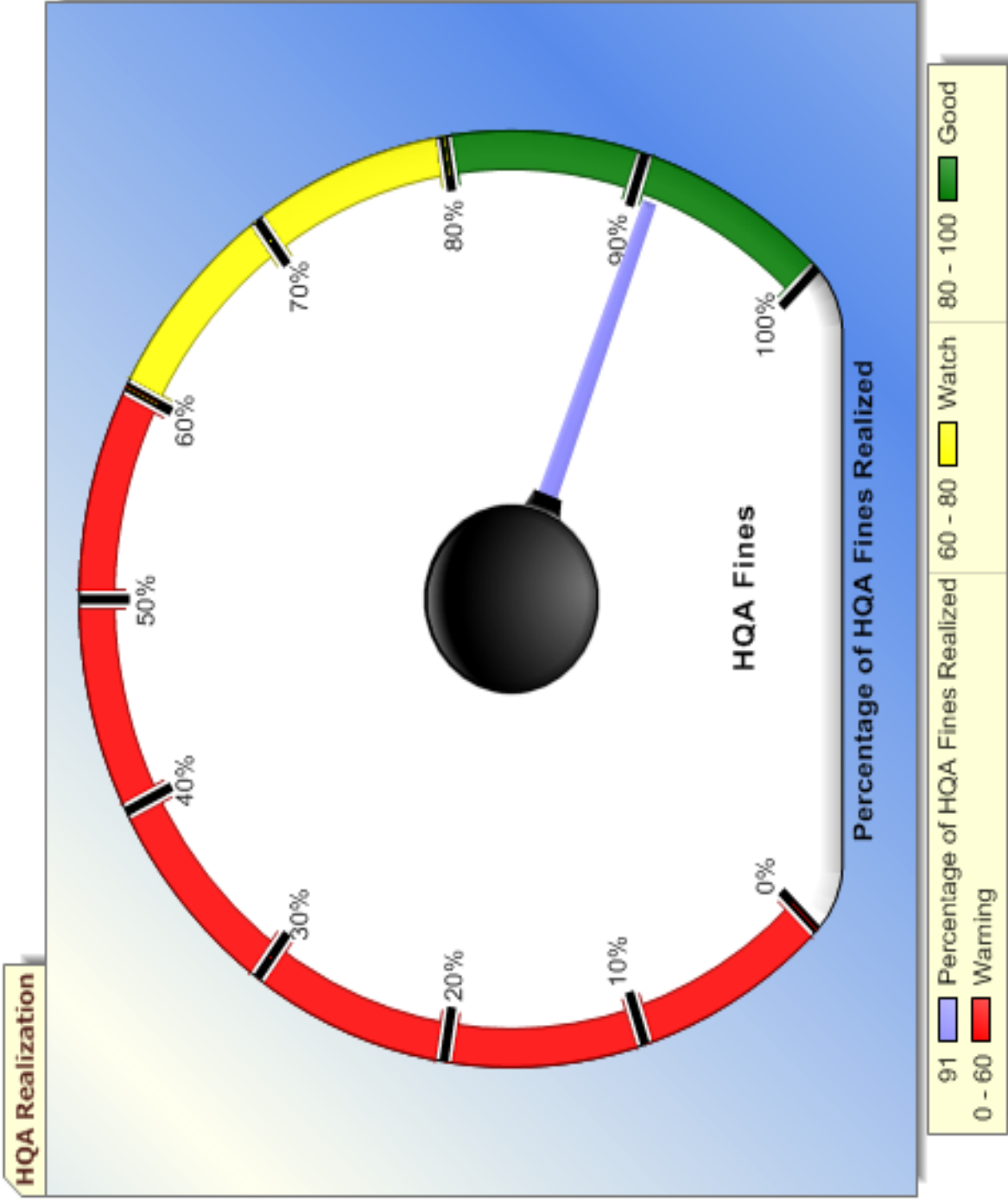


Legal Actions/ Sanctions

- ▶ Adverse Action Against a Provider
 - Licensing Requirements, 408, Part II
 - Administrative Procedures Act, Chapter 120
- ▶ Initial Notice of Sanction: Charging Document
 - Notice of Intent
 - Administrative Complaint
- ▶ Opportunity to Challenge
 - Dispute Facts
 - Mitigate Sanction
 - Hearing – Informal, Formal
 - Department of Administrative Hearings
- ▶ Final Agency Action
- ▶ Appellate Challenge Opportunity

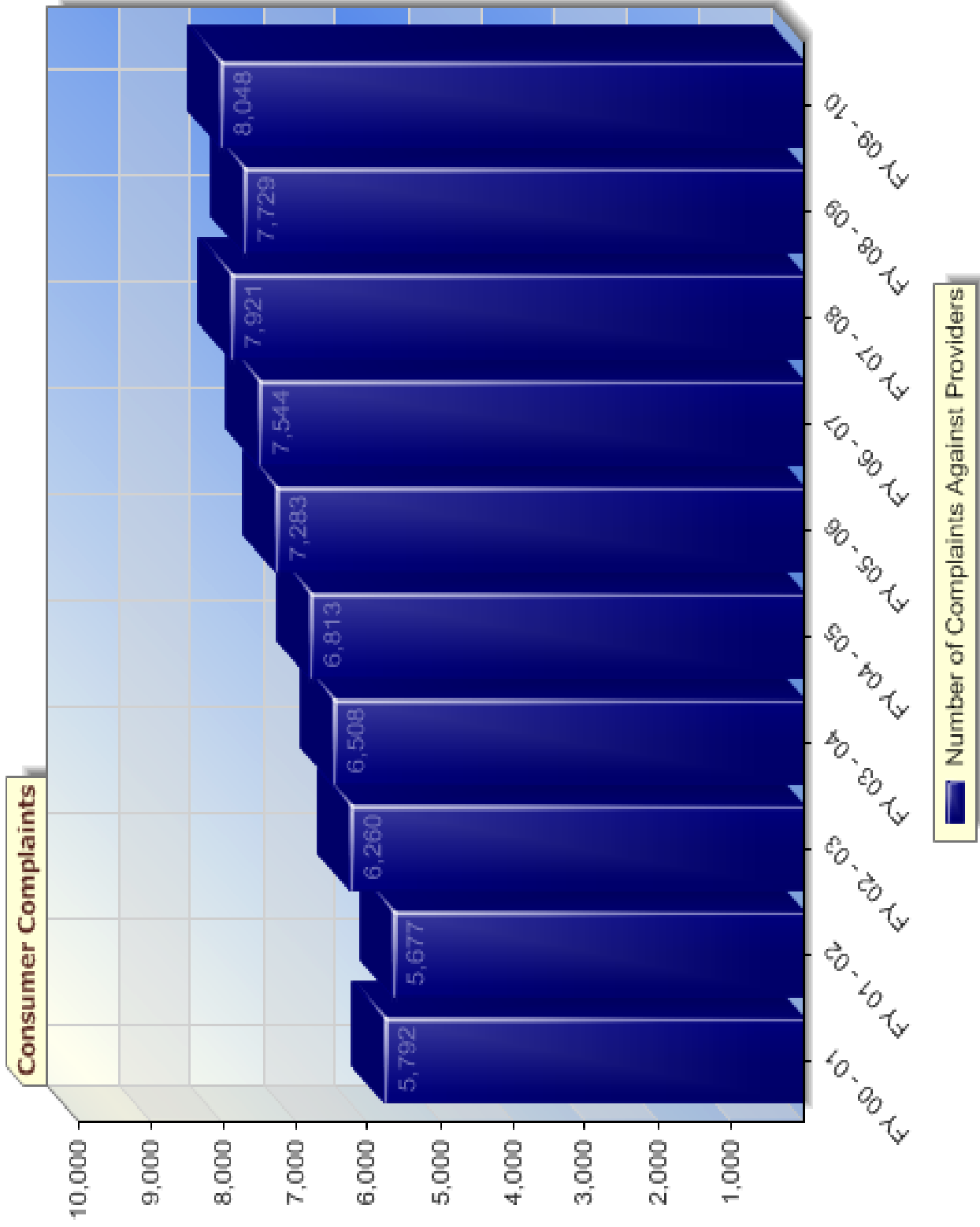
Legal Licensure Actions 2010

- ▶ **Total Sanction Cases – Final Orders**
 - 3,900 Cases
 - \$5,728,778 Fines Imposed
 - 94 Provider Applications Denied
- ▶ **Emergency Actions**
 - 14 Moratorium Actions (Suspend Admissions)



Licensed Health Care Facilities and Providers

- ▶ Consumer Complaint Hotline and Assistance
- ▶ Consumer and Public Information and Assistance
 - FloridaHealthFinder.gov
- ▶ Criminal Background Screening
- ▶ Financial Reviews
 - Licensure / Ability to Operate
 - Certificate of Need
- Hospital Reporting and Data Collection



Regulatory Complaints

- ▶ Complaints are increasing significantly
- ▶ Consumers are better informed
 - New sources of data
 - Internet
 - Publicly available data bases maintained by state and federal agencies pursuant to legislative mandates
- ▶ Although many of the complaints are not confirmed/substantiated, they are an important part of the regulatory process

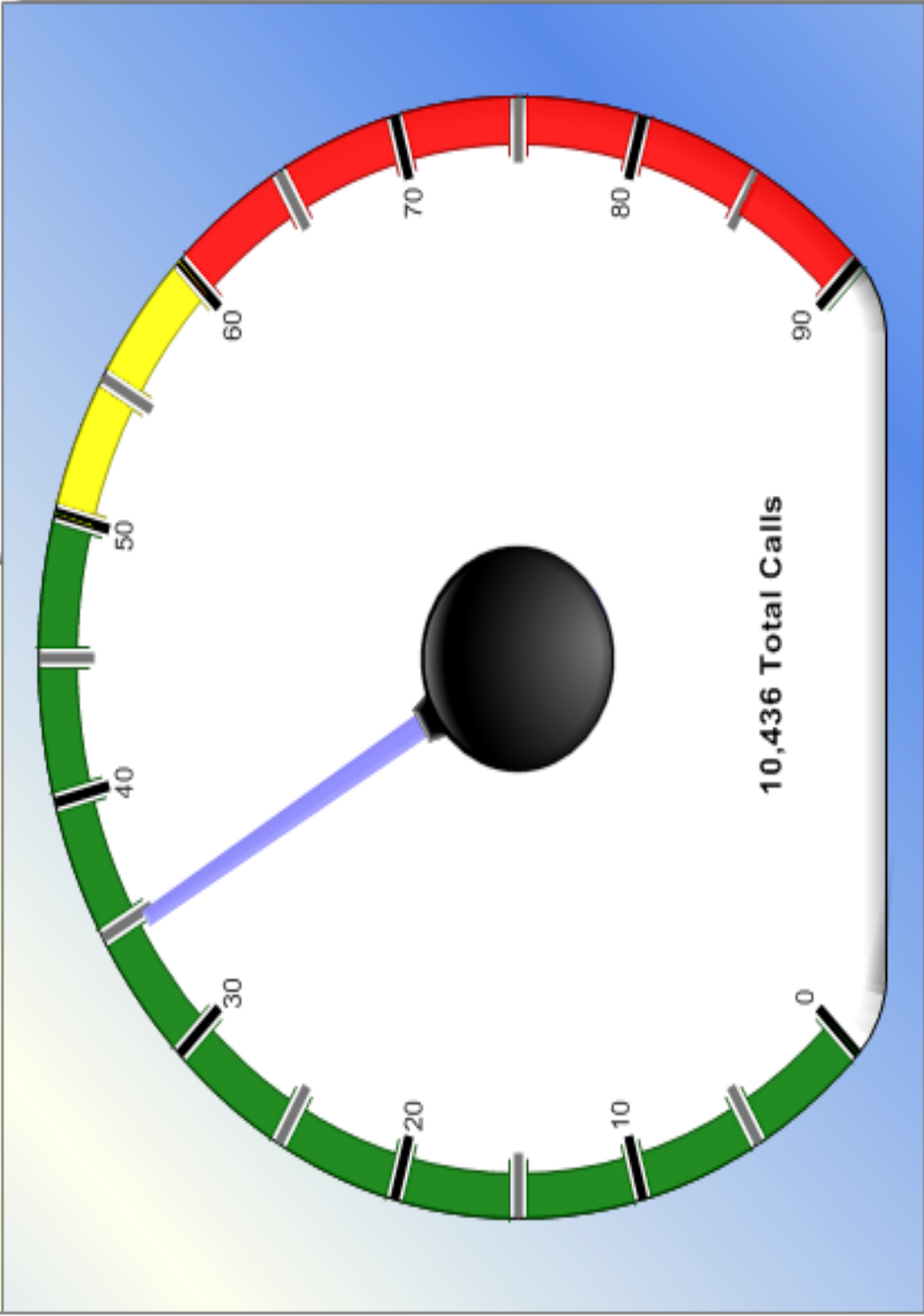
Regulatory Complaints

- ▶ **When a complaint is not investigated**
 - No regulatory authority to address the complaint
 - Complaint allegations have previously been investigated
 - Complaint is referred to an accrediting organization
- ▶ **66% of complaints are investigated**
- ▶ **34% of investigated complaints are substantiated**

Consumer Complaint Process

- Consumer calls complaint in to call center at 1-888-419-3456
- Option #1.
- Call center may refer caller to another agency.
- If not, complaint is reviewed, assigned a control number, triaged and given a priority of 1, 2, or 3.
 - ▶ A priority 1 complaint is investigated by the Agency within 2 days.
 - ▶ A priority 2 complaint is investigated within 5 – 10 days, depending upon type of complaint.
 - ▶ A priority 3 complaint is investigated within 30 – 90 days, depending upon type of complaint.

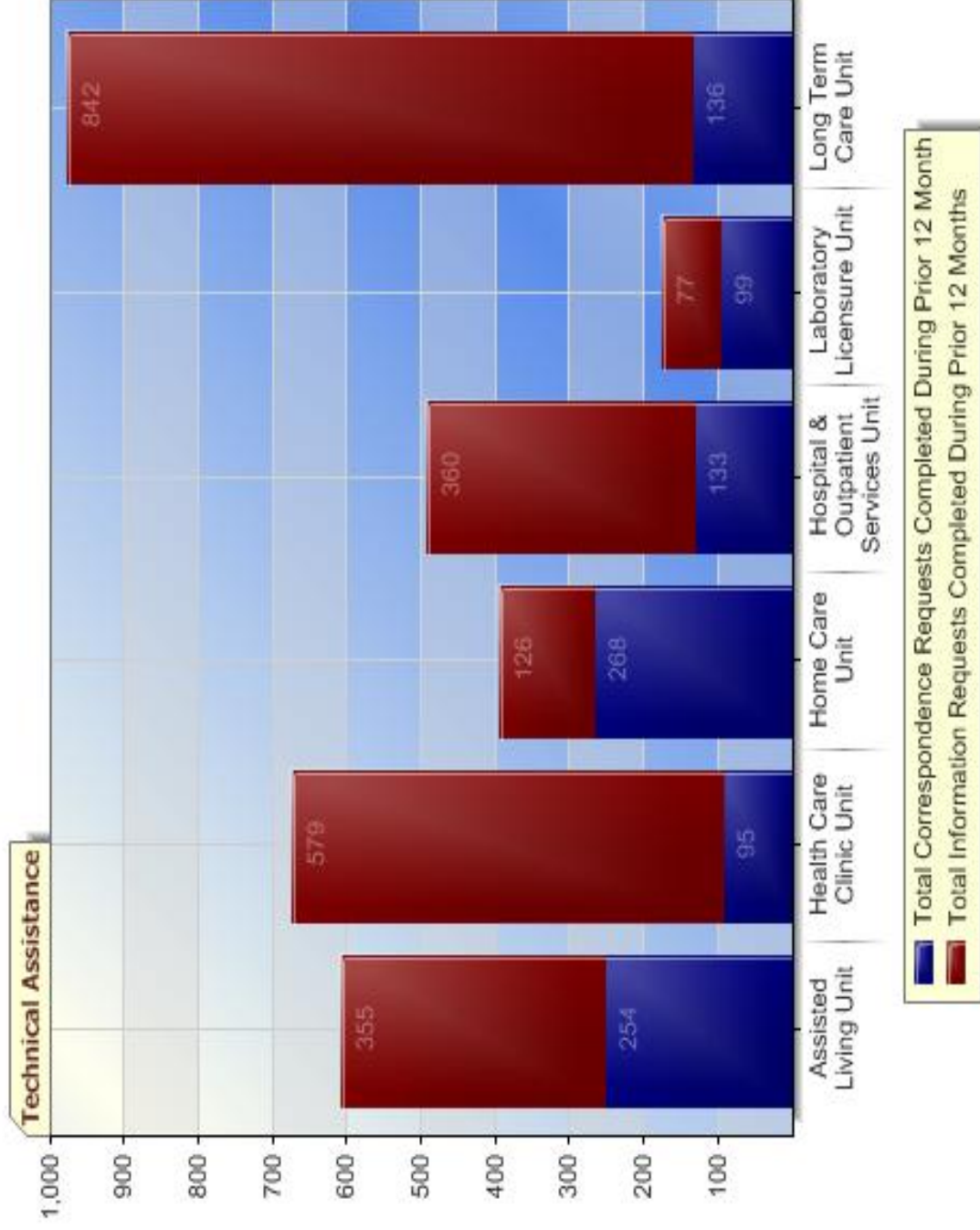
Average Call Wait Time (in seconds) October 2010



Additional Licensure Duties

- ▶ Additional Licensure Requests
 - Change of Address
 - Change of Beds or Services
 - Other Licensure Changes
- ▶ Public Record Requests
- ▶ Written Response to Inquiries – Correspondence
- ▶ Background Screening for Health Care Providers / Employment

Public Record Request and Written Correspondence Assignments



Criminal Background Screening 2010 Legislation

Recent Legislation Affects Many Agencies Including:

- ▶ Agency for Health Care Administration
- ▶ Department of Children and Families
- ▶ Department of Health
- ▶ Department of Elder Affairs
- ▶ Agency for Persons with Disabilities

- ▶ AHCA Licensees: Owner/ Operator Screening
 - Administrators and Chief Financial Officers
 - Controlling Interests: 5% Ownership, Officers, Board Members

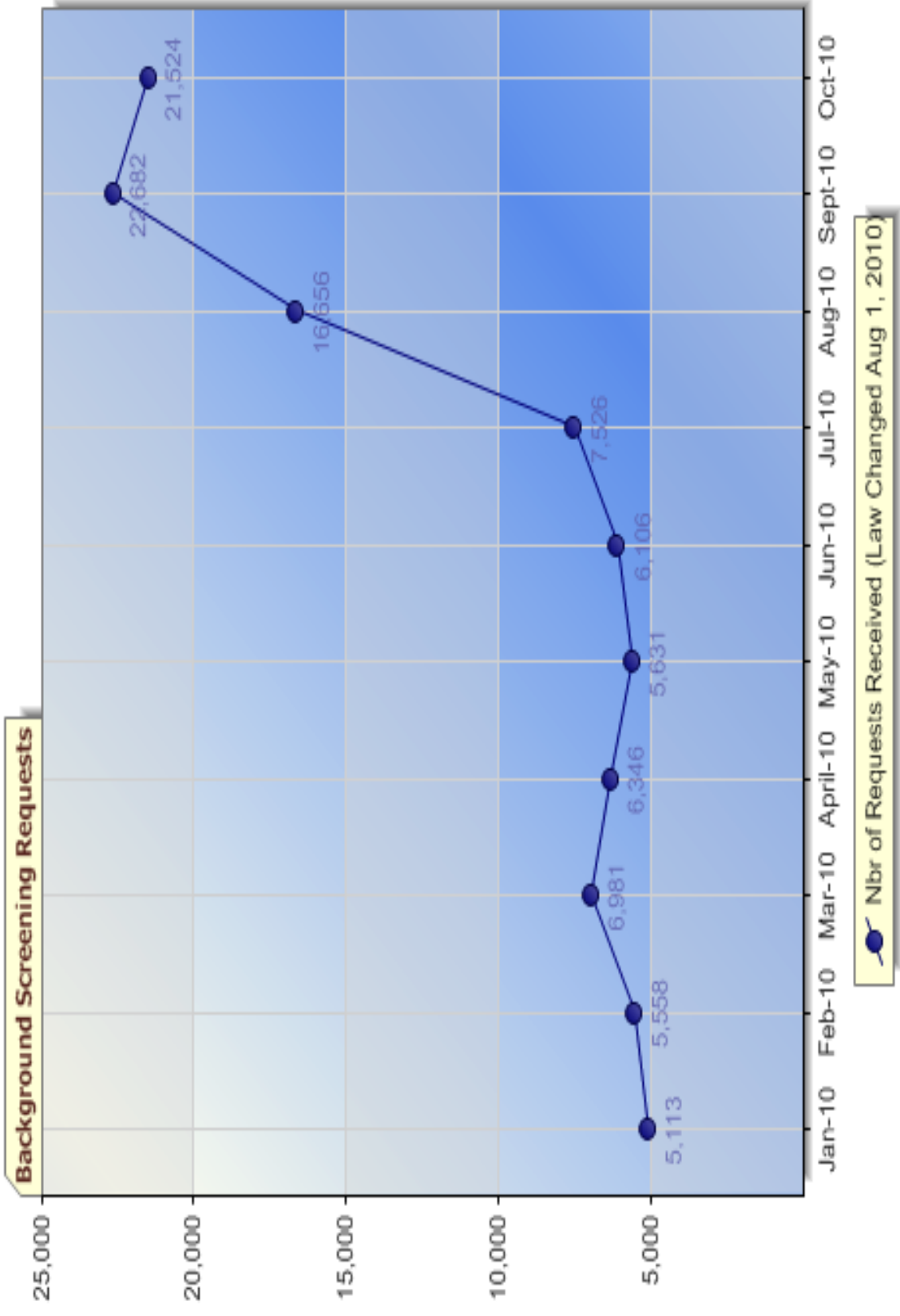
- ▶ Employees Who:
 - Provide Personal Care or Services Directly to Clients
 - Have Access to Client Funds, Personal Property, or Living Area

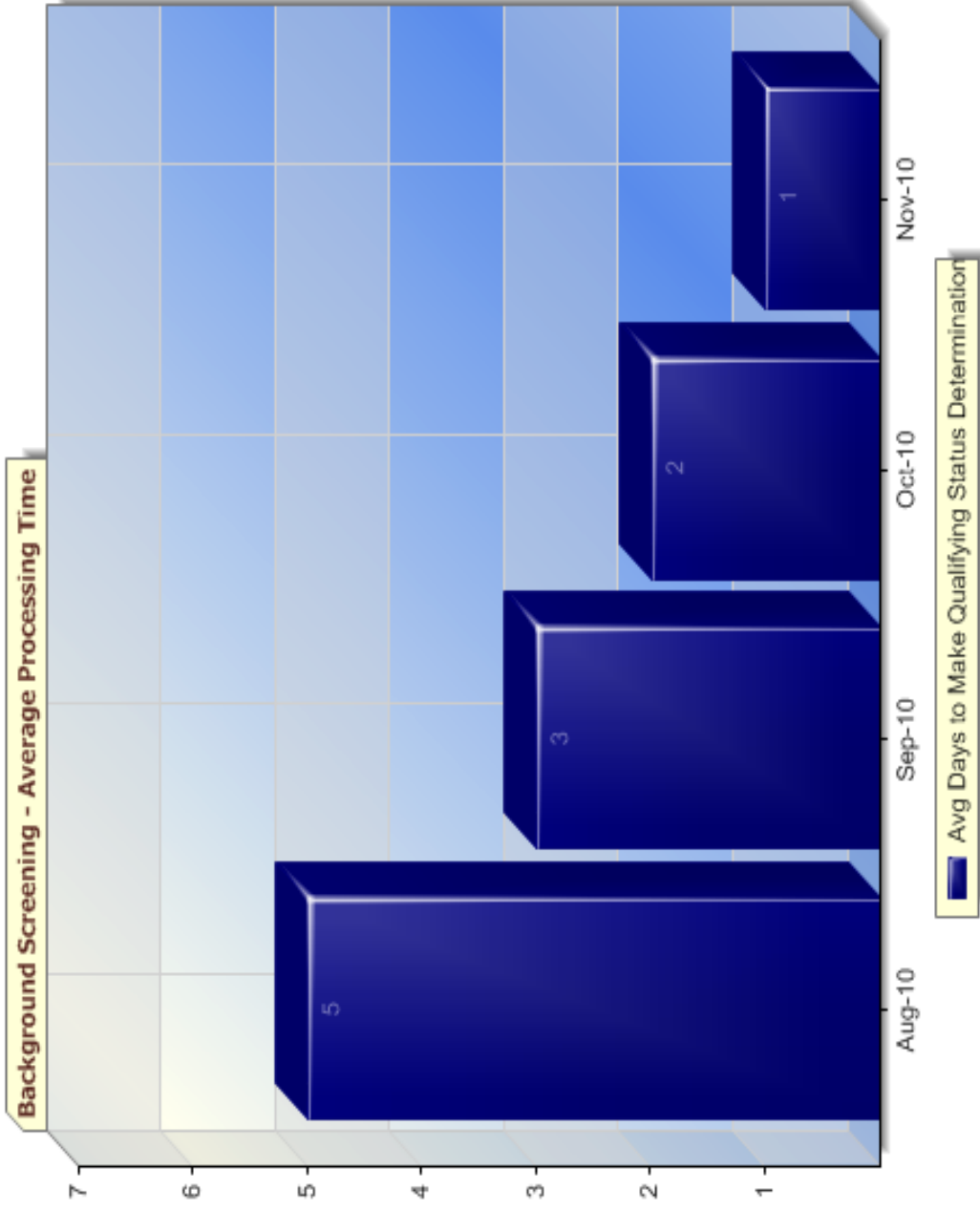
- ▶ Contractors Who Provide Personal Care or Personal Services Directly to Clients

- ▶ Mental Health Personnel in Facilities
- ▶ Medicaid Providers

AHCA Background Screening Process Improvements

- ▶ Implemented Electronic Fingerprints Program
- ▶ Background Screening Data System Rewrite
 - Improved Automation and Speed of Results
 - Handle Electronic Fingerprints
 - Expand Accounts Based on New Florida Law for Provider and Contract Employers
- ▶ Growth in Annual Screening from 63,000 to Over 200,000 Due to New Florida Law
- ▶ Handle Significant Increase in Workload with Existing Staff/ Resources
- ▶ Current Turn Around Time 0 – 5 Days

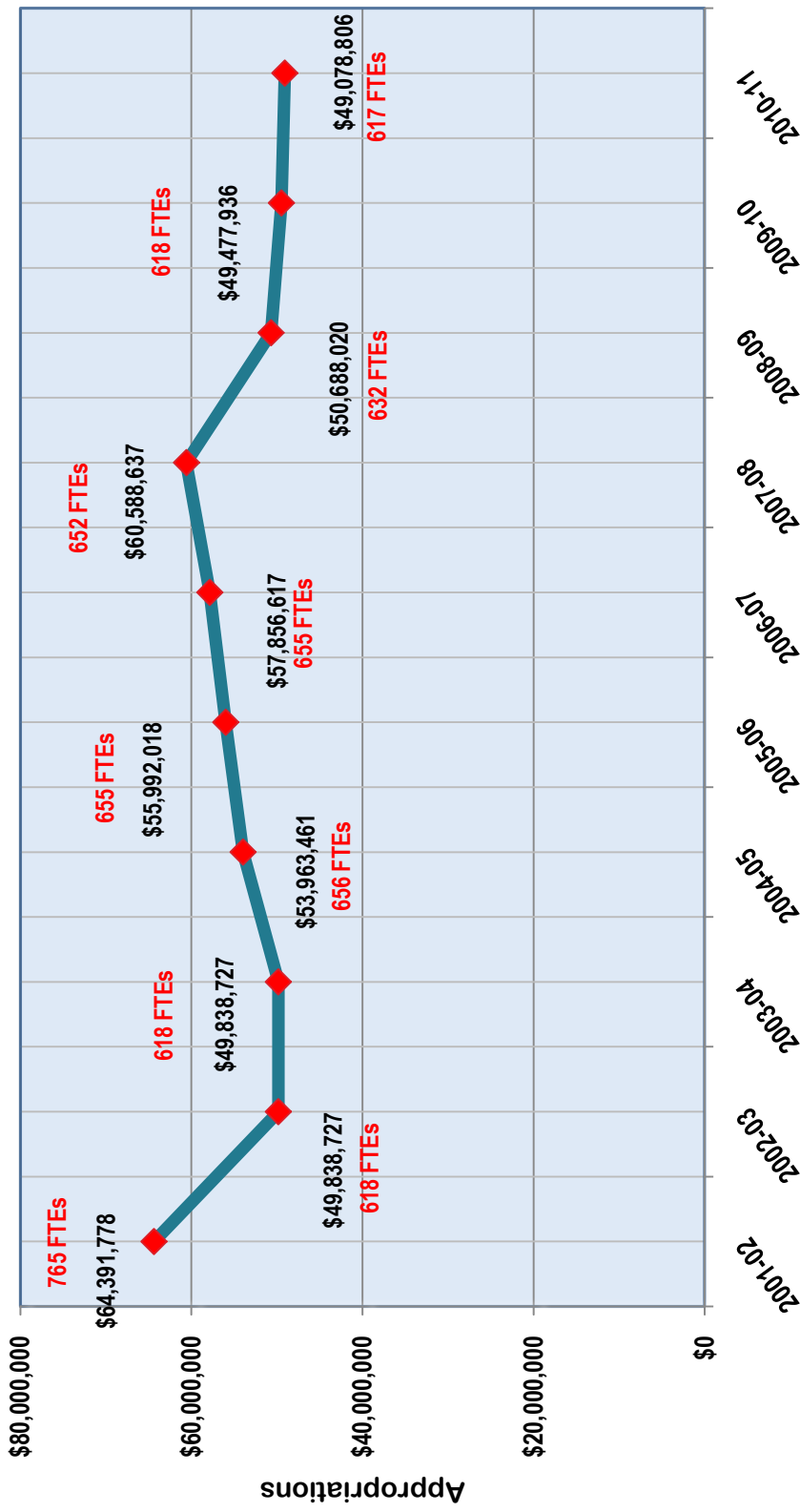




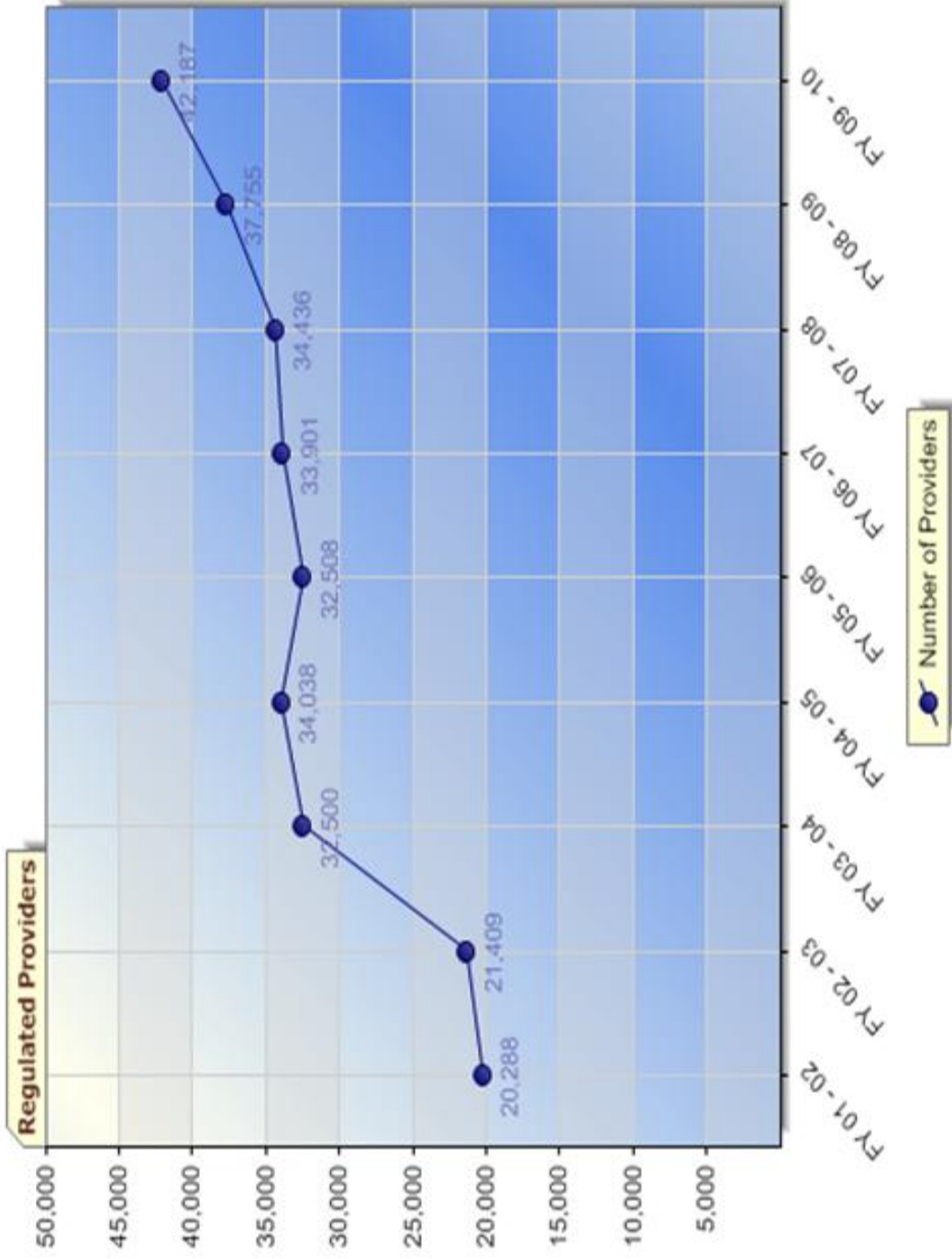
Licensure Funding

- ▶ Health Care Trust Fund – Section 408.16, F.S.
 - All fees, license fees, other charges collected
 - Support statutory duties
- ▶ Licensure Fees – Section 408.805, F.S.
 - Unless limited by specific licensure statutes, license fees must cover costs of licensure, inspection and regulation
 - Some fees capped in authorizing licensure statutes
 - Annual adjustment for Consumer Price Index authorized
 - Fees may not exceed cost of regulation

Division of Health Quality Assurance Appropriations



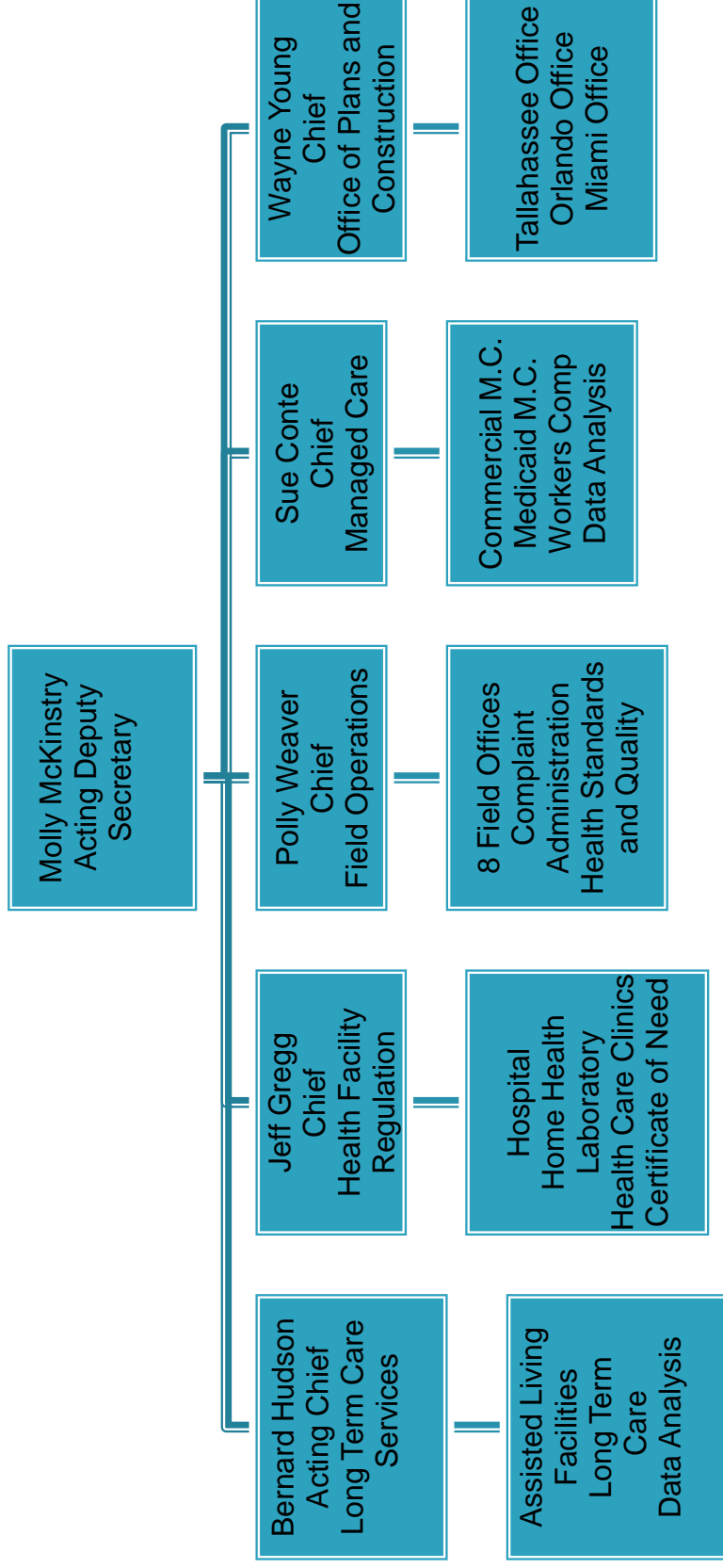
State Fiscal Year



Initiatives

- ▶ **Streamlining Activities for Efficiency**
 - Central Intake
 - Electronic Document Workflow
 - Automation of Inspection Process
- ▶ **Automation of Information**
 - Improves Provider and Public Access
 - Turnaround Time for Decisions and Results
 - Reduce Labor Necessary to Support Workload/Growth
- ▶ **Collaboration with Partners to Reduce Program Waste / Inappropriate Utilization**
 - Health Care Fraud and Abuse
- ▶ **Regulatory Reduction**
 - Meaningful Regulations
 - Statutory and Rule Reduction Efforts

HQA Division Organization



Contact Information

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Health Quality Assurance

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Agency for Health Care Administration Website:
<http://ahca.myflorida.com/>



Department Overview

January 2011

Charlie Liem
Secretary



Purpose

- License Efficiently, Regulate Fairly
- Minimize regulatory burdens.
- Continuously improve customer service.
- Make Florida a great place to do business.



Overview

JURISDICTION

- Most non-health care professions and many businesses

STRUCTURE

- Business Regulation
- Professional Regulation
- Administration, Financial, and Support Services
- Drugs, Devices, & Cosmetics Program (October 2011)

PURPOSE

- License efficiently. Regulate fairly.



Jurisdiction: Businesses

- Alcoholic Beverages and Tobacco
- Condominiums and Cooperatives
- Hotels and Restaurants
- Mobile Homes
- Pari-Mutuel Wagering
- Timeshares
- Yacht and Ships



Jurisdiction: Professions

- Architecture & Interior Design
- Asbestos Contractors & Consultants
- Athlete Agents
- Auctioneers
- Barbers
- Boxing, Kick Boxing & Mixed Martial Arts
- Building Code Administrators & Inspectors
- Certified Public Accounting
- Child Labor
- Community Association Managers & Firms
- Construction Industry
- Cosmetology
- Electrical Contractors
- Employee Leasing Companies
- Farm Labor
- Geologists
- Harbor Pilots
- Home Inspectors
- Labor Organizations
- Landscape Architecture
- Mold-Related Services
- Real Estate
- Real Estate Appraisers
- Talent Agents
- Veterinary Medicine



Structure

Deputy Secretary of Business Regulation

- Division of Alcoholic Beverages & Tobacco
- Division of Florida Condominiums, Timeshares, and Mobile Homes
- Division of Hotels and Restaurants
- Division of Pari-Mutuel Wagering

Deputy Secretary of Professional Regulation

- Division of Professions
- Division of Regulation
- Division of Real Estate
- Division of Certified Public Accounting
- Florida State Boxing Commission



Department Facts

- **CUSTOMERS:** More than one million licensed businesses and professionals
- **FY10-11 BUDGET:** \$131 million
- **STAFFING:** 1,783
- **REVENUE SOURCES:**
 - 100% State Trust Funded.
 - Collect approximately \$2.2 billion in tax revenue that is contributed to General Revenue and other agencies.



Division of Alcoholic Beverages and Tobacco

- Nearly 70,000 license holders.
- In FY 09-10, had 413 Tobacco citations; 70 Possession of fraudulent identification arrests; 3,065 Possession of Alcohol by underage persons arrests; 987 Sale of alcohol to underage persons arrests.
- Funded by Alcoholic Beverages and Tobacco Trust Fund.



Division of Florida Condominiums, Timeshares, and Mobile Homes Program

- License, educate, arbitrate disputes, mediate complaints and enforce laws subject to division jurisdiction.
- 32,837 total Licensees (26,939 Condominium Associations and Cooperative Associations; 582 Timeshare Associations; 2,479 Mobile Home Parks; and 2,659 Yacht & Ship Brokers and Salespersons).
- Funded by Condominiums, Timeshare and Mobile Homes Trust Fund; no General Revenue.



Division of Hotels and Restaurants

- License, inspect and regulate food service and lodging establishments, license and regulate elevators, escalators and other vertical conveyances.
- Over 45,000 public food service establishments, over 37,000 lodging establishments and over 48,000 vertical conveyances (escalator, elevator, etc).
- Funded via license fees, no General Revenue.



Division of Pari-Mutuel Wagering

- Regulation of Florida's Gaming Industry
- Oversight of compact with Seminole Tribe of Florida
- 30,631 total license holders including horse racing, dog racing, jai alai and card rooms.
- Funded by license fees.
- Contributed over \$22 million to General Revenue in FY 09-10.

“Lighter Touch” Regulation

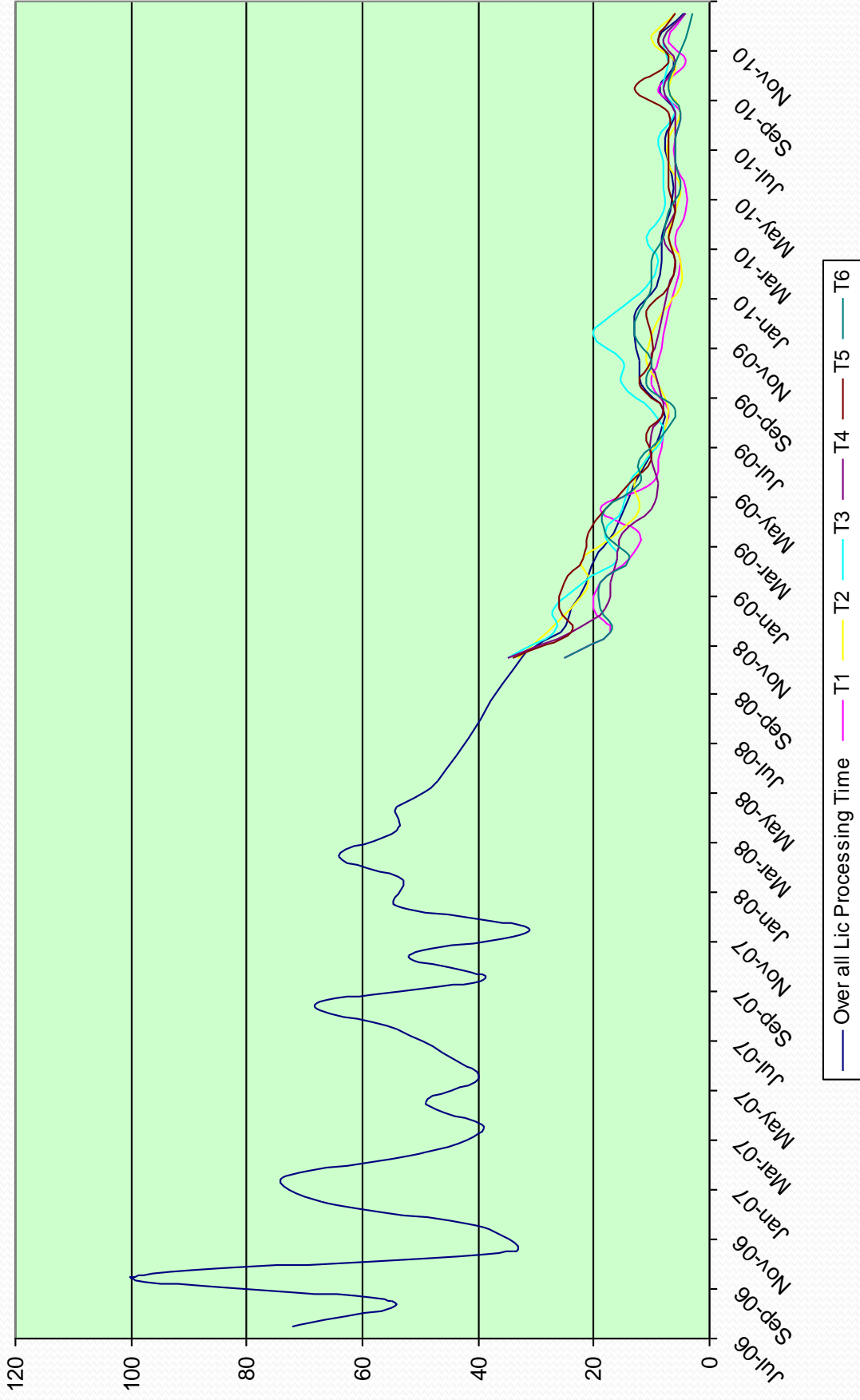
- Triage all cases via Mediation Unit
 - Mediate if parties agree
 - Spend our investigative time on serious issues
- Progressive Sanctions
 - Lightest touch = Notice of non-compliance (NNC)
 - Instructive touch = Cease and Desist Order (C&D)
 - Sanction – Administrative Complaint (AC)
 - Fine
 - Suspension
 - Revocation
- Referral to State Attorney for Criminal Prosecution
- At all stages the parties are encouraged to “work it out” through mediation



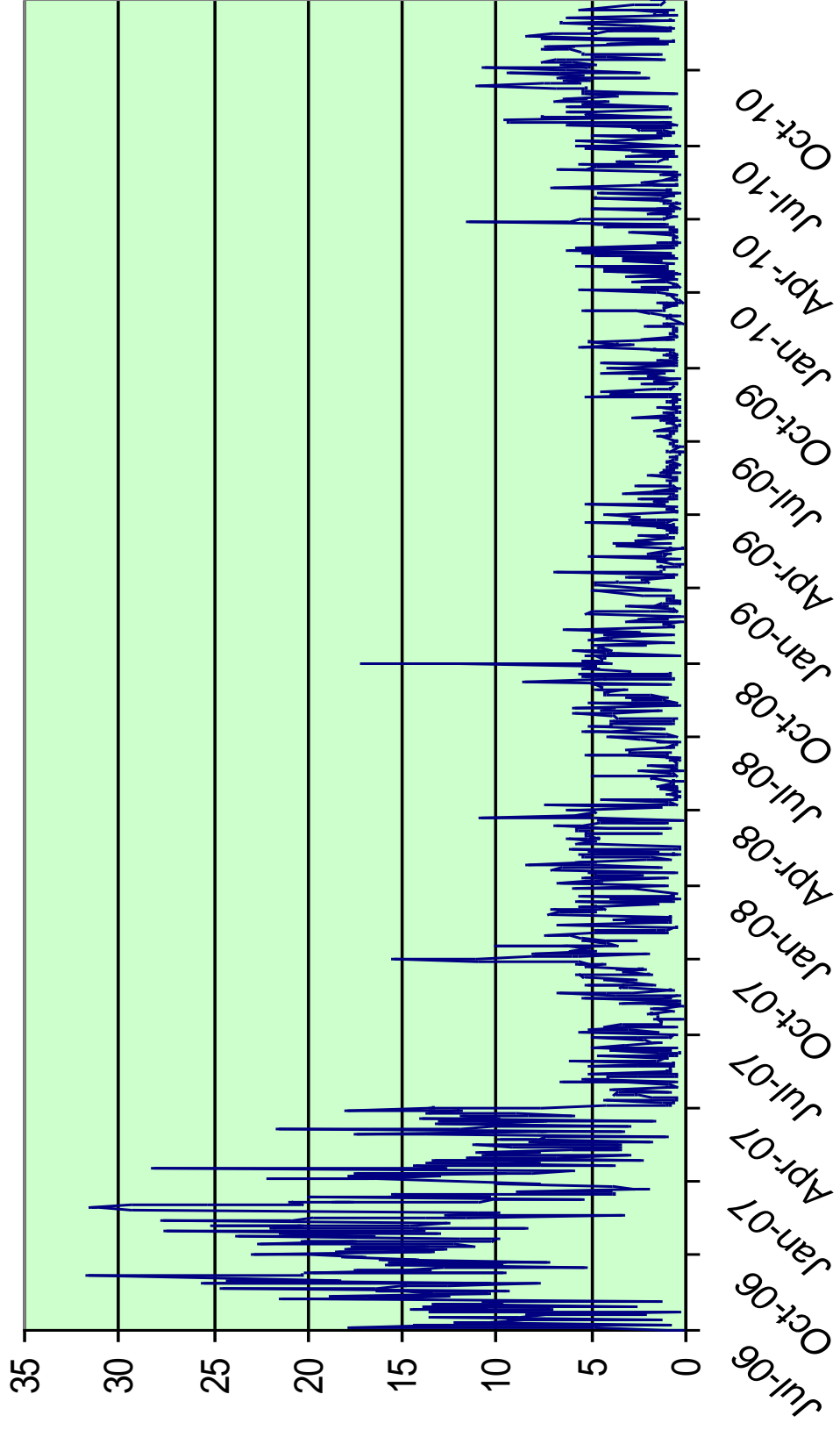
What Have We Achieved?

- **Productivity has increased**
 - Over the past four years, we have reduced application processing time from 70 days to about 8 days, removing 90 % of the delay
- **Increased responsiveness to customers**
 - Cut peak wait and hold times in our call center from 30 minutes to about 3 minutes – a reduction of 80%
- **Reduced the time to process and issue a license** to sell a brand of alcoholic beverage from 8 weeks to a matter of minutes
- **Reduced length of time to completely answer a customer email** from 39 days to 48 hours
- **Increased the accuracy and quality of our interactions with businesses**
 - 98% percent of the businesses who contact us with a question get their questions answered correctly on the first call
 - 99% of the businesses who contact us are satisfied with the quality of our interaction
- **Reduced our budget** from \$154 million to \$131 million current year
- **Reduced the number of employees** from 2,028 to 1,783

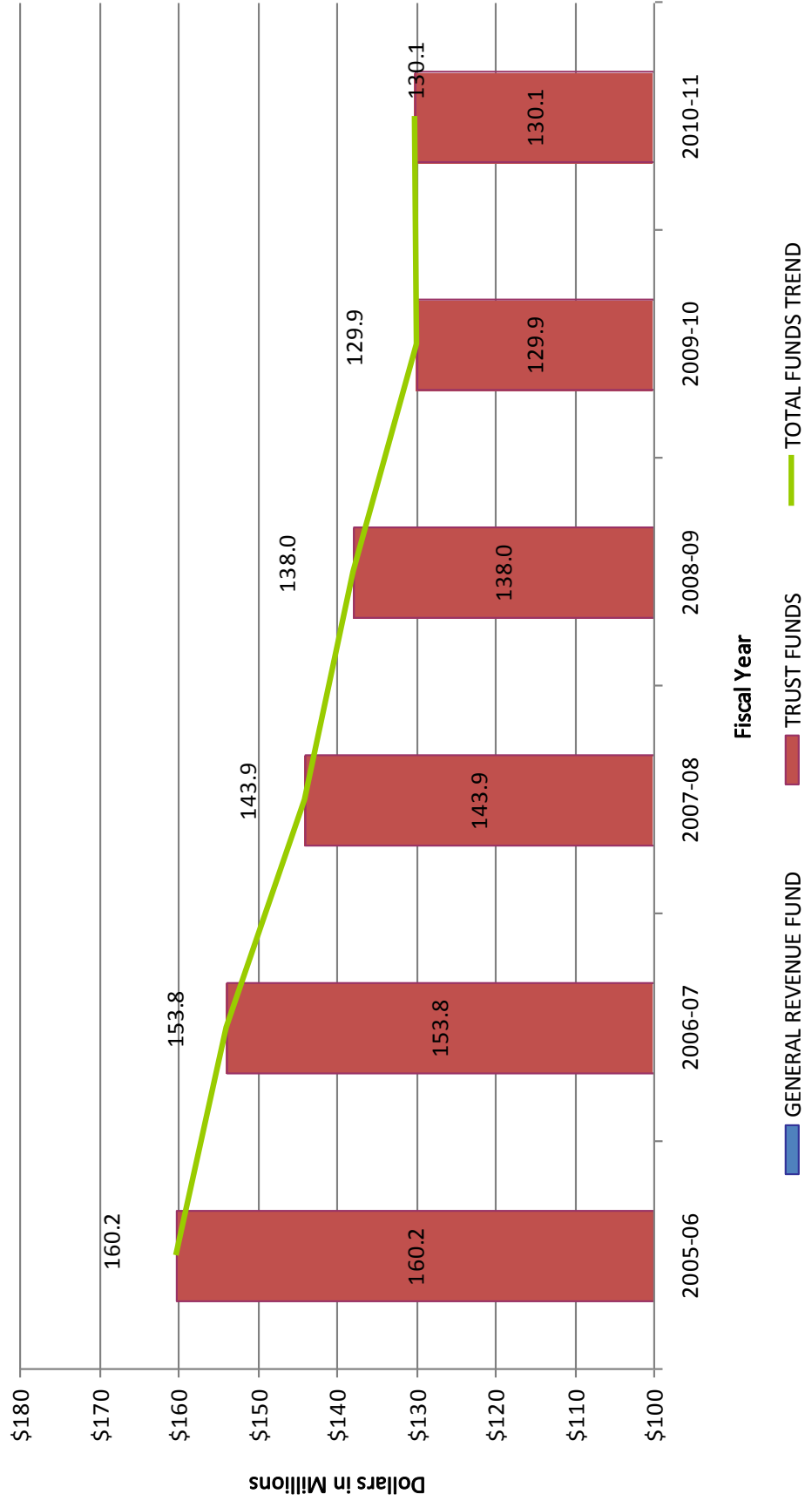
License Processing Time in Days



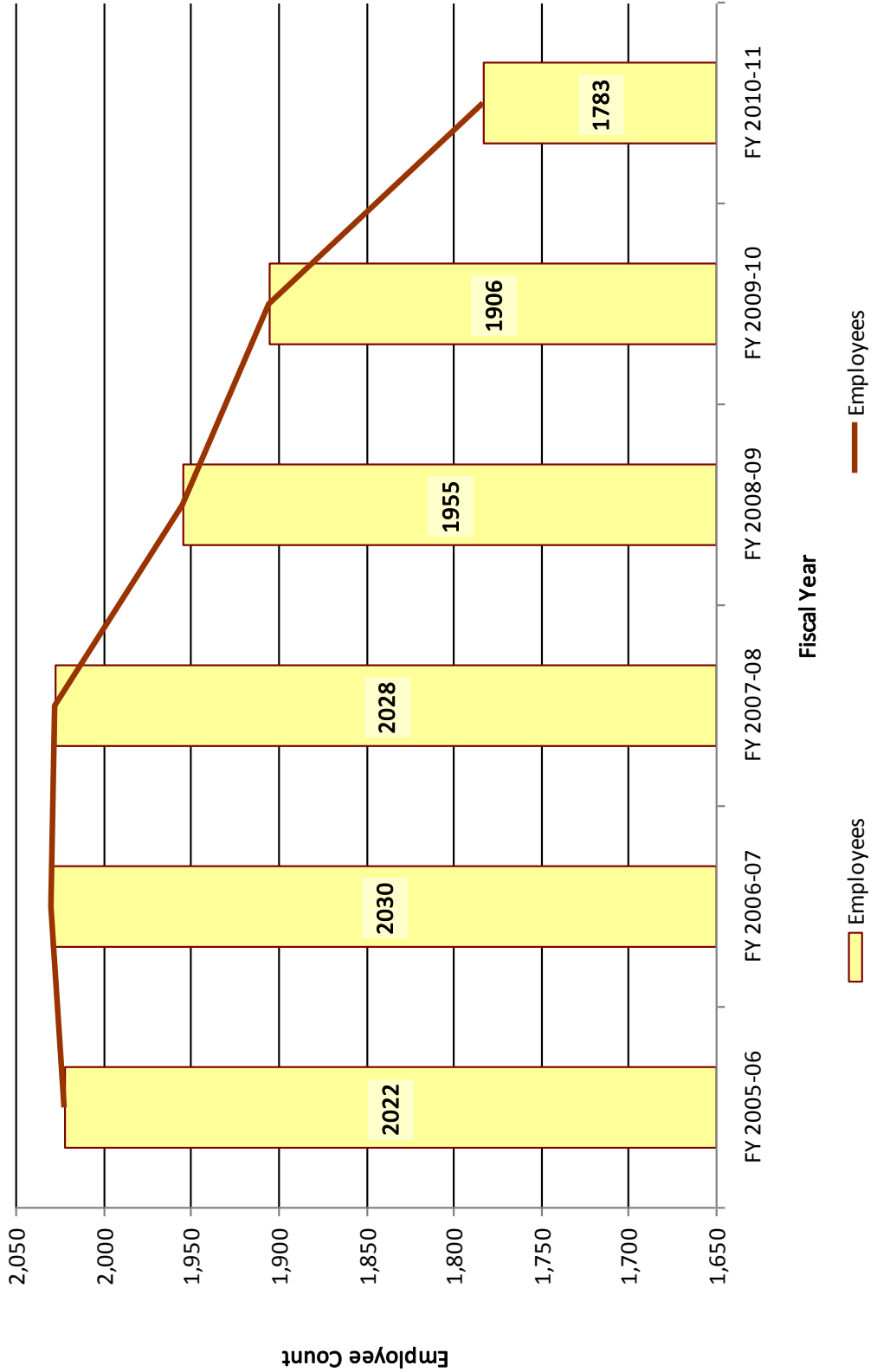
Peak Hold Time in Minutes



Department of Business and Professional Regulation 6 Year Budget History Trend (dollars in millions)



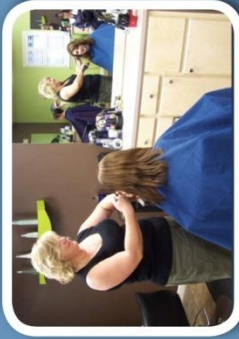
Department of Business and Professional Regulation 6 Year Employee Trend



Florida Department of
Business
Professional
Regulation

Questions?

Florida Department of Business and Professional Regulation



OUR MISSION

License efficiently. Regulate fairly.

OUR VISION

We will make DBPR and Florida great places to do business. To that end we will invest in our employees, treat our licensees as valued customers and partners, and uphold laws that protect the public and Florida's competitive marketplace.

OUR VALUES

Accountability - We hold ourselves to the highest standards on behalf of our customers and the public.

Innovation - We foster an environment that encourages everyone to seek ways to make DBPR and Florida great places to do business without the constraints of fear of change or long held practices.

Integrity - We are fair and honest in all that we do so that our employees and customers trust our decisions.

Ownership – We embrace our responsibility to serve and see things through to resolution.

Responsiveness – We are approachable and empathetic, we provide timely, accurate, and consistent information, and we offer alternative solutions when available.

Respect - We treat our employees and customers with fairness and courtesy and appreciate each person's viewpoint.

Teamwork – We understand, rely upon and cultivate the talents of our colleagues and customers to help us reach our goals.

*I have read the **Mission, Vision and Values**, and by signing below, I commit myself to doing my part to accomplish our mission, uphold our values and achieve our vision.*

Signed _____

Date: December 29, 2010		CIU INTAKE PRODUCTIVITY	
Queue Name	User Name	Count	Count
CIU-Profiler	SHELIA.DIXON	291	
CIU-Profiler	LILLIAN.WALKER	261	
CIU-Profiler	SUNIL.PATEL	254	
CIU-Profiler	CAROL.DAVIS	217	
CIU-Profiler	NATASHA.BARRINGTON	191	
CIU-Profiler	ROSETTA.STRICKLAND	4	
CIU-Profiler	GARY.HANSEN	3	
CIU-Profiler	STANLEY.GOLDEN	3	
CIU-Profiler	JUANITA.WILLIAMS	2	
Profiler Total		1226	
CIU-Validator	CHRISTINA.KIRKLAND	411	
CIU-Validator	TONYA.RILEY	285	
CIU-Validator	ERIKA.TRAWICK	255	
CIU-Validator	STANLEY.GOLDEN	114	
Validator Total		1065	
CIU-Cashier	ANGELA.FUTRELL	623	
CIU-Cashier	MARY.BRUCE	509	
CIU-Cashier	CHRISTINA.KIRKLAND	391	
CIU-Cashier	TONYA.RILEY	275	
CIU-Cashier	ERIKA.TRAWICK	186	
CIU-Cashier	STANLEY.GOLDEN	108	
Cashier Total		2092	
CIU - Research Hold	DAVID.DONALDSON	19	
CIU - Research Hold	ELAINE.EICHELBERGER	7	
CIU - Research Hold	EMILY.HICKS	5	
Research Hold Total		31	
CIU-Research 1	ELAINE.EICHELBERGER	8	
CIU-Research 1	EMILY.HICKS	5	
Research 1 Total		13	
CIU-Research 2	EMILY.HICKS	32	
CIU-Research 2	DAVID.DONALDSON	30	
CIU-Research 2	CARLA.RUSSELL	17	
CIU-Research 2	ELAINE.EICHELBERGER	14	
CIU-Research 2	CHRISTY.SMITH	5	
CIU-Research 2	SHERRY.THOMAS	1	
Research 2 Total		99	

HB 5311 (2010) - Drugs, Devices and Cosmetics Transfer

Section 27. (1) All of the statutory powers, duties, and functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds for the administration of chapter 499, Florida Statutes, relating to drugs, devices, cosmetics, and household products shall be transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, from the Department of Health to the Department of Business and Professional Regulation.

(2) The transfer of regulatory authority under chapter 499, Florida Statutes, provided by this section shall not affect the validity of any judicial or administrative action pending as of 11:59 p.m. on the day before the effective date of this section to which the Department of Health is at that time a party, and the Department of Business and Professional Regulation shall be substituted as a party in interest in any such action.

(3) All lawful orders issued by the Department of Health implementing or enforcing or otherwise in regard to any provision of chapter 499, Florida Statutes, issued prior to the effective date of this section shall remain in effect and be enforceable after the effective date of this section unless thereafter modified in accordance with law.

(4) The rules of the Department of Health relating to the implementation of chapter 499, Florida Statutes, that were in effect at 11:59 p.m. on the day prior to the effective date of this section shall become the rules of the Department of Business and Professional Regulation and shall remain in effect until amended or repealed in the manner provided by law.

(5) Notwithstanding the transfer of regulatory authority under chapter 499, Florida Statutes, provided by this section,

persons and entities holding in good standing any permit under chapter 499, Florida Statutes, as of 11:59 p.m. on the day prior to the effective date of this section shall, as of the effective date of this section, be deemed to hold in good standing a permit in the same capacity as that for which the permit was formerly issued.

(6) Notwithstanding the transfer of regulatory authority under chapter 499, Florida Statutes, provided by this section, persons holding in good standing any certification under chapter 499, Florida Statutes, as of 11:59 p.m. on the day prior to the effective date of this section shall, as of the effective date of this section, be deemed to be certified in the same capacity in which they were formerly certified.

(7) This section shall take effect October 1, 2011.

Florida Department of Health

TRANSFER OF DRUGS, DEVICES AND COSMETICS (DDC) PROGRAM FROM DOH TO DBPR

**Florida House of Representatives
Health & Human Services Quality Subcommittee
January 11, 2011**

MISSION:

Promote, protect and improve the health of all people in Florida.

VISION:

A healthier future for the people of Florida.

REGULATION OF DRUGS, DEVICES AND COSMETICS IN FLORIDA

- **The primary focus of the Drugs, Devices, and Cosmetics program is to protect the integrity (safety) of the prescription drug supply.**
- **The program also protects against adulteration and misbranding of drugs, devices, and cosmetics, which includes over-the-counter drugs.**
- **The DDC program consists of three primary components:**
 - **Permitting Functions (regulating drug manufacturers, wholesalers, etc.)**
 - **Cancer Drug Donation Program**
 - **Drug Wholesale Distributor Advisory Council**

TRANSFER OF DRUGS, DEVICES AND COSMETICS (DDC) PROGRAM

Effective October 1, 2011, the DDC program is being transferred from the Department of Health to the Department of Business and Professional Regulation, via a type two transfer as defined in section 20.06(2), Florida Statutes (Chapter 2010-161, Laws of Florida).

TRANSFER ACTIONS

- September 2010: DOH/DDC program staff briefed DOH State Surgeon General and DBPR Secretary on the program and presented a draft transition plan.**
- September - November 2010: Meetings between the agencies occurred to discuss: Information Technology, Licensure Process, Renewals, Call Center, Organization Charts, Staff/FTEs, Budget, etc.**
- December 2010: DOH staff provided a comprehensive overview of the DDC program to DBPR staff.**

NEXT STEPS

- **Continue breakout sessions to discuss individual topics.**
- **Execute a communication plan to inform impacted stakeholders.**
- **Establish a plan for the transfer of data/records.**
- **Make any necessary adjustments to human resource or budget proposals.**

Thank You

Contact Information

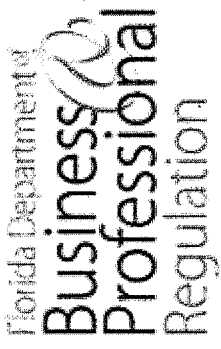
Cassandra G. Pasley, BSN, JD

Bureau Chief

Health Care Practitioner Regulation

(850) 245-4095

Cassandra_Pasley@doh.state.fl.us



Department of Business & Professional Regulation
Drugs, Devices and Cosmetics Program

Drugs, Devices and Cosmetics Program (DDC)

What we have learned:

- ***Opportunities***
 - Restructuring how data is electronically stored to improve:
 - Online Services
 - Record Searching
 - Reporting
 - Inspection Scheduling
 - Workflow Routing
 - Streamlining business processes which will potentially produce additional efficiencies
 - Evaluating feasibility of offering Interactive Voice Response (IVR) services to DDC customers

Challenges and Concerns

– *Division of Technology*

- Evaluating and converting electronic data and outsourced images
- Integrating DDC mobile inspection functionality into DBPR environment
- Integrating DDC monthly renewal schedule into DBPR processes. All licenses at DBPR are on an annual or biennial renewal cycle.

Challenges and Concerns

– Office of Budget and Financial Management

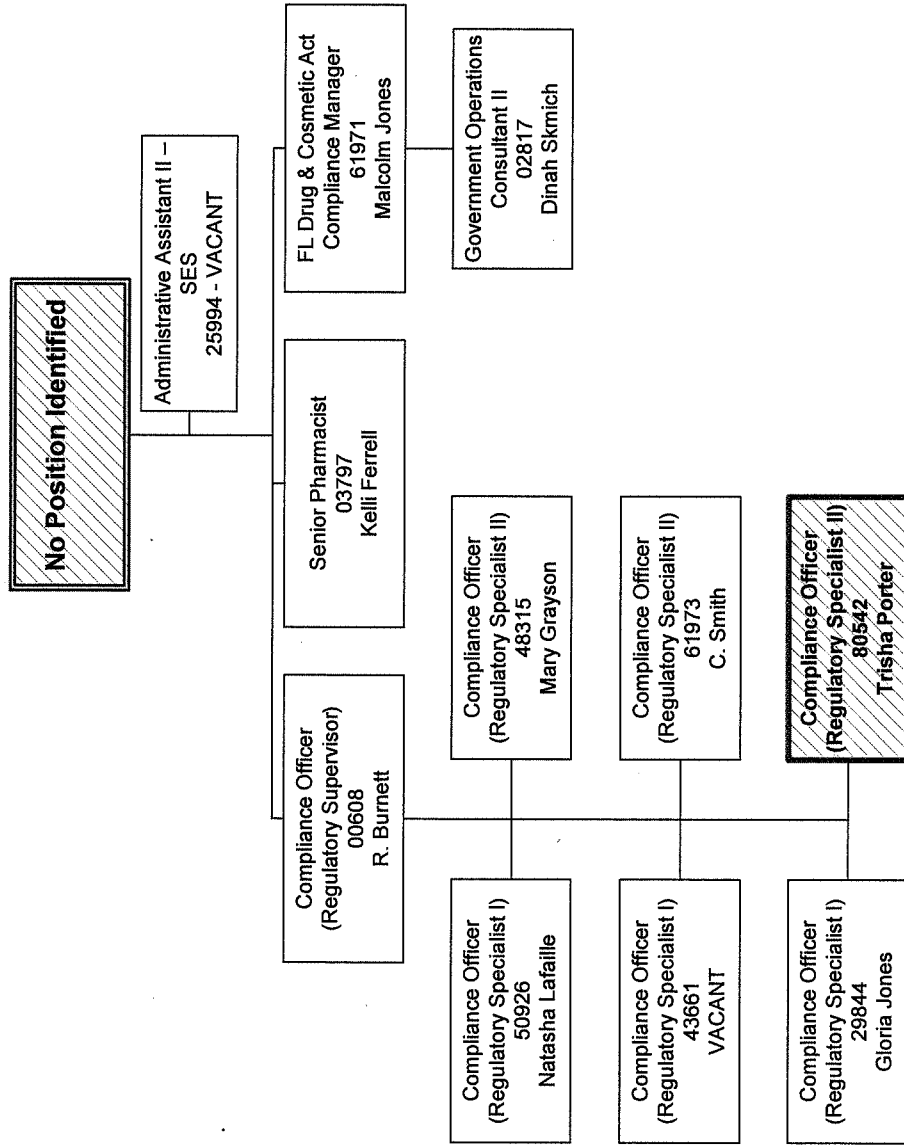
- Cash Deficit
 - Based on documents provided from DOH, the program is projected to be in deficit \$1.8 million by June 30, 2011.
- FTE – 32.5 positions for program
 - To date, the Department of Health has not identified the DDC Program Director and other compliance officer and support staff.

Challenges and Concerns

- The Department of Health has identified 32.5 staff to transition to the Department of Business and Professional Regulation.
- DOH has not included:
 - Program Director
 - Compliance Officers
 - Administrative and Support Staff
- In addition, we believe that to duplicate the work of staff currently operating the program will require an additional 3.3 FTE for indirect services such as technology, budget, human relations, purchasing, records management, etc.

Drugs, Devices & Cosmetics Program

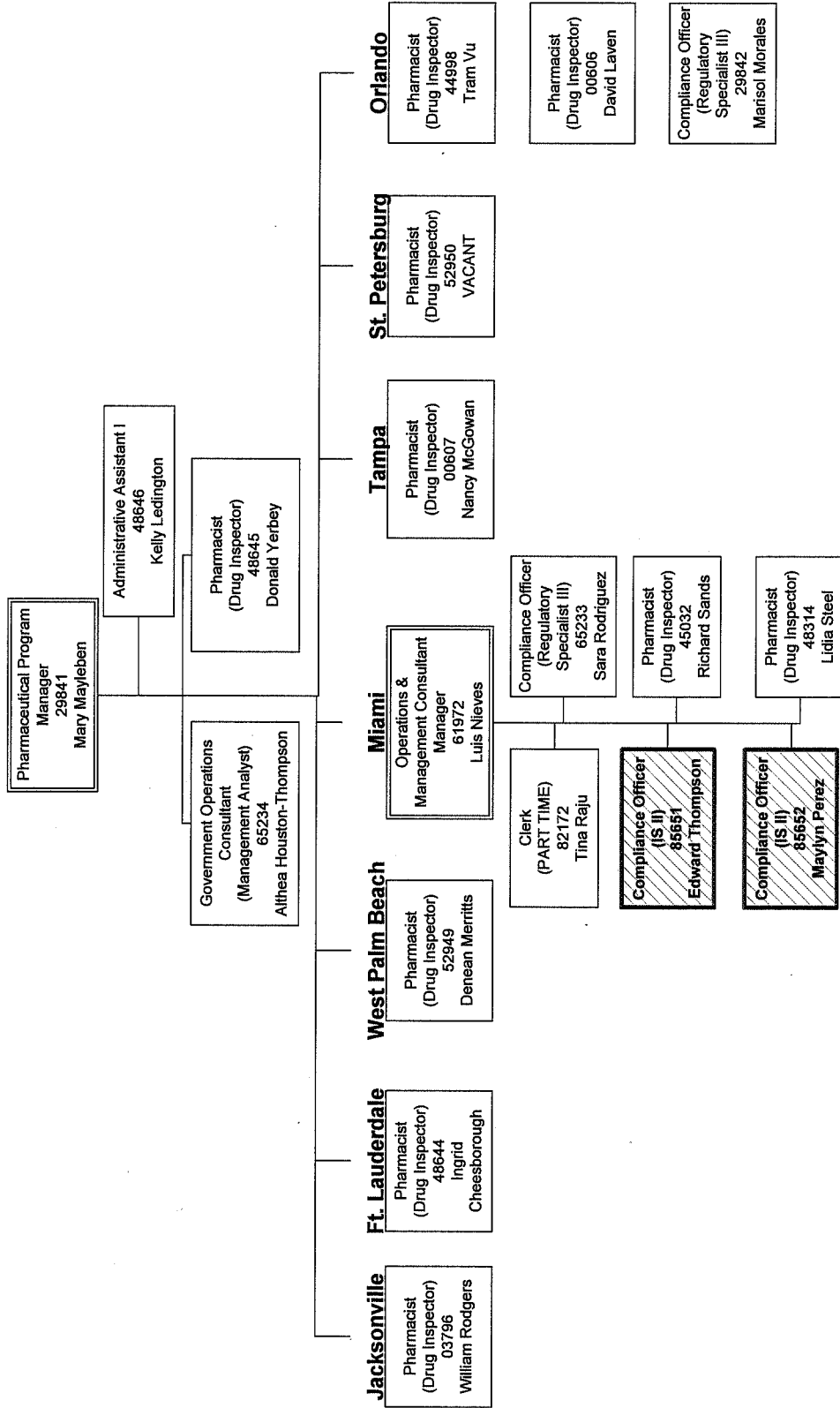
DDC Program Office Tallahassee



Drugs, Devices & Cosmetics Program

DDC Bureau of Enforcement

Tallahassee



Drugs, Devices & Cosmetics Program

DDC General Counsel
Tallahassee

No Position Identified

Senior Attorney
03608

Senior Attorney
69276

Senior Attorney
03607

Senior Legal Assistant
03798

Regulatory Specialist
II
03614

Regulatory Specialist
II
03612

Next Steps

- *Division of Technology*
 - Conduct gap analysis between DBPR systems and DOH systems
 - Configure setup; map, extract, and convert data
 - Evaluate and modify the renewal notice process as necessary
 - Evaluate whether DBPR licenses will be appropriate for use by DDC
- *Office of Budget and Financial Management*
 - Develop account code structure and prepare crosswalks for all codes
 - Review all accounting related administrative functions in place at DOH and incorporate those into DBPR as appropriate
 - Reconcile FTE count
 - Develop base appropriation funding and review DOH projections
- *Division of Administration*
 - **Move the DOH DDC Program Director and Project Manager to DBPR as soon as possible**
 - Identify positions to be transferred and determine number of FTE in each site throughout the state
 - Transfer positions and employees in PeopleFirst from DOH to DBPR
 - Schedule and facilitate physical move of transferred staff

Questions & Discussion