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The Relative Effect of Alternative Regulatory Actions: Benchmarks for the Compliance and Discipline Process in Different Jurisdictions and Occupations

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THE RELATIVE EFFECT OF ALTERNATIVE REGULATORY ACTIONS: BENCHMARKS FOR THE COMPLIANCE AND DISCIPLINE PROCESS IN DIFFERENT JURISDICTIONS AND OCCUPATIONS

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Executive Summary

The compliance processes of many regulatory agencies have recently come under close scrutiny. The media have portrayed the compliance and discipline processes of many regulatory agencies as being inefficient and not timely in many instances. The Council of Licensure, Enforcement, and Regulation (CLEAR) intends to assist regulatory agencies to do their work in a more efficient and timely manner by providing them with adequate and helpful information.

In the spirit of CLEAR's mission, a collaborative effort was embarked upon by CLEAR staff and leadership, professionals with experience in the compliance and discipline process along with myself to produce a survey that would display the current conditions expected to affect the discipline process and what potential regulatory actions may curtail the length/duration of the compliance and discipline process. After analyzing the results, there were no statistically significant predictors for the length taken to complete the compliance and discipline process at the three most popular levels of significance (1%, 5%, and 10% level).

Although, the quantifiable variables of interest in the survey produced no conclusive results, the multiple open-ended questions incorporated in the design may assist CLEAR. The open-ended responses will help CLEAR in creating a forum for various professionals and regulatory bodies that participated in the survey to discuss current conditions and future problems relative to the compliance and discipline process and increase its ability to serve regulatory agencies in the process.

Statement of the Problem

Compliance and discipline timelines are currently under close scrutiny. An article co-published by the Los Angeles Times and ProPublica highlighted the untimely compliance and discipline process of California's Board of Registered Nursing which is charged with overseeing the state's nearly 350,000 registered nurses (Ornstein, Weber, and Moore 2009).The reporters found that the Board took a little more than 3 years, nearly 1,200 days, to investigate and discipline nurses (complaint to discipline) accused of either misconduct or wrongdoing (2009). California's process was far longer than the processes in six other large states, which typically took a year or less. The California Board of Registered Nursing is directly responsible for overseeing nurses and indirectly responsible for protecting citizens from incompetent nurses, which it failed to do as evident by its discipline process.

The failure of California's Board of Nursing is just one example of deficient oversight of California's health professionals. Nearly two decades ago, Congress established a database[1], which allowed hospitals to check for disciplinary actions taken against health professionals anywhere in the country. The goal was to discourage incompetent, sanctioned, and restricted care givers from crossing state lines and seeking further employment (Weber and Ornstein 2010). California failed to report disciplinary actions as did numerous other states, including Indiana, Alabama, and Ohio. The incomplete database, places patients at risk because states failed to establish and incorporate adequate reporting methods in their compliance and discipline process.

In addition to the problems already exhibited throughout several states and incurred by patients due to inept discipline and reporting policies, states may face additional problems in the future. A report by the Center on Budget and Policy Priorities (CBPP) details the current

[1] National Practitioner Data Bank and Healthcare Integrity and Protection Data Bank http://www.npdb-hipdb.hrsa.gov/index.html

financial perils being experienced by many states. For fiscal year (FY) 2010 41 states have budget deficits and many are expected to grow larger in the coming FY 2011 (McNichol and Johnson 2010). Current shortfalls for FY 2010 are estimated at nearly $38 billion, leading many states to make drastic cuts in expenditures and in relation services provided (CBPP). Regulatory agencies are not immune to such cuts, as evident in the proposed five percent cut to all state agencies in Texas to make up for an anticipated revenue shortfall of nearly $10 billion (Berard 2010). The cuts are expected to impact the resources available to regulatory agencies along with staff available to conduct investigations, which may lead to prolonged compliance and discipline processes and in some cases the inability to conduct investigations in general.

The examples provided above all have one affected group in common—the public, which regulatory agencies are responsible for protecting. Understanding current conditions of regulatory agencies may create forums to address future problems before they actually occur, allowing regulatory bodies to adopt effective and efficient compliance and discipline processes that could offset potential problems.

Research Question

This study is concerned with the following two research questions: What conditions are affecting the duration/length of the compliance and discipline (resolution) process? And, in response, what regulatory actions make the compliance and discipline (resolution) process more timely? Benchmarking the compliance and discipline process in the regulator community will increase understanding of different systems and processes in other jurisdictions and occupations and their associated effects.

Describing the Agency

The Council on Licensure, Enforcement, and Regulation (CLEAR) was created in 1980 by a group of professional and occupational regulators and private sector representatives as a way to achieve a shared mission of public protection nearly. Nearly thirty years later CLEAR is fulfilling its original goal by serving as a resource to assist organizations that provide licensure, non-voluntary certification and/or registration to hundreds of regulated occupations and professions. CLEAR's membership consists of representative s from licensing boards and agencies, certifying organizations, national professional associations, and individuals with interest in the field in addition to several others, responsible for regulating professions ranging from the health care field to engineers and even to barbers.

With members throughout the world and from varying disciplines and professions, along with headquarters based in both the United States and the United Kingdom, CLEAR has made significant strides in becoming the premier international resource for professional regulations stakeholders. CLEAR is able to achieve its goals of assisting professional regulation stakeholders through diversified revenue streams (membership dues, training, registration fees) and various methods which include conferences, educational programs, networking, publications, and research services.

In addition, CLEAR also serves to be a protector of public interests by establishing and encouraging a neutral forum for discussion and collaboration of potential best practices in the regulatory community. The three core areas that CLEAR supports through its annual conference, among many other broader topics include administration, legislation and policy; examination and measurement; and discipline and compliance. For the sake of this study, the compliance and discipline process can be simply understood as the process used in the licensing and certification

of different professions and the actions carried out by regulatory bodies to ensure that all professionals are in compliance with the various standards associated with their occupation. The compliance and discipline resources offered by CLEAR vary from providing access to regulatory directories and verification databases, to the availability of publications and research that impact the compliance and discipline process. CLEAR's annual educational conference dedicates at least one program to the compliance and discipline process as well as providing hands-on training seminars to its members in addition to the resources described above; all with the intent of increasing regulatory competency of professionals and organizations alike.

Review of Literature

A review of the literature in relation to compliance shows that there are numerous models, which provide insight on the reasons individuals and organizations alike choose to act in compliance, defined as the process of adhering to policies that are derived from internal directives, procedures and requirements, or from external forces such as law or agreements (Bace 2010). Before determining what conditions and regulatory actions affect the compliance and discipline process, a review of both compliance theories and the origins of the regulatory field is needed in order to understand why such actions and processes are necessary in the first place.

Meier and Morgan's study of individual compliance as a result of the National Maximum Speed Law (NMSL) implementation provides interesting insight into compliance theory. Meier and Morgan suggest that compliance theories assume that the individual is a rational decision maker who engages in a cost-benefit analysis of compliance and assume that a person will comply with the law if the utility of compliance exceeds the utility of noncompliance (1985). In essence, an individual's decision is based on the "perception of benefits and costs" of the present

factors (1985). Meier and Morgan also identify additional explanatory variables that have an effect on individual compliance; which include the environment (physical, economic, social, and political settings), citizen attitudes (self-interest, peer pressure, attitude towards the law), and enforcement (punishment). The research conducted by Meier and Morgan examines theories on individual compliance and not organizational compliance, which is of particular interest of this study. Examining compliance motives and decisions on an individual basis alone will aid in addressing the research question and benefit CLEAR, but one must also understand how organizations approach compliance initiatives.

According to Patrick Reynolds, compliance decision models that recognize the importance of personal utility assume some unified calculus rather than recognizing that the real organizational environment is actually comprised of individuals with differing utilities that influence their decision, which result in inconsistent organizational decision making (1991). Reynolds study surveyed corporate officials in the regulatory arena of equal opportunity employment to determine proper detection and sanctions. Reynolds findings asserted that investigations do have a positive impact on the compliance process, but the threat of sanctions poses the greatest (increased) influence on compliance. This article is relevant to the compliance and discipline process because it helps in determining how to properly structure investigations, which in turn could lead to a more efficient compliance and discipline process. However, sanctions are not always necessary in the process, which further explains the need to increase knowledge around the subject.

Prior research on compliance provides an explanation for why individuals choose to comply and what investigative structures might produce favorable compliance. However, one also needs to be informed about the origins of the regulatory community, as they offer clues

about the purpose and benefits associated with the licensure, regulation, and oversight of professional occupations.

Occupational licensing was adopted to protect citizens who did not have the expertise or access to resources to adequately judge the level of service that professionals provided (Carroll and Gaston1983). Research conducted by Carroll and Gaston suggest that greater control is associated with higher average quality in relation to services delivered by professionals, but the same relationship does not exist for the quality of service received (1983). Quality of service received is affected by numerous factors including testing, associated fees, and legal restrictions, which result in fewer capable and qualified practitioners from increasing the suggested, inadequate level of service received.

Marc Law and Sukkoo Kim's 2005 research on the origins and effects of occupational licensing regulation found that regulation increased as a way to improve markets as the "advances in knowledge made it increasingly difficult for consumers to judge the quality of professional services" (729). This research highlights the importance of regulatory agencies, due to the sheer number of the people employed in professional occupations. In the past 100 years the number of professional occupations has increased by 16 percent thereby increasing the number of regulators needed to monitor their activities and services in the process (Law and Kim 2005). However, these findings cannot be generalized to the current state of occupational licensing seen throughout the regulatory community, since this research is predicated on the "rise" (increase) of occupational licensing regulation and not on current trends. Furthermore, evidence of licensing effects is needed in order to determine if it is actually achieving its most important objective—which is to "protect the safety and welfare of consumers" (2005).

The origins and purpose of the regulatory community can be debated in multiple directions, depending on the research referenced and the period in which it was conducted. However, in the research reviewed for this study there is one reoccurring theme, which is to ensure that consumers/citizens are protected from potential improprieties that may be committed by those in regulated professions. In this case the details of the compliance and discipline process are critically important for correcting such improprieties because badly designed processes may in fact reinforce undesirable behavior. Steven Kerr's 1975 research identified reward systems in various social settings, including but not limited to war, student life, and politics. Kerr's study highlighted the importance of not rewarding behavior based solely on visible behaviors or quantifiable standards; because people do exactly what you reward them for. Compliance and discipline processes serve to eliminate events such as those described by Kerr from happening; resulting in action taken by individuals and organizations responsible for regulating and licensing professions, while simultaneously carrying out the duty of protecting citizens.

Survey Methodology

I developed a survey in order to address the proposed two research questions of what conditions were affecting the compliance and discipline process and what regulatory actions can make the process more timely/efficient. The survey consisted of questions based on reviewing the literature and collaborative discussions with CLEAR staff and leadership, in addition to recommendations and suggestions from individuals with experience in compliance and discipline matters. Subsequently, the survey was sent electronically to 300 of CLEAR's regular members. CLEAR's regular membership is open to government agencies, associations of government agencies, and individual employees or officials and legislated organizations (publicly mandated).

Associate members were not approached to participate in the survey, because many are not involved in the compliance and discipline process in comparison to regular members, who actively participate and communicate with CLEAR about the field. It is important to note that before the initial survey launch, the survey was pretested within CLEAR, in addition to being re-viewed by professionals in the regulatory community.

After the survey was finalized, I sent it to CLEAR's regular membership via e-mail; addresses were retrieved from CLEAR's list-serv. An introduction was included with an invitation to participate[2], which informed the sample group of the purpose of the survey. Respondents participated in the survey by following a link to zoomerang.com[3], which was also included in the invitation. Potential respondents were encouraged to participate within one week's time, which corresponded with the usual length CLEAR typically keeps surveys active (open for response). A reminder to participate in the survey was sent three days after the initial launch of the survey in addition to a final reminder, which was sent on the remaining active day of the survey (Dillman 2009). However, the active window was extended an additional week, to allow additional members with appropriate time to participate in the survey that notified Jodie Markey[4] of their interest to do so.

In total the survey consist of a total of 21 questions, incorporating both close-ended (9) and open-ended questions (12). An additional question (Question 22), was included in the survey design, aimed at allowing respondents to provide further comments and suggestions, and was not incorporated in any statistical analysis performed. The survey required mandatory responses for

[2] Refer to Appendix A.

[3] Zoomerang.com is an online survey software tool that allows you to create online surveys while providing powerful reporting and advanced survey logic. Created in 1999, Zoomerang provides a self-service alternative for conducting accurate comprehensive online surveys with a minimum of cost and effort. www.zoomerang.com/

[4] Council on Licensure, Enforcement, and Regulation (CLEAR) Program Coordinator

six (6) questions[5], which did not allow participants to proceed to the next step until they were completed. Mandatory questions were identified as initial variables that were of interest to CLEAR and that could be used in the planned statistical analysis. A "skip-logic" function was incorporated into the survey to direct respondents to additional questions based on their response to certain questions (Questions 9, 18, and 20). With the inclusion of the "skip logic" function survey respondents had the potential to respond to 22 questions and a minimum of six (6). The survey was intended to be completed within a 10 minute time frame, but actual response time varied depending on the response to certain mandatory questions as described above. Answers for close-ended questions included multiple choice fields and yes/no answer selections.

The survey's open-ended questions included text fields, and comment and response boxes, which allowed respondents the opportunity to provide responses to questions that could not be formatted in a close-ended form or that required elaborate and detailed responses. Open-ended questions represented some important variables of interest in the study and required extensive coding to be conducted in order for statistical analysis to occur. For instance, the length of the compliance and discipline process (Question 7), the number of license holders (Question 6), and the number of cases per investigator (Question 17) were coded using logical numerical breaks in the data, and categorized on a small to large basis.

The first of the two purposes of this study was to determine what affects timeliness of processes. Timeliness was defined as a reduction in the number of days. Several statistical tests were used, including the correlation coefficient, chi-squared testing, as well as multiple regression analysis. The second and final purpose was to determine what actions can make the process more timely (reduction in the number of days) using the same statistical tests described above pertaining to the performance measures and computer software variables. The resulting

[5] Refer to Appendix A

information was to be used as a resource for CLEAR to distribute to regulatory bodies involved in complaint and discipline matters, in order to help them improve their current processes.

Survey Results/Analysis

From the 300 regular members that were surveyed in the sample, 67 submitted complete responses to the survey, which equated to a response rate of exactly 22.3 percent. Respondents represented numerous localities and jurisdictions, in addition to varying types of professions and boards that belong to CLEAR. The complete results of the survey can be found in Appendix B, while the administered survey is available in Appendix B. As follow are some of the more compelling results of the survey:

Seventy percent of the respondent's organizations were based in the United States. The remaining respondents are represented by Canada (28%) and other (2%).

Respondents surveyed regulated a variety of professions ranging, but not limited to medical/health care professions, social work, public safety occupations and professions that required certification such as electricians, plumbers, and barbers.

Of the respondents who responded to question 9[6] of the survey, 27% have been affected by budget cuts, 13% by furloughs, another15% by hiring freezes and 31% by other reasons, while 46% were not affected at all. Percentages do not add to 100% because respondents could check more than one item on the list.

Regulatory bodies reported that in the current fiscal year that the number of licensees and registrants had increased (66%), while 28% said it stayed the same, and 6% claimed that it was on a declining trend.

[6] 9. Has your discipline and compliance program been impacted by (Check all that apply):
- Budget cuts
- Furloughs
- Hiring freeze
- N/A
- Other, please specify (text box)

Sixty percent of respondents experienced an increase in the number of complaints, while 6% stated that it was on a decreasing trend, while 31% stated it stayed the same.

In relation to the regulatory actions practice by agencies and boards, 60% of respondents reported that they had performance measures in place. Sixty-six percent of the respondents reported using computer software in the compliance and discipline process.

The correlation coefficient was employed to determine whether or not the variables of interest listed in Table 1(representing the theoretically relevant determinants of regulatory efficiency/timeliness) have a statistically significant relationship with the length/duration of the compliance and discipline process, measured by the average number in days. Variables include four different classifications, which include trend variables, fiscal problem variables, volume variables, and regulatory action variables. Trend variables include the complaint trend, the number of unlicensed cases, and the number of licensees/registrants. Respondents were asked to describe if trends were increasing, decreasing, or staying the same, with variables being coded as 1, -1, and 0 respectively.

Fiscal problem variables were incorporated into the analysis to determine their impact on the compliance and discipline process. Variables include whether or not regulatory bodies experienced budget cuts, furloughs (mandatory days off), and hiring freezes. Coding for fiscal problem variables were 1 if they were impacted and 0 if they were not. The third classification of variables is concerned with the potential impact of size (volume) of the regulatory body and the resulting impact on the compliance and discipline process, which includes the number of license holders and the number of cases per investigator. The performance measures and computer software variables, questions 18 and 20 respectively, were identified through management text and research as two effect means to improve the compliance and discipline process. Responses were in the form of yes/no questions, and coded as 1 and 0 respectively.

The most apparent correlation was present in the complaint trend variable with a coefficient of .2407 (Table 1) representative of an increasing (positive) relationship with the length/duration of the compliance and discipline process. Correlation between the numbers of licensee/registrants also reflected an increasing linear relationship with the length of the compliance and discipline process (.1980), as did the presence of budget cuts (0.1852). The remaining variables of interest in Table 1 do not represent any statistical relationship (correlation) with the length of the compliance and discipline process.

A multiple regression analysis was conducted for the purpose of determining if a change in one variable caused a statistically significant change in the length of the compliance and discipline process. However, as evident by the findings in Table 2, there was no such relationship present at the 1%, 5%, or 10% level. The findings in Table 2 did reveal however that both budget cuts and the complaint trend, while not significant at the levels described above, came fairly close (p-value of .109 and .110 respectively) meaning that there was a 89 percent chance that regulatory agencies that have had their compliance and discipline process impacted by each variable can expect an increase in the duration of the process.

Considering that information an additional statistical was employed using only the complaint trend and budget cuts as variables of interest. A chi-squared test was used to determine whether or not responses could predict what the number of days would be in the compliance and discipline process. The test proved to be insignificant for both variables. Thus there is no sufficient evidence that the length in the compliance process is associated with complaint trends and budget cuts experienced by regulatory agencies/boards (Tables 3 and 4).

Table 1: Model of numerous variables on the Length of the Compliance and Discipline process (number of days) using a Correlation Coefficient Model

Variables of interest	Correlation Coefficient with the Length of the compliance and disciple process
Complaint trend	0.2407
Number of unlicensed cases	0.0640
Number of licensees/registrants	0.1980
Number of license holders	0.0161
Number of cases per investigator	0.0608
Budget cuts	0.1852
Furloughs	-0.0432
Hiring freezes	-0.0111
Performance measures	0.0551
Computer software	-0.0151

Table 2: Multiple regression model explain the Length of the Compliance and Discipline process (number of days) using all the explanatory variables

Variables of Interest	Estimate Coefficient	t-statistic	P> |t|
Complaint trend	0.6112575	1.62	0.110
Number of unlicensed cases	0.003283	0.01	0.993
Number of licensees/registrants	0.3185298	0.82	0.414
Number of license holders	0.003588	0.02	0.984
Number of cases per investigator	0.0731709	0.40	0.693
Budget cuts	0.8925587	1.63	0.109
Furloughs	-0.6065064	-0.87	0.389
Hiring freezes	-0.5357477	-0.74	0.463
Performance measures	0.4326135	0.90	0.374
Computer software	-0.3031124	-0.57	0.571
Constant	0.9992596	1.83	0.073
R-squared	0.1372		
N (observations)	67		

***No variables were significant at the 1%, 5% or 10& level.**

Table 3: Model of complaint trends on the Length of the Compliance and Discipline process (number of days) using a Chi-squared Model

Length of Compliance and Discipline Process	Complaint Trend			
	Decreasing	Stayed the same	Increasing	**Total**
Unknown	4	9	10	23
0 to 60	0	4	6	10
61 to 120	2	5	8	15
121 to 180	0	1	8	9
181 to 240	0	0	3	3
241 to 300	0	2	2	4
300 to 365	0	1	2	3
Total	6	22	39	67

*39 respondents experienced increasing trends in the number of complaints.

Pearson chi 2(12) = 11.1815 Pr = 0.513

Table 4: Model of budget cuts on the Length of the Compliance and Discipline process (number of days) using a Chi-squared Model

Length of Compliance and Discipline Process	Impact of Budget Cuts		
	Yes	No	**Total**
Unknown	20	3	23
0 to 60	7	3	10
61 to 120	9	6	15
121 to 180	6	3	9
181 to 240	3	0	3
241 to 300	3	1	4
300 to 365	1	2	3
Total	49	18	67

Pearson chi2 (18) = 7.3230 Pr = 0.292

Limitations of the Study

The most prominent and noticeable limitation of the study concerns the low response rate of only 22.3 percent; results cannot be generalized to the regulatory compliance field as a whole. The results from the survey also may not adequately reflect the entirety of current actions being implemented in the regulatory compliance and discipline field.

Additional limitations exist in relation to this survey. Results are the product of responses from individuals who could have misunderstood the questions; although pre-testing was incorporated to limit the existence of potential confusion, but it still may have persisted. In addition, it is important to note that correlations do not establish cause-effect relationships, in the sense that timely compliance and discipline processes highlighted by the survey may be caused by some other factor. The survey design provided some limitations as well, because there was a significant tradeoff between the time taken to complete the survey and the depth of information requested and needed to address the research question more thoroughly.

While conducting the analysis portion of the study, it was evident that several methods/practices could have jeopardized the validity of the findings. Mandatory responses were required for six questions, which contributed to missing responses for particular variables of interest, which could have impacted the findings. As a result missing variables were coded as dummy variables = 0, representative of no impact. The inclusion of open-ended question formats for numerical values (Questions 6, 7, and 17) required answers to be coded based on logical numerical breaks in the data on the basis of intervals. Validity is an important concern in this instance, because intervals were established using inference regarding logical numerical breaks and the associated coding may have produced different results depending on the method used.

Incentives were not offered to respondents to participate in the survey (Dillman 2009). Such an option was not feasible, but could have contributed to an increased response rate from potential respondents. Therefore, survey results were not significant to draw any relevant conclusions and as a result contributed to being unable to answer the two proposed research questions definitively. With additional resources these particular limitations can be alleviated and positively affect future research in the compliance and discipline field.

Recommendations

The only reasonable conclusion that could be drawn from the study is that the complaint trend and budget cuts have an effect on the length of the compliance and discipline process, but not at the most popular confidence levels of 1%, 5%, and 10%. Since the variables mentioned above are the only relative significant variables, suggestions from the research literature may provide some solutions to the problem. The level of service received influences the complaint trend, which would cause regulatory agencies to re-evaluate their respective compliance and discipline processes (Carroll and Gaston 1983). Altering the level of service may coincide with the skill level of regulated professionals, which can be improved by training or the alteration of admission standards for example. Re-evaluation can consist of changing monitoring and oversight efforts, in addition to consistently enforcing the policy and communicating the expected standards of such (Bace 2008).

The suggestions offered by Bace correspond with the research conducted by Patrick Edwards, which advocated for the increase in the presence of sanctions to influence regulated professionals to comply with established practices, standards, rules, and regulations (1991). As cited, if budget cuts due to revenue shortfalls are expected to continue, regulatory agencies must

enact policies to influence/persuade individuals to comply with professional standards, in order to conserve important human and financial resources.

Recommendations for future research to understand what increases/decreases the compliance and discipline process should include an increased number of control variables pertaining to specific professions. Examining similar professions from different jurisdictions may help organizations address problems that are specific to their respective industries. This particular survey included responses from varying professions and agencies that may not benefit organizations looking for alternatives to improve their compliance processes. The costs of an inefficient compliance and discipline process would also be an interesting variable to study in future research, as funding at all levels is being cut and may serve as a justifiable reason to re-evaluate processes.

E-mail Introduction

Dear CLEAR Member,

CLEAR is working with the University of Kentucky on a research project and your assistance is requested. Below is the link to a survey for this research project on benchmarking compliance and discipline practices. The survey should take no more than 15 minutes to complete. Please fill out the survey by March 30, 2010 if possible. If you have any questions about the survey, please contact Jodie Markey, CLEAR Program Coordinator at jmarkey@clearhq.org . Once the research project is completed, a copy of the project will be placed on the CLEAR website. Thank you in advance for your time and participation.

Appendix A: Administered Survey

Purpose of Survey: This survey will assist CLEAR in establishing benchmarks for the discipline and compliance process. Following high profile reports in recent months, discipline and compliance timelines are under close scrutiny and many in the regulatory community want to understand the processes and systems in place in other jurisdictions and occupations. If you have a question about completing this survey please contact Jodie Markey at jmarkey@clearhq.org.

1. Where is your organization based?*
   - United States
   - Canada
   - United Kingdom
   - Ireland
   - Australia
   - New Zealand
   - Other

2. What state or province is your jurisdiction?
   _____ (text box)

3. Please describe your agency board/structure:*
   Independent – stand alone, with staff reporting to the board
   Semi-independent (part of a larger organization)
   Semi-independent, with administrative services provided by a central agency
   Other, please specify (text box)

4. Please describe the duties of your board/agency:*
   _____ (comments box)

5. What industry or industries does your organization regulate (Please list all that apply)?
   _____ (text box)

6. Please identify the number of license holders per profession:
_____ (comments box)

7. What is the average number of days from initial complaint to resolution (discipline)?*
_____

8. During the past year has the number of complaints been on:
- An increasing trend
- A decreasing trend
- Staying about the same

9. Has your discipline and compliance program been impacted by (Check all that apply): *
- Budget cuts
- Furloughs
- Hiring freeze
- N/A
- Other, please specify (text box)

If you checked any of the above items in question 9, please provide more detail by answering the relevant questions that follow.

10. (Where appropriate) by what percentage has your overall budget been cut during the current fiscal year?
_____ %

11. (Where appropriate) by what percentage is the overall budget expected to be cut in the next fiscal year?
_____%

12. How many furlough days are employees required to take per year?
_____ (# of days)

13. For how many positions do you have a hiring freeze this fiscal year?
_____

14. For how many positions do you expect to have a hiring freeze for in the next fiscal year?
_____

15. In the current and previous fiscal year, is the number of unlicensed practice cases:
- The same
- Increasing
- Decreasing

16. In the current and previous fiscal year has the number of licensees/registrants:
- Increased
- Decreased
- Stayed the same

17. How many cases on average does an investigator in your organization handle each year (enter N/A/ if not applicable)?
- _____ (# of cases)

18. Does your organization have performance measures in place for the discipline and compliance process?*

Yes
No

19. If yes, please list the performance measures:

_____ (text box)

20. Is computer software used in the discipline and compliance process?*

Yes
No

21. If yes, for which part of the process is it used (Check all that apply):
- Intake
- Interview
- Report writing
- Case management
- Inspections
- Other

22. Please provide additional comments:

_____ (comment box)

*Denotes that a mandatory response was required from respondents.

Appendix B: Survey Results

1. Where is your organization based?		
United States	47	70%
Canada	19	28%
United Kingdom	0	0%
Ireland	0	0%
Australia	0	0%
New Zealand	0	0%
Other	1	1%
Total	67	100%

3. Please describe your agency/board structure:		
Independent - stand alone, with staff reporting to the board	43	64%
Semi-independent (part of a larger organization)	4	6%
Semi-independent, with administrative services provided by a central agency	5	7%
Other, please specify	15	22%
Total	67	100%

8. During the past year has the number of complaints been on:		
An increasing trend	39	60%
A decreasing trend	6	9%
Staying about the same	20	31%
Total	65	100%

9. Has your discipline and compliance program been impacted by (Check all that apply):		
Budget cuts	18	27%
Furloughs	9	13%
Hiring freeze	10	15%
N/A	31	46%
Other, please specify	21	31%

15. In the current and previous fiscal year, is the number of unlicensed practice cases:		
The Same	34	53%
Increasing	24	38%
Decreasing	6	9%
Total	64	100%

16. In the current and previous fiscal year has the number of licensees/registrants:		
Increased	43	66%
Decreased	4	6%
Stayed the same	18	28%
Total	65	100%

18. Does your organization have performance measures in place for the discipline and compliance process?		
Yes	40	60%
No	27	40%
Total	67	100%

20. Is computer software used in the discipline and compliance process?		
Yes	44	66%
No	23	34%
Total	67	100%

21. If yes, for which part of the process is it used (Check all that apply):		
Intake	38	86%
Interview	12	27%
Report Writing	23	52%
Case management	40	91%
Inspections	13	30%
Other, please specify	13	30%

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