DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 JOINT BUDGET COMMITTEE HEARING AGENDA

Tuesday, December 13, 2011
9:00 am – 10:30 am

9:00-9:20 INTRODUCTIONS AND OPENING COMMENTS

9:20-9:40 DEPARTMENT-WIDE QUESTIONS

A. PERFORMANCE-BASED GOALS AND BUDGET REQUEST (ALL DEPARTMENTS)

1. Please describe the process the Department used to develop its strategic plan.

Beginning in 2008, a process of review, analysis and assessment of the core functions of each division within the Department led to the refinement of the Department's mission as "Consumer Protection." The current strategic plan reflects a recalibration of the focus of the Department from the perspective of a zero sum game which pits the needs of the consuming public as if in competition with the interests of the regulated businesses and individuals. The focus has shifted to a platform of mutuality of interests. That is, the needs and concerns of businesses are important to the consumer with respect to quality, availability and affordability of goods and services, just as the concerns and needs of the consumer are important to businesses with respect to active participation and trust in a fair and competitive marketplace.

The strategic planning process has involved outreach and dialogue with industry associations, trade groups and businesses regulated by DORA, as well as consumer advocacy groups, the media and community representatives, to better understand from their perspective the impact of the Department's regulatory and implementation regimes. Consultation with and the input of the Divisions was also a key component in the development of the strategic plan. One significant challenge that was identified was that many consumers did not know of DORA's existence nor know where to turn if they had problems with a regulated professional or company. A key component of the strategic plan became to better inform residents of Colorado as to their rights and options, as well to inform and advise regulated businesses and professionals of their respective responsibilities.

In order to ensure Division-level success, the Department has worked with the Division Directors and senior managers to ensure that the performance measures in their individual performance plans are tied to the Division-specific measures and the DORA-wide measures. Each Division Director is responsible to ensure that this accountability is carried through to the performance plans for all division staff.

Earlier this year, the Department engaged in a comprehensive process to review, evaluate and, as appropriate, reform its regulatory procedures and processes to better enable us to achieve our respective performance measures. How we do our jobs is as important as the "what" of those jobs. Each Division Director and section head was asked to make an objective and critical assessment of their current program and administrative operations, and how, if given the opportunity, they would reconfigure or realign those operations to be more efficient, effective and streamlined in the delivery of their services.

The results of this review and evaluation were presented to and discussed with a review panel, comprised of 5-6 senior managers across the Department. The panel then identified common issues and trends, systemic challenges as well as considerations unique to each of the areas under review.

At a strategic planning meeting in August, the comprehensive list of proposals and recommendations developed by the review panel was in turn reviewed, analyzed and evaluated by the senior leadership in the Department, with the goal of selecting and prioritizing the various project proposals for implementation. The Department is now working with OSPB to utilize the LEAN program as a tool to implement a broad range of projects, all designed to increase the Department's effectiveness and efficiencies.

B. Performance-based Goals and Budget Request (DORA-specific)

2. Regarding consumer outreach from H.B. 08-1216, does the Department still track the number of phone calls received? Does the Department still have a lot of phone calls? If so, is there a backlog? Did the Department shift its ads to direct the public to the Department's web site? If so, what happened to the staff who manned the call center? Did the Department change its official policy in eliminating the use of elected officials in ads that are funded with the $200,000, from H.B. 08-1216?

The Department continues to receive, and track, a significant number of phone calls. One of the priorities of the Department is the establishment of a robust and multi-faceted centralized call center, which will serve as the main portal into the Department. The template for the center is the 311 system implemented by Denver. In early 2010, the Executive Director's Office consulted with the administrators of the Denver 311 system, as well as of the comparable system used in Aurora. Working with OIT to configure a system appropriately scaled for DORA, a new centralized call center was activated in the Department in August, 2010. One of the principal purposes of the call center is to be a central point of contact for the public where basic questions and inquiries can be quickly answered, without the need for referral to a Division. If more specific or detailed information is required, the call center can direct the caller to the appropriate contact in the Division. The call center is staffed by no less than 2 persons at any one time, who also serve at the building lobby reception area for the Department. The Divisions also maintain call centers for their respective functions.

Since its implementation, the centralized call center has experienced a steady increase in the volume of calls it receives, and a steady decrease in the average time in queue, as reflected in the following tables. Table 1 contains the available statistics for the period prior to implementation of the call center. Table 2 sets forth the statistics for the first year of its operation. While we can monitor the time in queue until a call is answered, we do not currently have the resources to enable our system to track the call to the point of resolution of the question or issue presented by the caller. It is one of a number of functions and capabilities we hope to add.

Department of Regulatory Agencies

Call Center Statistics February 2010 - August 2010

	February 2010 *		March 2010		April 2010		May 2010		June 2010		July 2010		August 2010	
	Calls Presented	Avg. Queue Time	Calls Presented	Avg. Queue Time	Calls Presented	Avg. Queue Time	Calls Presented	Avg. Queue Time	Calls Presented	Avg. Queue Time	Calls Presented	Avg. Queue Time	Calls Presented	Avg. Queue Time
Office/Division														
Executive Director's Office	554	0:00:58	2,233	0:00:43	1,978	0:00:39	1,681	0:00:35	2,028	0:00:28	1,889	0:00:32	2,062	0:00:21
Insurance Life & Health	303	0:00:55	1,006	0:01:03	815	0:00:59	753	0:01:03	884	0:01:04	797	0:00:57	770	0:00:48
Insurance Property & Casualty	211	0:00:29	865	0:00:19	809	0:00:34	649	0:00:27	796	0:00:42	828	0:00:34	795	0:00:58
Public Utilities Commission Customer Care	150	0:01:16	791	0:01:25	613	0:03:04	1,082	0:02:29	1,089	0:03:24	743	0:02:09	589	0:01:14
Public Utilities Commission External Affairs	175	0:00:47	747	0:00:31	718	0:00:42	754	0:00:36	893	0:00:33	759	0:00:29	761	0:00:23
Registrations	2,492	0:03:22	10,253	0:02:49	9,050	0:01:58	9,085	0:02:18	10,968	0:02:46	9,771	0:02:32	9,916	0:02:28
Registrations Electrical & Plumbing	129	0:00:38	567	0:01:49	427	0:01:37	439	0:02:13	590	0:02:27	615	0:02:13	550	0:02:03
Real Estate	1,729	0:11:59	7,086	0:12:40	5,068	0:06:43	3,993	0:00:45	4,366	0:00:50	4,333	0:04:24	4,517	0:04:31
Total calls presented by division	5,743	0:02:33	23,548	0:02:40	19,478	0:02:02	18,436	0:01:18	21,614	0:01:32	19,735	0:01:44	19,960	0:01:36
Total calls presented all divisions	128,514													
* Partial month														

Department of Regulatory Agencies

Call Center Statistics September 2010 – February 2011

	September 2010		October 2010		November 2010		December 2010		January 2011		February 2011	
	Calls Presented	Avg. Queue Time	Calls Presented	Avg. Queue Time	Calls Presented	Avg. Queue Time	Calls Presented	Avg. Queue Time	Calls Presented	Avg. Queue Time	Calls Presented	Avg. Queue Time
Office/Division												
Executive Director's Office	2,729	0:00:11	2,590	0:00:10	2,342	0:00:11	2,688	0:00:10	2,894	0:00:09	2,406	0:00:09
Insurance Life & Health	825	0:00:51	781	0:00:52	753	0:01:04	829	0:00:57	829	0:01:03	731	0:00:57
Insurance Property & Casualty	873	0:00:37	741	0:00:35	619	0:00:37	648	0:00:42	692	0:00:38	637	0:00:35
Public Utilities Commission Customer Care	612	0:01:39	783	0:01:44	1,133	0:02:26	942	0:01:26	945	0:02:06	649	0:01:39
Public Utilities Commission English (formerly PUC External Affairs)												
Public Utilities Commission Spanish (formerly PUC External Affairs)												
Public Utilities Commission External Affairs	809	0:00:38	703	0:00:34	660	0:00:27	710	0:00:46	717	0:00:32	640	0:00:36
Registrations	9,347	0:02:38	8,139	0:02:39	6,860	0:01:59	6,416	0:01:23	7,378	0:01:09	6,256	0:00:43
Registrations Electrical & Plumbing	528	0:02:28	475	0:02:01	407	0:01:55	315	0:01:19	554	0:01:16	586	0:01:18
Registrations Support Services (new call center as of August 2011 for renewals)												
Real Estate	4,179	0:02:18	4,503	0:02:41	4,939	0:03:00	7,874	0:08:29	5,989	0:02:48	4,097	0:02:33
Total Calls Presented by Division	19,902	0:01:25	18,715	0:01:24	17,713	0:01:27	20,422	0:01:54	19,998	0:01:13	16,002	0:01:04
Total Calls Presented all Divisions												
** conversion to updated software - one week of statistics was lost												

Department of Regulatory Agencies

Call Center Statistics March 2011 - August 2011

	March 2011		April 2011		May 2011		June 2011		July 2011 **		August 2011	
Office/Division	Calls Presented	Avg. Queue Time	Calls Presented	Avg. Queue Time	Calls Presented	Avg. Queue Time	Calls Presented	Avg. Queue Time	Calls Presente d	Avg. Queue Time	Calls Presented	Avg. Queue Time
Executive Director's Office	2,833	0:00:07	2,799	0:00:08	2,557	0:00:08	2,892	0:00:11	2,157	0:00:13	2,540	0:00:14
Insurance Life & Health	815	0:01:04	695	0:00:51	637	0:00:56	677	0:00:44	459	0:00:49	773	0:00:46
Insurance Property & Casualty	696	0:00:29	703	0:00:36	629	0:00:28	687	0:00:41	521	0:00:28	747	0:00:36
Public Utilities Commission Customer Care	771	0:01:12	680	0:01:09	580	0:00:50	640	0:01:20	391	0:01:01	695	0:01:02
Public Utilities Commission English (formerly PUC External Affairs)											698	0:00:33
Public Utilities Commission Spanish (formerly PUC External Affairs)											52	0:00:38
Public Utilities Commission External Affairs	765	0:00:30	733	0:00:32	680	0:00:37	684	0:00:26	483	0:00:29	26	0:00:25
Registrations	8,375	0:01:00	8,373	0:01:33	8,345	0:01:34	3,081	0:00:49	6,871	0:03:00	10,704	0:01:40
Registrations Electrical & Plumbing	416	0:01:35	407	0:01:36	431	0:01:43	551	0:01:59	391	0:01:20	555	0:01:46
Registrations Support Services (new call center as of August 2011 for renewals)									107	0:07:24	4,535	0:05:27
Real Estate	4,634	0:01:33	3,731	0:01:18	3,024	0:00:44	8,924	0:01:47	2,164	0:00:54	3,172	0:01:33
Total Calls Presented by Division	19,305	0:00:56	18,121	0:00:58	16,883	0:00:53	18,136	0:01:00	13,544	0:01:44	24,497	0:01:20
Total Calls Presented all Divisions											223,238	
** conversion to updated software - one week of statistics was lost												

As part of a comprehensive approach, the Department also strongly believes in Division-level outreach efforts. Included in the performance plan for each Division Director is the obligation to engage actively in consumer and professional outreach and education efforts. The following are examples of activities and processes in some of the divisions which focus on consumer complaint opportunities and procedures:

--In the Division of Insurance (DOI), formal complaints are only required to be in writing or filed through the Division's website. Its website has been reconfigured to more prominently display the "File a Complaint" button. The complaint process is also highlighted in almost all consumer publications, brochures and other communications prepared by DOI, and through its community partnerships, such as Consumer Insurance Council, Colorado Coalition for Health Insurance and Disaster Assistance Recovery centers.

--In reference to the Real Estate Division, staff regularly participates in monthly speaking events and meetings around the state, most often to professional associations. Additionally, the division's complaint process is readily available on our website. There are also direct links to our agency from the Office of the Attorney General's website. In the past, we have spoken with and worked closely with housing counseling agencies around the state. Now that the division has an education section, working with those housing counseling agencies, we are in the process of developing brochures and other materials to distribute at first time home buyer education courses and other events. In the mortgage loan originator program, we require all advertisements to state which division regulates this profession. As a result, the Division of Real Estate is highlighted in every mortgage advertisement in Colorado, whether the ad is in print, radio, or on television. The Division also sends out regular e-mail blasts to our licensee populations regarding pertinent topics. Lastly, the Division produces a quarterly newsletter that is e-mailed to licensees and is posted to our website for the public to review. The newsletter contains disciplinary actions, current industry trends, articles from leaders in our respective industries, and any other topics the Division deems pertinent.

--The Registrations Division has a very robust set of outreach activities, including partnerships with news outlets and Helpline events through the Consumer Outreach program, the division website, direct community events and partnerships with consumer advocacy groups and participation in public health fairs.

The Department's additional focus on web contact is not a shift in policy as much as it is an intentional means of efficiently reaching out to the broadest numbers of consumers. Not only does this strategy cast a wider net on reaching consumers and professionals, it also reflects customer service trends in every industry that seeks to educate and inform as promptly and inexpensively as possible. Leveraging technology is an important aspect of DORA's customer service philosophy.

Finally, the Department did not intentionally eliminate the use of elected officials in its public service announcements. Rather, it was determined that showing state employees delivered a more receptive message and was more likely to succeed in raising awareness in consumers.

3. *Please clarify the metrics used for the strategic plan and address the following concerns:*

The performance objectives set forth in the Department's strategic plan were selected based on our analysis of the few major and critical keys to achieving the vision for the Department. Without these key elements, we would have little chance for success. The performance measures we have chosen will help in keeping us on target and on message. They help establish a greater degree of clarity in knowing what success looks and feels like. The Department's directive in the development of our strategic plan for FY12-13, as in other recent years, is focused on results. One of the Department's major goals in developing our strategic plan is to identify opportunities to leverage resources within the Department and among the Divisions, to maximize our efficiencies and productivity. There has been particular attention and effort to ensure that each component of the Department's plan accurately reflects and measures what and how each Division carries out its programmatic and administrative responsibilities.

The core elements of that strategic plan consist of the following considerations:

- <u>Communication</u> of consumer rights, and professional and business responsibilities.
- <u>Consistent</u> application of professional standards and enforcement of regulation.
- <u>Connection</u> of regulatory activities and economic development.

The FY 2012-13 Strategic Plan continues that focus, and builds on the accomplishments of previous goals and measures set forth in the FY11-12 strategic plan.

As noted above, the performance measures which were selected are those that we believe provide the most direct and meaningful assessment of our ability to accomplish the principal goals of the strategic plan. The Department deliberately did not choose measures of input, such as amount of resources consumed, or output, such as the gross number of applications processed or the number of brochures distributed, because these kinds of measures tend to focus on processes which generally have only an indirect impact on the marketplace and our stakeholders. With respect to a Department which has as many diverse components as DORA, it is important to have measures that reflect core functions which are replicated across most, if not all, of its divisions.

In every division, notwithstanding its specific mission, effective communication is essential to the success of our strategic plan. Two performance objectives (10% increase in number of web hits, and 50% of all active licensed professionals available on listservs) measure our ability to promote and encourage contact with consumers and the professionals and companies we regulate. If we are effective in our efforts to reach out to the general public, we will be better able to establish a basis for substantive communication with them, whether it be through our websites or the call center. Increased use of listservs allows us to immediately communicate any changes or areas of concerns to our regulated professionals and businesses.

The next two metrics (75% of all complaints are resolved within 180 days and 100% of Divisions to meet their respective timely licensing measures) measure the efficiency with which we are able to deliver the required services.
Our next performance objective (% of employees who received job-specific training) reflects our belief that the best way for us to provide meaningful customer service to consumers, and effectively help those we regulate is for our staff to be knowledgeable about the rules and regulations affecting those

we regulate.

Our last performance objective (amount of savings through regulation, settlements and rate reviews) reflects our belief that DORA has a responsibility to provide tangible economic benefits to the marketplace, in relation to the investment made to support the regulatory programs managed by the Department.

We understand that organizations are not static. Therefore, strategic plans must also be dynamic and reflect changes in the organization and its environment. With input from the General Assembly, our external stakeholders as well as our workforce, we will continue to review and assess the Department's strategic plan and its component performance measures for continued relevance, appropriateness and utility, and refresh, refine and/or revise as necessary.

a. Why are metrics internal-focused rather than looking at outcomes? The aggregated CAMELs report regarding banking health provided last year was very useful information and might be a more useful metric to track.

We believe the performance metrics selected by the Department in fact measure outcomes, rather than internal processes. The issuance of a real estate or securities broker's license, or an insurance producer license within the established timeline is the desired and final outcome to the application process. Resolution of a consumer complaint within established timelines is the result of the investigatory and deliberative processes. As noted above, the performance measures which were selected are those that we believe provide the most direct and meaningful assessment of our ability to accomplish the mission of the Department, and the purpose of the regulatory programs we administer.

With respect to CAMELS ratings, they are a trailing indicator of the overall financial health and condition of banks and other regulated financial institutions. The ratings evaluate the following risk factors: Capital, Assets, Management, Earnings, Liquidity and Sensitivity to market risk. In reference to state chartered banks, CAMELS ratings are assigned by the Federal Deposit Insurance Corporation (FDIC) and the Banking Division in the Department of Regulatory Agencies. The ratings are assigned based on the results of periodic financial examinations to assess the safety and soundness of the institution. The ratings range from "1," reflecting the strongest composite performance to "5," indicating deficient performance and severe financial weaknesses.

CAMELS rating are, under federal and state law, confidential. Only the bank's directors and management, and its federal and state regulators are permitted access to the ratings, and underlying financial examination results. Additionally, it is unlawful to disclose CAMELS ratings other than as specifically authorized under applicable law. While an individual bank's CAMELS rating is confidential, certain generic, non-specific information is publicly available, such as is set forth in the following table regarding Colorado banks as a general category.

	June 30 2008	**June 30 2009**	**June 30 2010**	**June 30 2011***
CAMELS Rating System Distribution (5 point scale)	**Percent**	**Percent**	**Percent**	**Percent**

Percent of institutions without adverse rating (CAMELS 1-2)	88.1%	72.0%	66.4%	49.3%
Percent of institutions adversely rated (CAMELS 3-5)	9.2%	25.2%	33.6%	50.7%

*Although the CAMELs 3-5 category appears to have jumped to 50% for 2011, this occurred because of a large single bank merger, and the adjusted percentage (38%) is substantively the same although a bit higher than June 30 2010

Apart from the legal confidentiality of the CAMELS ratings, to include the ratings as a performance metric under the Department's strategic plan would assume or imply an ability on the part of the Banking Division to influence the ratings, apart from the financial examinations conducted in the ordinary course of business. The Banking Division, of course, has no such independent ability, and accordingly should not be held responsible or accountable for the status or condition of organizations over which it has no real control.

The Banking Division should, however, be held accountable to provide the most skilled, experienced and seasoned examiners and auditors as we can to ensure that the risk management examinations we perform accurately reflect the financial health and condition of our state chartered banks and other regulated financial institutions.

b. Why is the number of web site hits an appropriate measure of consumer education?

One of the Department's performance measures is consumer outreach, with the stated goal of educating consumers about their rights and helping them to understand how the violation of those rights can be addressed and resolved. The goal of consumer outreach encompasses the obligation to inform, instruct, advise, consult and assist consumers as to the information and resources available through the Department. As noted in the earlier discussion regarding the development of our strategic plan, a significant deficiency noted by our stakeholders was the fact that DORA was relatively unknown to the general public. We determined that success in this objective required that the Department first seek to reach out to as many citizens across the State, on as broad a basis as we could.

It was determined that measuring hits to the Department's websites was the most direct way to assess increased levels of awareness of the Department and its diverse functions. We believe this performance measure appropriately relates to outcomes in that it measures the number of contacts or interactions with the Department initiated by members of the public, which then provides the opportunity for us to convey the substantive information, advice or assistance to those individuals.

There can be no doubt of the exploding usage of and reliance on technology as the preferred means of communication in today's society, with the internet driving this cyberspace phenomenon. According to information prepared by Karl Fisch, Scott McLeod and Jeff Brenman, for the video, "Did you Know? Prepare for the New, Global Economy in 2011":

- In 2006 there were 2.7 billion searches on Google every month. In 2008, that number had grown to 31 billion.
- The first commercial text message was sent in 1972. In 2008, the total number of text messages sent and received everyday exceeded the population of the planet.
- Years it took to reach a market audience of 50 million: radio, 38 years; TV, 13 years; Internet, 4 years; IPOD, 3 years; Facebook, 2 years.
- Number of internet devices in 1984 was 1000. In 1992, there were 1,000,000 internet devices. In 2008, there were 1,000,000,000 internet devices.

c. *Why is 180 days a reasonable performance measure for complaint resolution?*

180 days is not represented as the reasonable performance measure for all complaint resolution across the Department. In fact, it is too long for some areas (for instance, high priority complaints in the Division of Registrations, which have a 90-day standard), and too short for others (for instance investigation of complaints in the Division of Civil Rights for which there is a 270-day statutory timeframe).

Rather, 180 days is thought to be the most reasonable performance measure that casts the widest possible net on the effectiveness on the totality of DORA's many different programs – with the caveat that it captures actual performance at the Division level. In developing a Department-level measure, the Department considered but rejected simply adding up the number of divisions meeting their timely measures without mentioning a standard. The standard is what makes it an effective measure.

With respect to the 180 day timeframe, that period represents the length of time that is generally considered sufficient to permit the reasonable resolution of a complaint, based on a sufficiently thorough investigation and evaluation by regulatory staff. Due process considerations also require that licensees and regulated entities against which a complaint is filed be provided sufficient time to gather information and make their own case before resolution of a complaint. In addition to the investigation and data-gathering phases, which often involve multiple rounds of questions, responses, and meetings, some complaints require presentation of formal proceedings or recommendations to the governing board for action and decisions.

d. *Why are the timeliness benchmarks regarding timely access for businesses and professionals unclear or not capturing equivalent information? The Division of Real Estate's benchmark states within 3 days, but reports actual performance within 5 days; please clarify.*

With apologies, this apparent discrepancy is the result of a typo in the table on page 134 of the Strategic Plan. The performance was in fact within 3 days, rather than 5 days. The narrative discussion of this performance measure on the same page affirms that the Division was able to process completed applications "within three days of receipt". The Department regrets this typo and will make requisite corrections in published versions of the plan.

With regard to the clarity of the measure, the Department believes this metric appropriately measures outcomes. DORA understands and appreciates that in the world of business, time is money. It is paramount that the Department has a standard of performance which measures the timeliness of the Department's licensing processes, which directly affects the livelihood and businesses of our applicants.

e. Director Kelley is visiting all over the state regarding regulation review. Is there a connection with the Governor's executive order number 5? Should there be a metric on regulation review?

On behalf of the Governor, Barbara Kelley organized and hosted a series of 6 forums around the State to identify the specifics of red tape issues in State government, not just DORA. The "Pits and Peeves" Roundtables Initiative was implemented as an opportunity for business organizations and associations, advocacy groups, local government representatives, non-profit organizations and members of academia to engage in frank and open dialogue with senior State executives about the specifics of their experiences involving red tape. The participants, who represented over 100 organizations, were also asked to share ideas of how state government could address and resolve the issues of regulatory inefficiencies.

The principal objective of the Initiative was to provide a forum for senior government officials to listen to the problems and experiences of businesses and the community at large with respect to unnecessary, redundant and excessive regulations, and to understand, as fully as possible, what we heard. In taking on the task of streamlining the State's regulatory regimes, it is important that our understanding of the issues be grounded in the reality of the actual experiences of those who are subject to and must comply with those regulations.

The Roundtable participants identified issues with particular regulations, but more importantly, issues pertaining to structural and systemic impediments to eliminating red tape and streamlining the State's broad array of regulatory regimes. A number of State agencies have already undertaken efforts to address many of the specific, individual issues identified in the Roundtable meetings, such as, for example, the re-engineering of the CDOT contracting process, resulting in the elimination of redundant steps, shorter timeframes, consistent customer service and tracking of key performance indicators. We have also developed a group of recommendations for immediate implementation, based on suggestions and ideas from the Roundtable participants, which address some of the systemic impediments giving rise to red tape. One such recommendation is the establishment of regulatory facilitation teams, aligned around the industry clusters indentified in connection with Colorado Blueprint, to assist and support businesses in navigating their respective regulatory mazes.

The scope and substance of red tape issues, suggested solutions, responsive actions and initiatives by State agencies, as well as the proposed recommendations are captured in a report on the Pits and Peeves Roundtables Initiative, entitled "Cutting Red Tape in Colorado State Government." It is expected that the Report will be released in the coming weeks.

There is not a direct connection with the Governor's Executive Order D2011-005, "Enhancing the Relationship between State and Local Governments." The implementation plan for EO-005, under the leadership of the Department of Local Affairs, is, however, an example of the effort to evidence better coordination among state agencies and local governments, one of the areas of concern raised in the

Roundtables discussions.

The effectiveness and efficiency of the Department's regulatory processes significantly impact the ability of the Department to meet its performance measures. To the extent these processes are essentially internally driven, we have not considered them as part of our objective metrics. However, we can pursue consideration of whether such a metric would be practical, measurable and useful.

4. *The committee would like to see a deeper, more introspective strategic planning process and a broader set of years of data; with that in mind, please provide data for benchmark actuals from FY 07-08 forward.*

Fully measureable performance metrics were not adopted until the effort that culminated in the FY 09-10 Strategic Plan. Accordingly, data for benchmark actuals were not collected until FY 09-10, and information for prior periods does not exist. The FY 09-10 data is attached as Appendix A to this document. For the Strategic Plan in effect in FY 2007-08, completely different measures existed. Those are also attached as Appendix B, although they are more heavily weighted towards qualitative rather than quantitative goals of the current plan.

C. Other Questions Common to All Departments

5. How does the Department define FTE? Is the Department using more FTE than are appropriated to the Department in the Long Bill and other legislation? How many vacant FTE did the Department have in FY 2009-10 and FY 2010-11?

OSPB and DPA are working with all departments to provide quarterly reports on FTE usage to the JBC. These reports will ensure that all departments are employing the same definition of FTE. This definition comprises a backward-looking assessment of total hours worked by department employees to determine the total full-time equivalent staffing over a specific period. We intend for these reports to provide the JBC with a more clear linkage between employee head-count and FTE consumption. As it concerns FTE usage in excess of Long Bill 'authorizations,' departments will continue to manage hiring practices in order to provide the most efficient and effective service to Colorado's citizens within the appropriations given by the General Assembly.

The Department relies on the statutory definition of FTE which refers to "the budgetary equivalent of one permanent position continuously filled full time for an entire fiscal year," which amounts to 2,080 hours worked.

The Department has not routinely filled permanent positions in excess of authorized FTE. In fact, the decision to adhere to authorized FTE limits has resulted in consumption at less than authorized amounts due to non-FTE costs, which also must be paid from personal services line items. The Department had 64.5 vacant FTE during FY 2009-10, and 52.5 vacant FTE during FY 2010-11.

With regard to vacancies, one division that was specifically mentioned in the briefing was the PUC. It was observed that during FY 2010-11, PUC spent 95.5% of its personal services appropriation while filling only 86.7% of appropriated FTE. It is important to note that Personal Services appropriations do not simply fund FTE. Personal Services appropriations also fund expenses such as personal services contracts, temporary personnel, retirement payouts, unemployment compensation, etc. None of these items convert to a payroll hour, and all of them are excluded under the statutory definition of FTE.

Any time FTE authority is reverted, it is always a result of either vacancies, non-FTE costs, or both. Vacancies occur whenever a position is not filled. Each month of vacancy is accounted for as 0.08 FTE. It is true that PUC had extended vacancies for a variety of reasons. However, by June of 2011, the PUC had filled 92.4 FTE (91% of authorized FTE), and presently has filled 98.4 FTE (97% of its authorized FTE). In the case of the PUC, non-FTE costs actually account for the majority of the difference (5.2%) that was presented, including contracting (3.7%), retirement payouts (1.0%), and miscellaneous expenses (0.5%) which included unemployment payments and legal services.

9:40-9:50 STATE BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS

6. The Committee would like Angie Kinnaird Linn to give an overview on how the Board's civil suit litigation is handled? The request is to speak to the process specifically and not to specific cases; however providing an example such as the girder collapse on I-70 would be helpful in illustrating the process for the Committee.

The Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors reviews malpractice settlements and judgments to determine if there has been substandard practice on the part of licensees involved in civil litigation. It takes action through the disciplinary process in instances where the Board finds that there is probable cause that the standard of practice was not met.

Through the laws enacted by the General Assembly, Architects are required to report any judgment or settlement within 60 days to the Board involving the Architect that resulted from a claim concerning the life safety of the occupants of a building. Please see Section 12-25-312, C.R.S. Professional Engineers and Professional Land Surveyors are required to report all judgments or settlements within 60 days to the Board involving the Professional Engineer or Professional Land Surveyor that resulted from a claim concerning engineering or land surveying. Please see Section 12-25-108(1)(k) and 12-25-208(1)(k), C.R.S.

The Board reviews dozens of malpractice reports annually. The reports often include a case summary, plans, calculations, specifications, testimony, and expert reports. If it appears that the licensee met the standard of practice, the Board takes no action. If the Board has concerns, the complaint process is initiated and an investigation evaluates what the standard of practice should be in the particular circumstances with the Board's own expert.

In the case of the I-70 girder collapse, the question was whether the Professional Engineer in responsible charge met his obligations in that set of circumstances. The enforcement process was followed wherein a complaint was initiated and an investigation conducted while the civil litigation proceeded nearly simultaneously. Discipline was administered in that case.

9:50-10:10 FINANCIAL SERVICES DIVISIONS

7. Why hasn't the Department filled vacant FTEs in the past?

As a department, DORA has filled vacant FTE's to the extent that variables outside the Department's control have allowed. DORA's troubles filling Financial/Credit Examiner (F/CE) vacancies have been largely, if not exclusively, a result of significant recruitment difficulties, retention challenges, an inability to be competitive in the financial services industry labor market, as well as the impact of statewide hiring freeze and/or need to recognize reductions while minimizing risk to current employees.

As a testament to recruitment difficulties in the Division of Banking (the division with the highest examiner vacancy rate), a residency waiver enabling national recruitment was granted by the State Personnel Board (Board) in July, 2011. In petitioning the Personnel Board for the residency waiver, the Department documented ten rounds of comprehensive, but unsuccessful recruitment for F/CE II's spanning two full years (July, 2009 – June, 2011). From 2007 to the time the request for the residency waiver was submitted, the Department successfully appointed nine F/CE I's (the entry level), four of whom were subsequently promoted to the F/CE II level after the requisite training was completed, and two of whom resigned shortly thereafter for higher compensated opportunities. Since the positions have been posted nationally, five qualified individuals have been interviewed, and two offers made (only one of which was accepted). More often than not, the vast majority of applications received are from individuals who are not qualified at the Examiner II level. While it might seem that a reasonable alternative would be to hire lesser qualified individuals at the Examiner I level, a new hire to an examination team (even at a more experienced II level) has a neutral effect on the team's productivity due to the additional oversight and guidance that must be provided by the more experienced examiners on the team. As such, attention must be devoted to pacing hiring patterns, even if the Department was afforded the luxury of having several candidates to consider and/or place.

A similar residency waiver for the classification of Financial/Credit Examiner III (Examiner in Charge) is pending, as the Personnel Board was interested in the success at the II level before proceeding with consideration at the higher level. The Board required the Department to demonstrate broader and deeper recruitment difficulties at this level (a level that is typically attained through internal promotion as opposed to open competition).

Additionally, several of the unfilled vacancies identified were subjected to the statewide hiring freeze which was in place for a sizable portion of this window of time. A number of positions simply did not meet the specified criteria for exemption by the OSPB, and/or filling the positions were submitted for exemption, but were denied/not approved. While the Department was afforded the privilege of approval of proceeding with filling <u>some</u> of the positions, successful hiring was compromised or delayed by recruitment difficulties, or other previously mentioned or following obstacles. Even after the freeze was lifted, it was necessary for divisions to identify strategies to achieve further reductions. Attaining these necessary reductions via vacant positions is universally preferred over those that negatively impact actual employees or result in displaced individuals, which naturally, necessitates keeping some positions vacant.

Lastly, although the Department has been able to fill some of the vacant FTE's, the greatest obstacle is the State's inability to maintain a competitive total compensation package, as addressed in #8 below.

8. Is the difficulty filling vacancies the result of inadequate pay due to lack of salary survey?

The difficulty filling vacancies is, in part, the result of inadequate pay, due to the lack of salary survey. The salary survey process, and potential resulting adjustment in pay ranges, is one of several facets of the state personnel system's total compensation philosophy that compromises the Department's ability to recruit and retain qualified individuals. Personnel rules require individuals to be hired at or very near the range minimum of the pay grade. Because of this, and a number of other reasons, the salaries of the department's examiners are not competitive with other comparable financial institution regulatory agencies, including the most direct competitors in the federal government. Additionally, the federal government has the ability to offer "locality pay" which can offset an examiner's salary by up to 22.52%. The state does not have such a pay mechanism.

Considering the State's pay ranges are lower than the same or comparable pay ranges for federal counterparts, AND that state agencies are restricted to the lower portion of the ranges, the ability to attract qualified and interested individuals is immediately hindered. Coupling this set of real circumstances with the fact that the other monetary portion of the State's total compensation package, the "performance pay" system, has been unfunded for three years, further compromises any appeal of these positions. It is readily apparent that opportunities for salary increases and/or advancement are limited, at best. The uncertainties of PERA, and the woefully inadequate/expensive non-monetary portion of the total compensation package (e.g., benefits) further compromises the Department's ability to compete with the private sector and federal counterparts. Additionally, many examiners are required to travel extensively in order to perform the essential functions of their assignments. Unreasonably low per diem rates, challenges to "work-life" balance, and burdensome and seemingly excessive bureaucratic fiscal limitations compromise the divisions' abilities to attract and/or retain talent in these positions.

9. Are there other things, rather than increasing salaries, that the Department can do to provide incentives and retain employees?

The Department is carefully and comprehensively looking at several strategies other than increasing salaries, with hopes of providing incentives to retain employees, as well as to increase recruiting success. Special working groups have been assembled and tasked with assessing the feasibility of and opportunities for non-monetary incentives. Data collected from DORA's Employee Opinion Survey and the statewide employee engagement survey is being carefully analyzed, and the Department is purposefully evaluating the last several years of data collected via Exit Interviews and exit questionnaires in these divisions in particular. Lastly, more robust and deliberate cross-training opportunities are being pursued; and a more purposeful "training academy" and/or "career pathing" approach is being discussed for the Financial/Credit Examiner class series.

10. If these additional FTE were funded and the hiring did not take place, where did the money go? Is it being held in a cash fund some place?

The presentation by the JBC analyst compared the use of personal services dollars and the use of FTE, as a percentage of those dollars. Because some personal services costs do not result in FTE expenditures, the Department respectfully submits that reversions of FTE be examined in and of themselves. It is difficult to compare the percent of personal services dollars used when there are non-FTE costs that vary by Division and by year. Additionally, not every FTE costs the same, and so filling different levels of FTE will have different impacts on the level of personal services expenditures, even independent of non-FTE costs. As an example, to fill 2 of 100 FTE does not necessarily mean you will spend 2% of the agency's personal services appropriation. It depends on a host of dynamic factors, including the pay grade of those 2 positions, whether they were previously occupied by a recent retiree, whether there are any related contract expenditures which are required (e.g., to provide temporary coverage or for training), whether the positions were re-classified, and what, if any, differential there might be between the old and new salaries.

11. What does the Department think of combining the financial services divisions' FTE into a consolidated line item? What are the pros and cons? Where is the correct level of FTE? Will it resolve the problem?

The Department supports the proposal to the extent it would provide the flexibility for the Department and the financial services divisions to explore opportunities for greater efficiencies in the utilization of limited personnel resources. As the JBC analyst noted, there have been and continue to be difficult challenges to the ability of the Department to attract and retain its full complement of examiners and auditors. Without the opportunity to at least explore, investigate and vet the benefits and liabilities of consolidated line items, it is unlikely that we can expect much more than the status quo and its continuing challenges.

12. Do the different examiners have the same skill sets between divisions? Could they easily move from division to division?

Bank examiners and credit union examiners share the same education and technical skills at the entry level, but the differences over the course of specialization between commercial bank examiners, and credit union examiners increase over time. Presently, the specialization an examiner gains over time makes a transition from one division to another difficult to accomplish. Such transitions, however, are not impossible, and in fact have occurred among the financial services divisions in the Department.

Specialization is rooted in the training regimen an examiner must maintain in order to grow in the position. It takes approximately three years of training in the class and on-the-job for a credit union examiner to become proficient. Bank examiners' examination training is primarily provided by the Federal Reserve Bank, and is tailored to commercial bank activities and regulations. Credit union examiners are required to receive a training path provided by the National Credit Union Administration, tailored to the specifics of regulating credit unions.

The Division of Securities is very different from the Banking and Financial Services Divisions. The primary reason may be that while deposits at financial institutions such as banks and credit unions are federally insured, institutions dealing in securities are not. This difference has led to a different approach to regulation. Securities examiners perform compliance examinations whereas credit union and banking examiners conduct safety and soundness examinations. Some other differences are:

1. The Securities Division regulates many more institutions and individuals than Financial Services and Banking.
2. Enforcement actions taken by the Securities Division commonly result in administrative or civil proceedings, and in some cases, criminal prosecution. Civil and criminal actions are not common the Division of Banking or Financial Services.
3. Confidentiality requirements and other statutes and rules are different than the similar ones that govern the Divisions of Banking or Financial Services.

10:10-10:30 DEPARTMENT FTE ACTUAL-APPROPRIATED DISPARITY

13. ***Does the Department have FTE that are included in the Long Bill but for which no funding exists? If so, how many? If there are FTE that were funded and the hiring did not take place, where did the money go?***

In the single case of the Division of Civil Rights, the Department has authorized Federal Fund FTE of 11 positions, but routinely fills only positions for which sufficient federal grant revenue exists. In general, this averages between 5-6 positions. Federal funding levels have never been available to fully fund 11 FTE. In that respect it can be said that the Department has FTE authority included in the Long Bill for which no funding exists.

14. ***Has the Department been providing salary increases in the cash funded divisions? Has the Department been promoting or reclassing these positions to give increases?***

Despite the cash funding of any divisions or positions, the Department does not have the ability to provide annual salary increases due to the lack of salary survey/pay for performance appropriations from the legislature. DORA employees are like all other state employees whose last salary survey or performance increases occurred in July of 2008. Similarly, DORA employees have also experienced the 2.5% reduction in their annual total compensation packages for each of the last two fiscal years (including the current fiscal year).

The Department has not been promoting individuals or reclassifying positions in order to give salary increases. In accordance with personnel rules, the Department has provided modest salary increases in the case of some promotions, including reclassifications, only if or when the increases in roles and assignments have warranted. These instances have not been for compensation adjustment purposes, nor has source of funding been a consideration. Any salary increases have been provided within conservative parameters and have occurred strictly for legitimate business purposes, consistent with state laws and personnel rules for hiring and promotions, and commensurate with other agency practices. It is not in accordance with personnel rules to fill (or pay) a position outside of the pay range for that position.

ADDENDUM: OTHER QUESTIONS FOR WHICH SOLELY WRITTEN RESPONSES ARE REQUESTED

1. ***What is the Department's entire Information Technology (IT) budget for FY 2011-12 and FY 2012-13? Does the Office of Information Technology (OIT) manage the Department's entire IT budget? If not, what IT activities is the Department managing separate from OIT and what percentage is that of the entire IT budget for the Department for FY 2011-12 and FY 2012-13? Of the IT activities the Department still manages outside of OIT, what could be moved to OIT?***

Nearly all IT-related personnel appropriations have been consolidated into the Governor's Office of Information Technology. IT-related professional services and operating expense budgets continue to reside in departments' individual appropriations, and have not been consolidated into OIT. At this time, it is expected that budgets for IT-related professional services and operating expenses will remain in the departments' individual appropriations. However, during this fiscal year, all IT procurements will be centralized through the OIT Storefront. For FY 2012-13, the Executive Branch believes this represents the most efficient division of IT-related appropriations to ensure that departments maintain appropriate discretion in making technology and program decisions. The Executive Branch will consider further consolidation of IT appropriations in future fiscal years.

Specific to DORA, the Department's estimated IT budgets for FY 2011-12 and FY 2012-13 are as shown in the following table.

Item	FY 2011-12	FY 2012-13
Purchase of Services from Computer Center	$1,695,122	$1,818,880
Multi-Use Network Payments	$149,825	$328,794
Management & Administration of OIT	$278,679	$131,988
IT Asset Maintenance	$671,403	$671,403
Software Licensing/Set-Up/Maintenance	$805,010	$686,330
Totals	$3,600,039	$3,637,395

2. ***What hardware/software systems, if any, is the Department purchasing independently of the Office of Information Technology (OIT)? If the Department is making such purchases, explain why these purchases are being made outside of OIT?***

The Department is in the process of working with the Statewide Internet Portal Authority (SIPA) and its contractor, CAVU, to deploy a significantly improved enterprise licensing system to serve as a long term solution to DORA's significant IT infrastructure needs with respect to its licensing programs. The system will initially be implemented in the Division of Registrations. It will also enable the migration of not only other DORA programs and divisions, but also other licensing programs located in agencies throughout the state. OIT was consulted and approved the development of this system, and is an active participant in the contract oversight and implementation process.

3. ***Please list and briefly describe any programs that the Department administers or services that the Department provides that directly benefit public schools (e.g., school based health clinics, educator preparation programs, interest-free cash flow loan program, etc.).***

The Department administers no such programs.

Appendix A

The following Department-level performance measures with actual data were reported for the FY 2010-11, FY 2009-10, and FY 2008-09 Strategic Plans.

<u>FY 2010-11 Strategic Plan:</u>

1. Consumer Outreach.

Objective: Consumers are educated about their rights and understand how the violation of those rights can be addressed and resolved.

Performance Measure #1	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
10% increase in number of web hits.	Benchmark		+10%	+10%	+10%
	Hits	113,431,184	+9.31% 123,993,673	Unknown	Unknown

2. Professional Outreach.

Objective: Businesses and professionals are educated about consumer rights and the standards and regulations that apply.

Performance Measure #2	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
10% increase in professionals on listservs to receive regulatory updates/ newsletters.	Benchmark		+10%	+10%	+10%
	Actual	30,166	+355% 137,144	Unknown	Unknown

NEW Performance Measure #2	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
50% of all active licensed professionals are available on listservs.	Benchmark			50%	60%
	Actual	N/A	N/A	Unknown	Unknown

3. Complaint Resolution.

Objective: Consumer complaints are resolved in a timely and efficient manner.

Performance Measure #3	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
75% of all complaints are resolved within 180 days.	Benchmark		75%	75%	75%
	Actual	N/A	92.3%	Unknown	Unknown

4. Timely Access.

Objective: Businesses and professionals can access the regulatory process in a timely and efficient manner.

Performance Measure #4	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
75% licensed within 30 days.	Benchmark		75%	75%	75%
	Actual	N/A	98.67%	Unknown	Unknown

5. Qualified Professionals.

Objective: DORA's employees have the knowledge, skills, and abilities to effectively and fairly regulate Colorado professionals and industries.

Performance Measure #5	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
% employees who received job-specific training.	Benchmark		85%	85%	90%
	Actual	N/A	89%	Unknown	Unknown

6. Economic Environment.

Objective: DORA plays an active part in improving Colorado's economic environment.

Performance Measure #6	Outcome	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Approp.	FY 10-11 Request
Amount of savings and return on investment achieved through regulation, settlements and rate reviews.	Benchmark		100%	100%	100%
	Actual	216.3%	338.2%	Unknown	Unknown

FY 2009-10 Strategic Plan:

1. Consumer Outreach.

Objective: Consumers are educated about their rights and understand how the violation of those rights can be addressed and resolved.

Performance Measure #1	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
10% increase in number of web hits.	Benchmark			+10%	+10%
	Hits Visitors	189,624,238 9,220,436	113,431,184 8,679,158	Unknown	Unknown

2. Professional Outreach.

Objective: Businesses and professionals are educated about consumer rights and the standards and regulations that apply.

Performance Measure #2	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
10% increase in professionals opting-in on listservs to receive regulatory updates/newsletters.	Benchmark			10%	10%
	Actual	N/A	N/A	Unknown	Unknown

3. Complaint Resolution.

Objective: Consumer complaints are resolved in a timely and efficient manner.

Performance Measure #3	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
75% of all complaints are resolved within 180 days.	Benchmark			75%	75%
	Actual	N/A	N/A	Unknown	Unknown

4. Timely Access.

Objective: Businesses and professionals can access the regulatory process in a timely and efficient manner.

Performance Measure #4	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
75% licensed within 30 days.	Benchmark			75%	75%
	Actual	N/A	N/A	Unknown	Unknown

5. Qualified Professionals.

Objective: DORA's employees have the knowledge, skills, and abilities to effectively and fairly regulate Colorado professionals and industries.

Performance Measure #5	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
% employees who received job-specific training.	Benchmark			85%	90%
	Actual	N/A	N/A	Unknown	Unknown

6. Economic Environment.

Objective: DORA plays an active part in improving Colorado's economic environment.

Performance Measure #6	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
Amount of savings and return on investment achieved through regulation, settlements and rate reviews.	Benchmark			100%	100%
	Actual	172.2%	216.3%	Unknown	Unknown

FY 2008-09 Strategic Plan:

Department Measures

Performance Measure #1	Outcome	FY 06-07 Actual	FY 07-08 Approp.	FY 08-09 Request
Amount of savings and return-on-investment achieved through regulation, settlement agreements, and rate review and approval.				
Savings per Colorado Citizen	Benchmark		>$13.77	>$14.17
(baseline population = 4,722,755 in each year per 2006 Dept. of Revenue report)	Actual	$34.34	Unknown	Unknown
Overall savings produced	Benchmark		>$65,038,959	>$66,909,660
(based on estimated savings for rate cases, rate approvals, miscellaneous enforcement, and penalties)*	Actual	$162,185,541	Unknown	Unknown
Savings per dollar spent in DORA	Benchmark		>$1.00	>$1.00
(baseline appropriation = $56.4 million in FY 05-06, $59.6 million in FY 06-07)	Actual	$2.72	Unknown	Unknown
Return-on-Investment	Benchmark		>0.0%	>0.0%
(positive value reflects the existence of savings)	Actual	172.2%	Unknown	Unknown

*Note: Savings are estimated and will fluctuate by year based on the timing and significance of matters before DORA entities. $65.0 million represents the point at which DORA is estimated to save a dollar for every dollar appropriated for programs during FY 07-08. More actual data in future years will guide future targets.

Performance Measure #2	Outcome	FY 06-07 Actual	FY 07-08 Approp.	FY 08-09 Request
Percent of divisions meeting their measures to research, prepare, publish and distribute informational materials of importance to consumers about consumer rights.	Benchmark		100%	100%
	Actual	New measure	Unknown	Unknown

Performance Measure #3	Outcome	FY 06-07 Actual	FY 07-08 Approp.	FY 08-09 Request
Percent of divisions meeting their measures to meet with consumer and industry groups to obtain feedback on their issues and provide them with information about consumer rights and business and professional responsibilities.	Benchmark Metro Area		100%	100%
	Actual	New measure	Unknown	Unknown
	Benchmark Outside Metro		100%	100%
	Actual	New measure	Unknown	Unknown

Performance Measure #4	Outcome	FY 06-07 Actual	FY 07-08 Approp.	FY 08-09 Request
Percent of divisions meeting their measures to timely process regulatory applications.	Benchmark		100%	100%
	Actual	New measure	Unknown	Unknown

Performance Measure #5	Outcome	FY 06-07 Actual	FY 07-08 Approp.	FY 08-09 Request
Percent of divisions meeting their measures to timely resolve complaints.	Benchmark		100%	100%
	Actual	New measure	Unknown	Unknown