



DATE	February 17, 2011
TO	All Board Members
FROM	Kristine Brothers Enforcement Coordinator
SUBJECT	Enforcement Update for July 1, 2010 to January 31, 2011

COMPLAINTS/CONVICTIONS & ARRESTS

DCA Category	Received	Closed/Referred to Investigation
Unprofessional Conduct	41	41
Unlicensed/Unregistered	12	13
Criminal Charges/Convictions	56	56
Sexual Misconduct	1	1
Fraud	7	7
Non-jurisdictional	9	8
Incompetence/Negligence	7	7
Unsafe/Unsanitary Conditions	3	3
Other	2	2
Substance Abuse/Drug & Mental/Physical Impairment	2	1
Discipline by Another State Agency	2	2
Total	142	141
Average Intake Time: 10 days		

***INVESTIGATIONS**

DCA Category	Initiated	Pending	Closed
Unprofessional Conduct	38	15	47
Unlicensed/Unregistered	13	9	16
Criminal Charges/Convictions	54	29	57
Sexual Misconduct	1	5	3
Fraud	6	9	4
Non-jurisdictional	3	1	2
Incompetence/Negligence	7	12	6
Unsafe/Unsanitary Conditions	3	3	4
Other	1	1	1
Substance Abuse/Drug & Mental/Physical Impairment	2	2	0
Discipline by Another State Agency	2	1	4
Total	130	87	144

*Includes formal investigations conducted by DOI and desk investigations conducted by staff

DISCIPLINARY ACTIONS

Requested	14
Pending	19
Accusation/SOI Filed	13
Closed	11
Revoked	1
Voluntary Surrender	4
Probation	5
License Denied	1
Avg. Overall Process Time	481 days
Open Probation Cases	24

CE AUDITS (September 1, 2009 thru February 17, 2011)

Audits Conducted by Education	130
Audits Referred to Enforcement	52
Audits Pending Education's Review	12
Audits Pending Enforcement's Review	0
Citations Issued to Licensees	37
Citations Issued to Providers	3

*31% of CE audits resulted in citations

Violation Frequency Breakdown for Licensees

CCR 1399.489(a) - Failure to meet required CE or exceeds 5 hrs in Cat. 2	23
CCR 1399.489(b) - Exceeds 50% of req'd CE for distance education	2
CCR 1399.489(c) - Misrepresents completion or failure to sign statement	14
CCR 1399.489(e) - Failure to provide records in response to an audit	11

Violation Frequency Breakdown for Providers

CCR 1399.484(a) - Offering a course for CE without Board's approval	2
CCR 1399.484(e) - Failure to submit application for content changes	1
CCR 1399.482(d) - Failure to include all req'd information on CE cert.	1

Note: Some audits result in several violations

**CPEI Monthly Report to DCA
July 2010 thru January 2011**

	July	Aug	Sep	Oct	Nov	Dec	Jan	Average (to-date)	Total (to-date)
Complaints									
Received	9	6	19	10	18	14	10	12.3	86.0
Closed	0	1	1	3	1	2	1	1.3	9.0
Referred to INV	7	6	7	18	17	12	9	10.9	76.0
Avg Time to Close	6	9	11	14	8	9	8	9.3	65.0
Pending	4	3	14	3	3	3	3	4.7	33.0
Convictions / Arrests									
CONV Received	9	7	7	5	4	10	14	8.0	56.0
CONV Closed	10	4	7	6	4	12	13	8.0	56.0
Avg Time to Close	6	9	10	9	6	9	8	8.1	57.0
CONV Pending	1	4	4	3	3	1	2	2.6	18.0
Desk Investigations									
DESK Opened	17	8	12	23	19	21	20	17.1	120.0
DESK Closed	12	17	15	20	30	21	16	18.7	131.0
DESK Average	139	83	181	110	91	148	88	120.0	840.0
DESK Pending	62	60	55	55	43	43	47	52.1	365.0
Sworn Investigation									
Opened	5	4	2	5	5	5	3	4.1	29.0
Closed	6	3	2	6	0	3	1	3.0	21.0
Avg days to close	458	767	708	422	0	370	512	462.4	3237.0
Pending	30	32	32	31	36	38	40	34.1	239.0
All Investigations									
Closed	18	20	17	26	30	24	17	21.7	152.0
Avg days to close	246	186	243	178	91	176	113	176.1	1233.0
Pending	92	92	88	86	79	81	87	86.4	605.0
Enforcement Actions									
Cases Referred	5	3	2	2	0	2	0	2.0	14.0
Cases Pending	22	25	25	23	21	19	19	22.0	154.0
SOIs Filed	1	1	1	2	0	0	0	0.7	5.0
Accusations Filed	3	2	2	3	0	1	0	1.6	11.0
Proposed/Default Decisions	1	0	1	1	0	1	0	0.6	4.0
Stipulations	2	0	1	1	1	1	1	1.0	7.0
Disciplinary Orders									
Final Orders	3	0	2	2	1	2	1	1.6	11.0
Avg Days to Complete	553	0	706	363	550	296	198	380.9	2666.0
Citations									
Citations Issued	0	11	7	0	7	13	0	5.4	38.0
Avg Days to Complete	0	107	346	0	3	166	0	88.9	622.0

Performance Measures

Q1 Report (July - Sept 2010)

To ensure stakeholders can review the Board's progress in meeting its enforcement goals and targets, we have developed a transparent system of performance measurement.

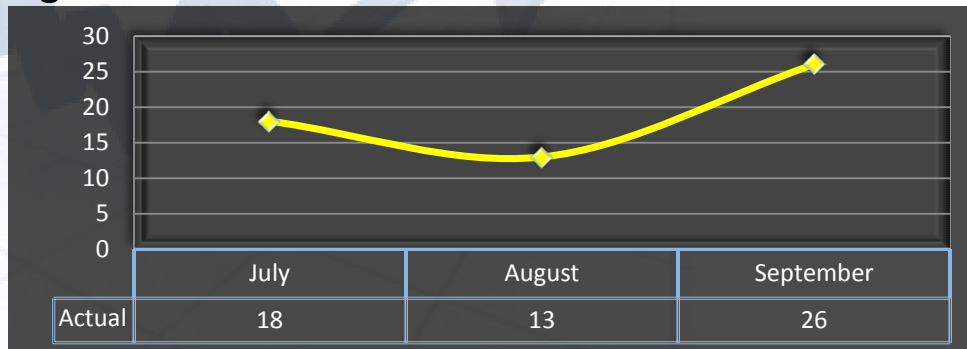
These measures will be posted publicly on a quarterly basis. In future reports, additional measures, such as consumer satisfaction and complaint efficiency, will also be added. These measures are being collected internally and will be released once sufficient data is available.

Volume

Number of complaints received.*

Q1 Total: 57 (Complaints: 34 Convictions: 23)

Q1 Average: 19

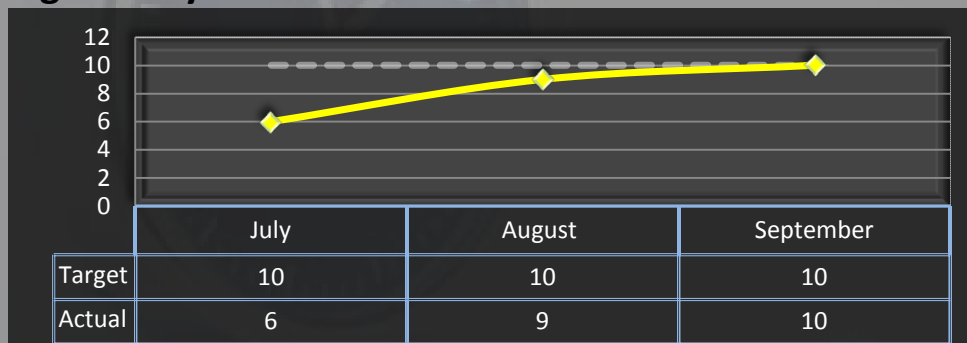


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 10 Days

Q1 Average: 8 Days



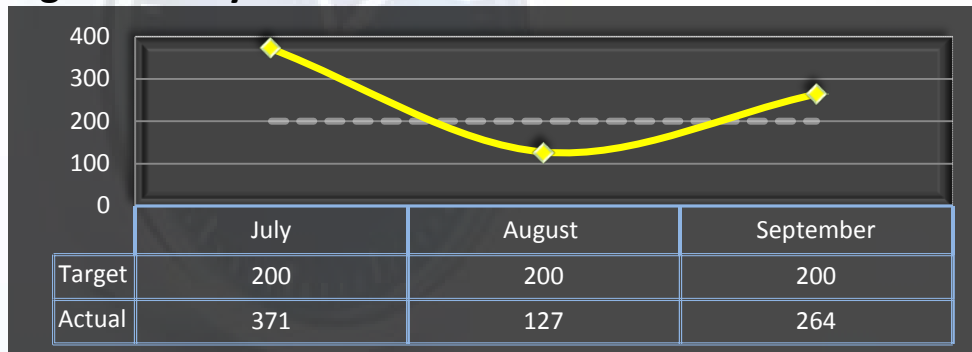
*"Complaints" in these measures include complaints, convictions, and arrest reports.

Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 200 Days

Q1 Average: 221 Days

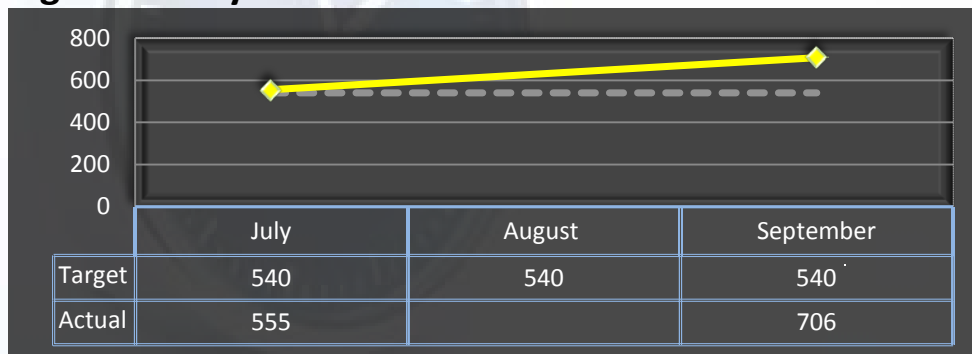


Formal Discipline

Average cycle time from complaint receipt to closure, for cases sent to the Attorney General or other forms of formal discipline.

Target: 540 Days

Q1 Average: 615 Days

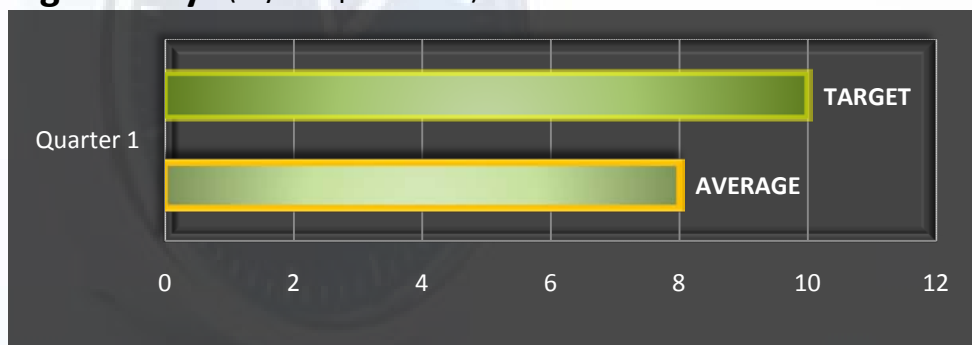


Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 10 Days

Q1 Average: 8 Days (only 1 data point available)

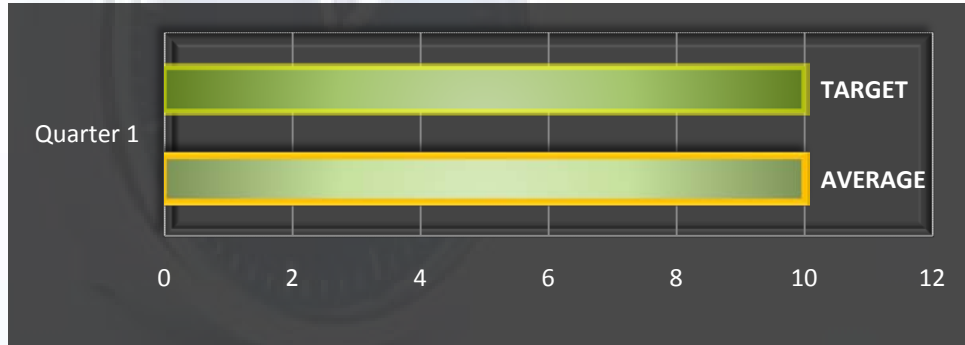


Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 10 Days

Q1 Average: 10 Days (only 1 data point available)



Performance Measures

Q2 Report (October - December 2010)

To ensure stakeholders can review the Board's progress in meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

In future reports, the Department will request additional measures, such as consumer satisfaction. These measures are being collected internally and will be released once sufficient data is available.

Volume

Number of complaints and convictions received.

Q2 Total: 61

Complaints: 42 Convictions: 19

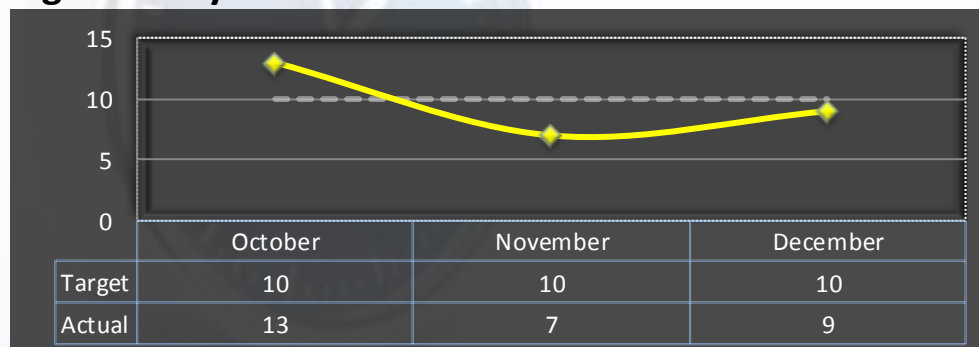
Q2 Monthly Average: 20

Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 10 Days

Q2 Average: 10 Days

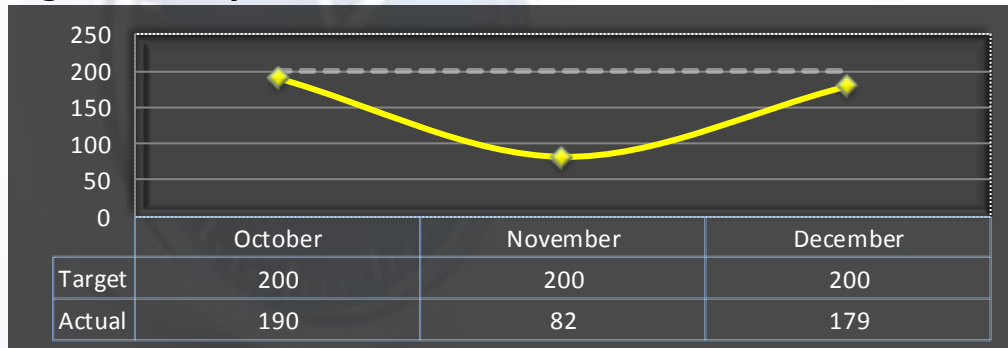


Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 200 Days

Q2 Average: 146 Days

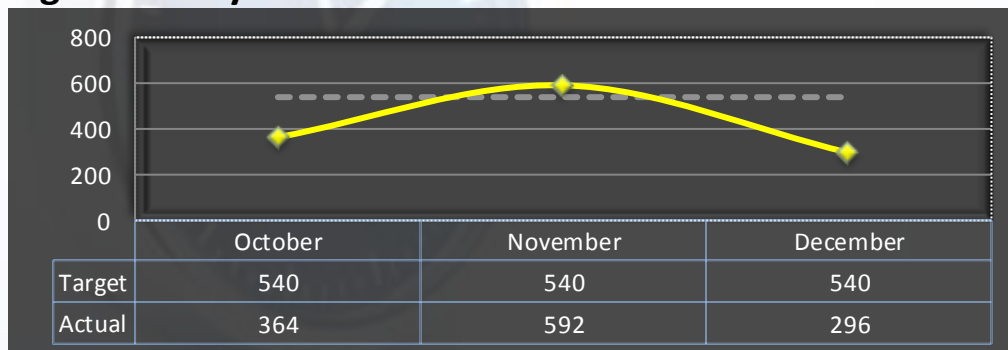


Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q2 Average: 374 Days

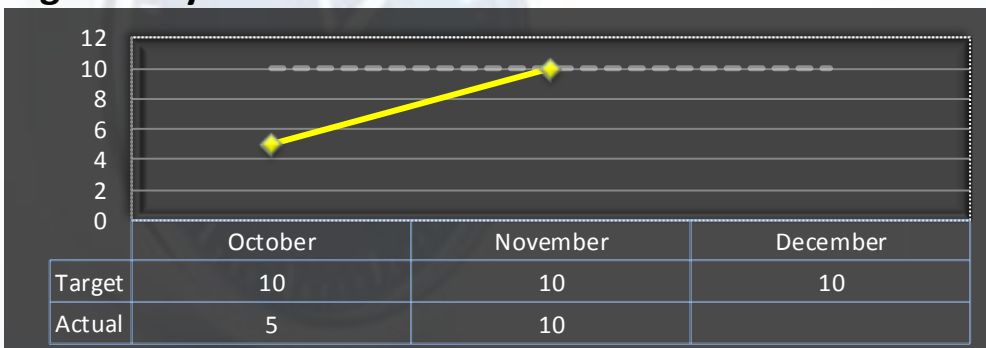


Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 10 Days

Q2 Average: 7 Days



Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 10 Days

Q2 Average: 1 Day

