

TEXAS STATE BOARD OF PODIATRIC MEDICAL EXAMINERS

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AGENCY STRATEGIC PLAN
FISCAL YEARS 2017 TO 2021

For the:
State of Texas
Governor’s Office Budget Division
Legislative Budget Board
(Pursuant to Texas Government Code Chapter 2056)

BOARD MEMBER

DATES OF TERM

HOMETOWN

Travis Motley, DPM, <i>President</i>	2007-2017	Colleyville, TX
Harold Ashley Ledger, DPM, <i>Vice President</i>	2009-2015	Salado, TX
Charles J. Hubbard, DPM, <i>Secretary</i>	2009-2015	Austin, TX
J. Michael Lunsford, DPM	2008-2019	Cypress, TX
Joe. E. Martin, Jr., DPM	2008-2019	College Station, TX
Mr. James M. Miller	2008-2019	Aledo, TX
Brian Carpenter, DPM	2011-2017	Bridgeport, TX
Mr. Fred E. Davis, JD	2011-2017	Austin, TX
Ms. Chakilla Robinson	2014-2015	Katy, TX

DATE OF SUBMISSION: JUNE 24, 2016

SIGNED: Mr. Hemant Makan
Executive Director

APPROVED: Travis A. Motley, DPM
Board President

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I. STRATEGIC PLAN

► TSBPME Mission

The mission of the Texas State Board of Podiatric Medical Examiners (i.e. the Board; the TSBPME, the agency) is to assure quality “Podiatric Medical Care” for the citizens of the State of Texas. The Board fulfills its mission through the regulation of the practice of “Podiatric Medicine.” This mission, derived from the Podiatric Medical Practice Act (Texas Occupations Code Chapter 202) and the Board Rules (Title 22, Part 18, Texas Administrative Code), supersedes the interest of any individual, the podiatric medical profession, or any special interest group. Podiatric Medicine is an important, unique and integral part of any patient’s overall health as problems involving the Foot & Ankle affect the functions of the entire human body.

► TSBPME Operational Goals and Action Plans

We are a small state agency, headed by an Executive Director, who reports to a nine-member Board. The Board is composed of six Podiatric Physicians (i.e. Podiatrists) and three Public Members. Each of the Board Members are appointed to the Board by the Governor of Texas and confirmed by the Texas Senate for a term of six-years. The Governor of Texas also appoints the Board’s President. The function of the Board is to: 1) Protect the citizens of Texas, 2) License DPM’s, 3) Perform an annual renewal of all DPM’s, 4) Register non-certified Podiatric Radiological Technicians, 5) Enforce Board laws, 6) Enforce Board rules; 7) Enforce other applicable statutes. The Board has no Advisory Committees (TOC §202.1545). The Board receives interagency accounting services from the Texas Board of Nursing (TOC §202.155).

► Specific Action Items to Achieve TSBPME Operational Goals

The Board’s goal of assuring quality “Podiatric Medical Care” is accomplished by:

1. Means of a fair and comprehensive Licensing, Examination & Continuing Medical Education program.
2. Means of an Enforcement program that guarantees that only qualified professionals are granted licensure and can practice Podiatric Medicine in Texas.

► Description of Operational Goals & Action Items in Support of Statewide Objectives

1. Accountable to tax and fee payers of Texas.

We affirm that regulation is a public and private trust. We strive to regulate aggressively but fairly, minimally but effectively. Consumers, professionals and the public alike can be assured of a balanced and sensible approach to regulation; an approach that demands the highest standards of professional conduct and personal ethics, an approach that ensures equal opportunity for all employees and licensees, balances the rightful concern of society with the rights of individuals, and is open, honest, accountable, responsive and mindful of the efficient use of licensee fees.

While state agencies have realized budget/resource/staffing reductions to respond to the former state/national economic downturn, it appears that population growth along with the public's expectations and needs for state agency service delivery have not decreased.

To suffice mandatory 7.5% budget cuts during and after the 78th Legislature (2003/2004), we had to vacate (RIF) an Administrative Assistant position (5th FTE; Licensing Manager) that was given to us by the 77th Legislature (2001) to help us meet agency goals/targets related to Licensure & Enforcement.

To suffice mandatory budget cuts after the 81st Legislature (2009/2010), in response to the FY 2010-2011 5% Budget Reduction, FY 2011 2.5% Budget Reduction and FY 2012-2013 1 FTE Reduction (25% workforce reduction), effective 02/16/2010, we reduced our budget by \$23,421.00 and conducted a complete reorganization of the agency. This reduction was accomplished from FY 2010 funds primarily by utilizing the Administrative Assistant II salary which resulted in a "Hiring Freeze" and subsequent elimination of that position through FY 2012-2013 (25% workforce reduction). For FY 2010, \$20,000.00 of the \$26,000.00 Administrative Assistant II (classified) salary, \$3,000.00 of Board member Travel and \$909.99 of Postage were applied to fulfill the initial 5% reduction amount of \$23,909.99. By LBB letter dated 05/17/2010 the initial reduction amount was adjusted to a GR/OR-Dedicated reduction target of \$23,421.00 for the FY 2010-2011 biennium. In response to the FY 2011 2.5% budget reduction, effective 01/25/2011 we reduced our budget by an additional \$6,000.00. This was accomplished by reducing Board member travel which resulted in the Board only being able to meet twice (the statutory minimum per Texas Occupations Code §202.059) for FY 2011. A lack of regularly scheduled Board meetings resulted in delays of the approval/denial of license applications, rules/policies (e.g. scope of practice), investigative matters (e.g. Board Orders) and the ability to respond to unforeseen events/emergencies.

However, since February 2010, this did not mean we identified that our operations could continue with 3.0 FTE's; a 25% workforce reduction. The agency needed to be fully staffed at 4.0 FTE's, as that has historically been our required minimum staffing level. Therefore, beginning with the FY 2014-2015 biennium (83rd Session/2013), we requested funding for the 4th FTE position (i.e. Investigations position). Again, the prior State mandated Budget Reductions from 2010-2013 have had a negative impact on agency operations, as well as the October 2013 federal government shutdown. The 83rd Legislature/2013 restored our funding and 1 FTE (investigations position) per contingent revenue for FY 2014-2015. The Board sent the requisite FY 2014-2015 (\$50.00 Annual DPM Renewal) Fee Increase letter to the Comptroller on 08/23/2013, began collecting increased fees on 09/01/2013 but the Comptroller did not release our contingent revenues until 12/06/2013. The 4th FTE (investigations position) was hired on 02/01/2014.

With regard to the FY 2016-2017 10% General Revenue-Related Base Reduction exercise, this reduction (\$55,056.00 Biennium; \$27,528.00 Annual) would paradoxically require us to eliminate the very recently hired/recovered FY 2014-2015 4th FTE (Administrative Assistant III; investigations position) which the 83rd Legislature/2013 restored via a required (\$50.00 Annual DPM Renewal) Fee increase. This yet again would amount to a 25% workforce reduction. The Administrative Assistant III (investigations position) is essential/critical to the proper functioning of the agency. The effect on revenue would be a reduction in the number of enforcement cases investigated and resolved in a timely manner, and would impact the efficiency of our overall investigations capabilities. We requested to be exempted from further reductions.

We believe we have shown dedicated management of the use of allocated funds and respectfully point out that any reduction could disproportionately and greatly impair the continued efficiency of this agency by forcing (yet again) a 25% staffing reduction in base administration. For the FY 2016-2017 biennium (84th Session/2015), we requested to be exempted from further reductions since the Board was required by the 83rd Texas Legislature/2013 (i.e. for FY 2014-2015 & beyond) to raise DPM Annual Renewal Fees by \$50.00 (the DPM “Annual” license renewal fee is \$520.00) to recover from the prior State mandated Budget Reduction; we did not request any Exceptional Items (84th Session/2015) for FY 2016-2017. Texas podiatrists already pay a high Annual License Renewal Fee and we did not feel it would be fair to them to further increase their licensing costs. It should be noted that the prior State mandated Budget Reductions were a reduction of agency appropriations and not a reduction of (excess) revenues, revenues of which reside in licensing fees to GR. Therefore, while our agency appropriations had been previously reduced (with a 25% workforce reduction), license fee increases compounded for each prior State mandated Budget Reduction as the State must meet a certain revenue schedule for GR, for funding of the State’s entire budget. Every time there was a Stated mandated Budget Reduction (of appropriations and not excess revenues), we were forced to raise podiatry license fees to recover from funds taken away by the State so that there was no impact to GR. This Board’s revenue collections have never been in “the red” and our excess contributions to GR have always been in “the black”.

The 84th Legislature/2015 maintained the FY 2014-2015 funding/staffing levels for the present FY 2016-2017 biennium.

The opportunity exists to strengthen our agency by exempting us from further budget reductions as our budget is already frugal/minimal and to allow us to grow along with the Texas population.

2. Efficient such that maximum results are produced with a minimum waste of taxpayer funds, including through the elimination of redundant and non-core functions.

We are a self-funded agency that operates exclusively on revenue we generate from our own license fees. We collect revenue at approximately 30% - 40% in excess of our appropriation authority and other costs (benefits & indirect costs; 6.E. Page 1 of 2 FY 2016-2017 LAR) per year to the State’s General Revenue (GR) Fund; over and above what we spend. For FY 2015, total collected revenue was \$593,738.00 and we returned \$226,282.00 to GR (IV.D. Page 1 of 2 of FY 2016 Operating Budget) which pays for the services of other state agencies. We are self-supporting; receiving no funds from GR, no tax revenues from the people of Texas nor federal funds. The agency’s FY 2016 total budget/appropriation is \$290,880.00. The agency’s FY 2017 total budget/appropriation is \$286,119.00. Our current operating budget is approximately \$67,508.17 for FY 2016 after Salaries & Wages are deducted.

3. Effective in successfully fulfilling core functions, measuring success in achieving performance measures and implementing plants to continuously improve.

We ensure that our licensees maintain the highest standards of professional conduct and expertise, so that consumers receive the best possible medical care at the best possible

price, and so that Podiatric Physicians can be assured among themselves that they are members of a community of health care providers respected and trusted by the citizens of Texas. Our philosophy focuses on promulgating clear and comprehensive rules that can be understood and followed without ambiguity by our licensees, and on the vigorous enforcement of our Rules and Statute pursuant to established performance measure reporting.

The functions of our agency are necessary to protect the public by ensuring the safe practice of podiatric medicine in Texas. Podiatric physicians, along with allopathic and osteopathic physicians (M.D.'s and D.O's) are granted hospital privileges. Without our Board testing podiatric physicians for competency, licensing them to ensure that they annually meet the standards we set for them (including meeting continuing education requirements) and investigating and taking disciplinary action on complaints brought against them, there would be no daily oversight of the practice of podiatric medicine. The harm to the public's safety would be enormous, with the very real potential for patients experiencing substandard medical care, including substandard surgery, serious post-operative infection, needless partial or full foot amputation, Medicare/Medicaid and insurance fraud violations, drug diversion, unlicensed practice and abuse, and patient death, to mention just a few issues.

4. Providing excellent customer service.

In an ever-growing and more diverse society, the TSBPME is an equal employment opportunity employer and does not discriminate on the basis of age, disability, pay, genetic information, national origin, pregnancy, race/color, religion or sex in employment and in the provision of services to applicants for a license, licensees and the public. All Board personnel are persons of immense value with a combined minimum total of 123 years of Board/State Experience. It's noted that "People" are any organizations' most valuable asset.

Texas population growth along with the public's expectations and needs for state agency service delivery have not decreased, in spite of several budget/staff reductions since 2003. We continue to attempt to reconcile the public's service delivery needs/expectations with the reality of budgetary limitations.

5. Transparent such that agency actions can be understood by any Texan.

Quantitative evidence of agency actions are shown in our agency's performance measure reporting data, "Key" Performance Measures (GAA). These are shown in the GAA budget structure for the agency and indicate the extent to which an agency is achieving its goals or objectives and that is identified in the General Appropriations Act along with targeted performance objectives for each year of the biennium. These can be Output Measures, Efficiency Measures, Explanatory/Input Measures or Objective Outcome Measures.

Qualitative evidence of agency actions are shown in our agency's licensing/examination efforts (<http://www.tsbpme.texas.gov/licensing.htm>), resource information published on our website to address common regulatory/practice questions posed by the public and license holders (<http://www.tsbpme.texas.gov/qa.htm>), and disciplinary actions activity

resulting from complaint investigations
(http://www.tsbpme.texas.gov/verification.disciplinary_action.htm).

► **Additional Consideration Relevant to Operational Goals & Action Items in Support of Statewide Objectives (External/Internal Assessment)**

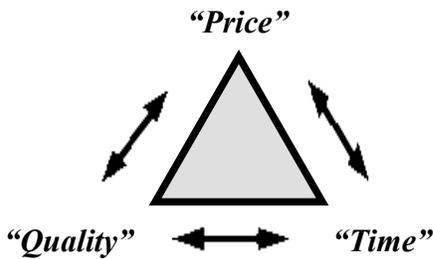
We understand the tremendous and incredible continued economic challenges facing the State of Texas and the United States of America. We submit our budgetary requests to the Texas Legislature in careful balance of limiting costs while seeking to maintain an effective service delivery level for our licensees (whose fees 100% fund the operations of the Board and whose excess fees remain in GR) and the public. Texas population growth along with the public's expectations and needs for state agency service delivery have not decreased, in spite of several mandatory budget/staff reductions since 2003. We continue to attempt to reconcile the public's service delivery needs/expectations with the reality of budgetary limitations. We remain weary of having to increase license fees every 2 years to fund the Board's functions in meeting legislative mandates. Podiatrists already pay some of the highest "Annual" license renewal fees and they do not want any further fee increases. The Board strives to seek a fair balance amongst the complex challenges of rising fees, increased mandates, increased costs and reduced/limited resources. One could argue that state agencies increasingly face the notion of "regulatory poverty" whereby current funding levels/limitations are not sufficient to meet day-to-day mandates. Nevertheless, the Texas Legislature appropriates agency funds in accordance with performance and target expectations via the Legislative Appropriations Request (LAR) process every 2 years.

In order to resolve these issues and achieve the goal of operating the best licensing and complaint investigation process possible for the public, we are in need of the following resources to allow us to "keep-up" with Texas Population growth.

- 2005 Texas Population = 22.78 million
 - 894 "Active" Texas DPM's; 291 "Active" Rad-Tech's; 42 "Active" Residents
- 2015 Texas Population = 27.47 million
 - 1,093 "Active" Texas DPM's; 469 "Active" Rad-Tech's; 69 "Active" Residents

a) Budget Stability. Mandatory budget cuts & staff reductions in 2003-2004, 2009-2010 & 2011-2014 (as well as the October 2013 federal government shutdown) have had negative impacts on our agency's operations. The opportunity exists to strengthen our agency's operating budget by exempting us from further budget reductions as our budget is already frugal/minimal ... and to allow us to grow along with the Texas population by recovering and increasing our appropriation with requisite additional funds and staff that are necessary to provide the level of regulation and service that we are committed to, that our licensees have a right to expect and that citizens of Texas demand. These funds already reside in revenue (licensing fees) that our agency collects as un-appropriated funds. We request that this appropriation increase come from these unappropriated funds.

In order to meet goals of “Quality” and “Time” → “Price” must be increased.



Without full or additional funding (“Price”), both “Quality” and “Time” will suffer.

b) DPM "Medical Director". The Board does not have a medical director (Full-Time position; Manager IV; Class. No. 1603; Salary Schedule B25 Mid-Point @ \$83,298.00/yr) like that of the Texas Medical Board, the Texas State Board of Pharmacy, the Texas Board of Nursing and the Texas State Board of Dental Examiners. Our licensing & enforcement efficiency would benefit greatly by having an in-house DPM medical director who could better assist the Board and the executive director in rendering day-to-day clinical (i.e. standard of care & scope of practice) reviews relating to license applications, continuing education and the investigation of complaints. A DPM medical director would offload the executive director’s workload in attending to those issues as the executive director’s job duties relate, including but not limited, to: 1) Supporting all agency staff and clinical case reviewers in their functions; 2) Capitol/Legislative/Executive/Judicial branch & Board member/meeting, Interagency affairs; 3) Investigations/Enforcement and related travel/on-site activities; 4) Personnel/Human Resources; 5) “Foot” rules/litigation & Scope of Practice; 6) Open Records/Public requests for information; 7) Audits; 8) Website content/development/maintenance; 9) Information Technology coordination; 10) Health Professions Council Chair; 11) Agency’s Chief Financial Officer and 12) Other duties as assigned.

c) Information, Awareness and Outreach. The general public and our license holders could benefit from more TSBPME outreach. Increased public and professional awareness of the TSBPME’s mission, activities and services, with specific attention to the proper practice standards (i.e. regulations), the timely resolution of complaints and appropriate licensing of all professionals will better serve all stakeholders in our goal of assuring quality “Podiatric Medicine”. This can be accomplished by more Laws/Rules presentations at various (statewide) trade conferences, at hospital meetings and at residency training programs. In addition, an improved TSBPME website focusing more on informing all stakeholders about the Board’s activities via the use of social media (e.g. Facebook, Twitter) would better serve all persons (to facilitate consistent regulation of the profession and further the Board’s mission and goals) provided that the agency has the resources/staff necessary to maintain all social media activity (i.e. outgoing information & incoming feedback). Better use of technology by the agency will ensure that state laws, rules, and services are keeping pace with the impacts of a growing society, and will improve operational efficiency, effectiveness, and customer service.

Comprehensively, the items above will further ensure necessary activities are undertaken to further support all of the State’s Objectives with the ultimate goal of excellent customer service.

► Redundancies and Impediments

1. The lack of Unexpended Balance (UB) carry-over authority from one fiscal year to the next is a major budgetary impediment. At the present time, any unexpended balances for a present fiscal year are lapsed to GR and are not allowed to be carried-over to the next fiscal year which means there is no flexibility for end of year expenditures, thus forcing an end-year compression of expenditures to avoid unnecessary lapses.
2. Duplicative DPS/FBI Fingerprint Based Criminal History Background Checks. Pursuant to Texas Government Code §411.087 and Texas Government §411.122, and Texas Code of Criminal Procedure §60.061, the Board obtains from the Texas Department of Public Safety (DPS) and the Federal Bureau of Investigation (FBI) criminal history record information maintained by the DPS/FBI that relates to a person who: (1) is an applicant for a license from the agency; (2) is the holder of a license from the agency; or (3) requests a determination of eligibility for a license from the agency. All applicants for licensure are subject to (fingerprint) criminal background checks. Pursuant to Texas Government Code §411.1405, the Board is entitled to obtain from DPS/FBI criminal history record information maintained by DPS that relates to a person who is an employee, applicant for employment, contractor, subcontractor or intern or other volunteer with the Board or with a contractor or subcontractor for the Board and has access to information resources or information resources technologies, other than a desktop computer or telephone station assigned to that person. Once DPS has a set of fingerprints from an individual, that individual should be allowed to authorize DPS to use those same fingerprints to access criminal history records as often as needed for as many official purposes as required without the requirement to be fingerprinted multiple times. At the present time, an individual holding various licenses (including a driver license) has to be fingerprinted (multiple times) for each license (& for employment purposes) by various entities. One fingerprint submission should be sufficient for various official purposes. (<http://www.tsbpme.texas.gov/fingerprinting.htm>)

II. SUPPLEMENTAL SCHEDULES

► Budget Structure Goals, Objectives and Outcome Measures, Strategies and Output, Efficiency and Explanatory Measures

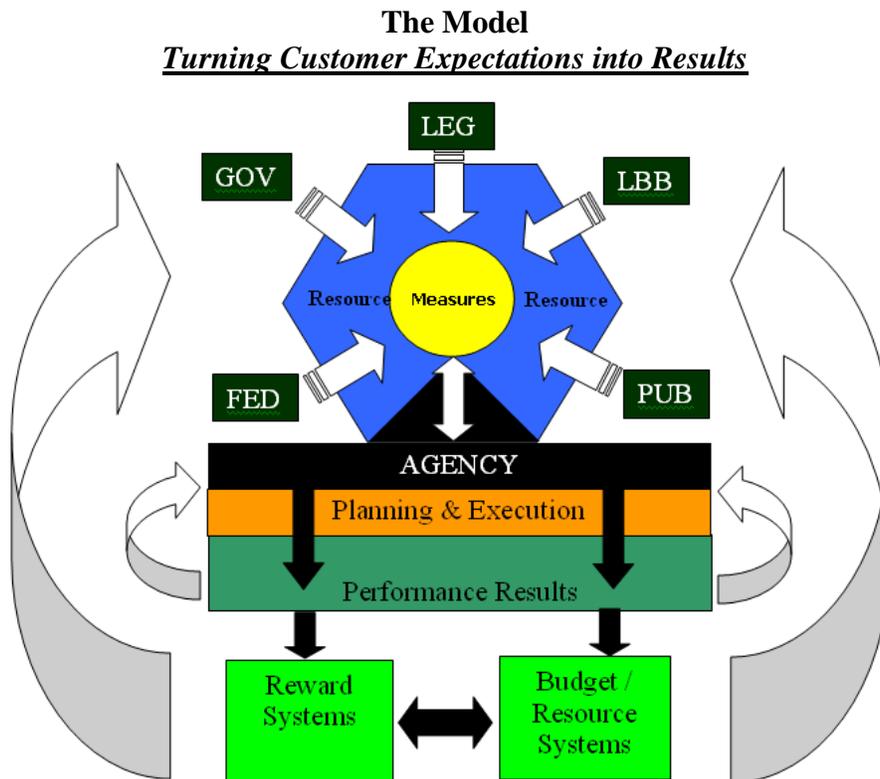
Goal: 1 Protect Citizens of Texas from Incompetent and Unethical Podiatrists

Short Name: Protect Texans

Objective: 1 Ensure 100 Percent Compliance Standards for Licensure and Practice

Strategy: 1 Provide Exams and Continuing Education & Investigate Violations of Act

Description: To protect the Citizens of Texas from incompetent and unethical Podiatrists with a quality program of examination and licensure and swift, fair, and effective



► List of Measure Definitions

Output Measures (reported quarterly):

1. Number of New Licenses Issued to Individuals ♦ **KEY** ♦

Short Definition: The number of licenses issued to previously unlicensed individuals during the reporting period.

Purpose/Importance: A successful licensing structure must ensure that legal standards for professional education and practice are met prior to licensure. This measure is a primary workload indicator which is intended to show the number of unlicensed persons who were documented to have successfully met all licensure

criteria established by statute and rule as verified by the agency during the reporting period.

Source/Collection of Data: As new licenses are issued to successful candidates, the Staff Services Officer adds their names to the PDB database. A list is maintained listing the names of individuals newly licensed during the previous three months. The total number of names shown on the list is counted and the Executive Director verifies the information for purposes of performance measure records.

Method of Calculation: This measure counts the total number of licenses issued to previously unlicensed individuals during the reporting period, regardless of when the application was originally received. Those individuals who had a license in the previous reporting period are not counted. Only new licenses are counted.

Data Limitation: The Board has no control over the number of examination applicants and subsequent license holders.

Calculation Type: Cumulative

New Measure: No

Desired Performance: Higher than Target

2. Number of Radiologic Technicians Certified

Short Definition: The number of radiologic technicians who previously registered and new ones that registered during the current reporting period.

Purpose/Importance: A successful certification structure must ensure that legal standards for professional education and practice are met prior to certification. This measure is a primary workload indicator intended to show the number of unregistered persons who were documented to have successfully met all education criteria established by statute and rule as verified by the agency during the reporting period.

Source/Collection of Data: The registration information comes from the agency RTDB database maintained by the Staff Services Officer, which keeps a log of those individuals registering to take X-rays in the state. A list is generated that lists the names of all individuals whose certification was renewed during the previous 3 months. The list is printed by the Executive Director and used for calculation of the performance measure.

Method of Calculation: The measure is calculated by tracking the total number of registrations issued to previously registered and new individuals during the reporting period.

Data Limitations: The Board has no way to influence the number of Rad-Techs who register with us. This number can vary due to numerous outside factors beyond our control.

Calculation Type: Cumulative

New Measure: No

Desired Performance: Higher than Target

3. Number of Licenses Renewed (Individuals)

Short Definition: The number of licensed individuals who held licenses previously and renewed their license during the current reporting period.

Purpose/Importance: Licensure renewal is intended to ensure that persons who want to continue to practice in their respective profession satisfy current legal standards established by statute and rule for professional education and practice. This measure is intended to show the number of licenses that were issued during the reporting period to individuals who currently held a valid license.

Source/Collection of Data: The licensee information comes from the PDB database that keeps a log of those individuals renewing their license to practice in the state maintained by the Staff Services Officer. A report is generated that lists the names of all individuals whose license was renewed during the previous 3 months. The list is printed by the Executive Director and used for calculation of the performance measure.

Method of Calculation: The measure is calculated by querying the PDB database to produce the total number of licenses issued to previously licensed individuals during the reporting period.

Data Limitations: The Board has no control over the number of individuals choosing to renew a license.

Calculation Type: Cumulative

New Measure: No

Desired Performance: Higher than Target

4. Individuals Examined

Short Definition: The number of individuals to whom examinations were administered in whole or in part during the reporting period.

Purpose/Importance: The measure shows the number of individuals examined which is a primary step in licensing the individual and represents a major cost element for the agency. Examination purchase, grading, validating and notification costs are directly related to this measure.

Source/Collection of Data: The Staff Services Officer maintains in list form and on an applicant (PDB) database the number of individuals to whom an examination was administered. The list is printed by the Executive Director for purpose of performance measure reporting.

Method of Calculation: For an exam administered in one session, even if comprised of periods with breaks or on more than one day, the individuals attending the session are counted only once. An individual who attends two sessions for two exams or parts of exams should be counted twice.

Data Limitations: The Board has no control over the number of individuals who want to take the Board Examination.

Calculation Type: Cumulative

New Measure: No

Desired Performance: Higher than Target

5. Number of Complaints Resolved ♦ KEY ♦

Short Description: The total number of complaints resolved during the reporting period.

Purpose/Importance: The measure shows the workload associated with resolving complaints.

Source/Collection of Data: Resolved or closed complaints are maintained in the CDB. Using the closed complaint data, the Executive Director records the number in the respective “Quarterly Complaint Data” report for purposes of performance measure reporting.

Method of Calculation: The total number of complaints during the reporting period upon which final action was taken by the Board or for which a determination was made that a violation did not occur. A complaint that after preliminary investigation is determined to be non-jurisdictional is not a resolved complaint.

Data Limitations: The complexity of some complaints may require further investigation and action by the Board, which meets (minimum) twice a year. Such infrequent meetings will affect the number of complaints resolved within the target resolution date.

Calculation Type: Cumulative

New Measure: No

Desired Performance: Higher than Target

Efficiency Measures (reported quarterly):

6. Average Time for Complaint Resolution ♦ KEY ♦

Short Definition: The average length of time to resolve a complaint, for all complaints resolved during the reporting period.

Purpose/Importance: The measure shows the agency’s efficiency in resolving complaints.

Source/Collection of Data: The CDB is maintained by the Executive Director. The system contains the date the complaint is received and the date when closed, and automatically calculates the number of calendar days. The Executive Director records the number in the “Quarterly Complaint Data” report for purposes of performance measure reporting.

Method of Calculation: The total number of calendar days per complaint resolved, summed for all complaints resolved during the reporting period, that elapsed from receipt of a request for agency intervention to the date upon which final action on the

complaint was taken by the Board or commission (numerator) is divided by the number of complaints resolved during the reporting period (denominator). The calculation excludes complaints determined to be non-jurisdictional of the agency's statutory responsibilities.

Data Limitations: While most complaints (excluding complex ones) can be resolved in the targeted time for resolution, some may require approval and action from the Board, which meets (minimum) twice a year resulting in a delay for resolution.

Calculation Type: Non-cumulative

New Measure: No

Desired Performance: Lower than Target

7. Percentage of New Individual Licenses Issued Within 10 Days

Short Definition: The percentage of initial individual license applications that were processed during the reporting period within ten days measured from the time in days elapsed from receipt of the initial completed application until the date the license is mailed.

Purpose/Importance: This measures the ability of the agency to process new applications in a timely manner and its responsiveness to a primary constituent group.

Source/Collection of Data: The Staff Services Officer processes respective applications, fees, and scores required for licensure and enters information into the PDB. After an applicant has satisfied all respective application requirements, score requirements and has forwarded the fee for an initial license, a license number is entered into the PDB and on a list form noting the date of receipt of the initial license fee. As each license is prepared for mailing, the date of mailing is entered on the list form. At the end of each fiscal quarter, the Executive Director prints a report which shows for each individual license issued during the quarter, the number of calendar days which elapsed between the initial receipt of the license fee and the mailing of the license.

Method of Calculation: The number of initial individual licenses mailed in 10 calendar days or less from the date of initial license fee receipt is divided by the total number of individual licenses mailed during the quarter. The resulting number is multiplied by 100 to convert to a percentage.

Data Limitations: The agency has no control over when a successful applicant submits the license fee.

Calculation Type: Non-cumulative

New Measure: No

Desired Performance: Higher than Target. (Corrected by LBB 06/06/2016)

8. Percentage of Individual License Renewals Issued Within 7 Days

Short Definition: The percentage of individual license renewal applications that were processed during the reporting period within 7 days of receipt, measured in calendar days

which have elapsed from receipt of the renewal application until the date the renewal license is mailed.

Purpose/Importance: This measures the ability of the agency to process renewal applications in a timely manner and its responsiveness to a primary constituent group.

Source/Collection of Data: The Staff Services Officer opens and sorts the renewal applications, once the renewal form and fee are accepted and date stamped, they are submitted for processing and deposit. After the information is entered into the database the license renewal certificates are printed indicating the date mailed. The respective dates are listed in hardcopy on a printout generated from the PDB & RTDB of all renewal certificates mailed.

Method of Calculation: This measure is calculated by using all licensees within the PDB & RTDB who must renew their license annually. The total number of calendar days per license renewal application that elapsed from the receipt of a completed renewal application until the date the renewal license certificate is mailed is determined as described above in Source/Collection of Data. The total number of renewed licenses that meet this criteria is then divided by the total number of renewals mailed during the quarter. This number is then multiplied by 100 and expressed as a percentage.

Data Limitations: While the renewal application and license certificates are computerized, the back-up documentation for entering this data to be calculated for this measure must be done manually. While it does not delay the issuance of a renewal certificate, it does affect the efficiency for purposes of performance measure recording.

Calculation Type: Non-cumulative

New Measure: No

Desired Performance: Higher than Target. (Corrected by LBB 06/06/2016)

Explanatory/Input Measures (reported annually in q4):

9. Total Number of Individuals Licensed ♦ KEY ♦

Short Definition: Total number of individuals licensed at the end of the reporting period. This figure includes Active, Military/Exempt, Inactive/Retired, Provisional DPM's and Temporary and Rad-Techs.

Purpose/Importance: The measure shows the total number of individual licenses currently issued which indicates the size of one of the agency's primary constituencies.

Source/Collection of Data: The Staff Services Officer maintains the licensing databases (PDB & RTDB). A list that indicates the total number of new licenses issued to individuals during and following the renewal cycle and a list indicating the

total number of individuals renewed during the reporting period is prepared. The totals of these two lists are added to get the total of individuals licensed. The lists are maintained in the office of the Executive Director for purposes of performance measure reporting.

Method of Calculation: This measure is calculated by taking the total unduplicated number of individuals licensed, certified or registered in the PDB & RTB at the end of the reporting period. An individual who holds more than one license, certification or registration is counted only once. Individuals who are on inactive status are included in the total. This measure may not reflect the total number of licenses, certifications or registrations issued by the agency.

Data Limitations: The Board has no control over how many physicians will choose to renew their license each year.

Calculation Type: Cumulative

New Measure: No

Desired Performance: Higher than Target

10. Jurisdictional Complaints Received

Short Definition: The total number of complaints received during the reporting period which are within the agency's jurisdiction of statutory responsibility.

Purpose/Importance: The measure shows the number of jurisdictional complaints which helps determine agency workload.

Source/Collection of Data: The Executive Director receives and numbers all complaints received in the complaint database. The Executive Director records the number of complaints received in the Quarterly Complaint Data Report for purposes of performance measure reporting.

Method of Calculation: The agency sums the total number of complaints received only relative to their jurisdiction. It also keeps track of total number of complaints that are not in their jurisdiction but does not use that figure in its calculation.

Data Limitations: The Board has no control over the number of complaints received.

Calculation Type: Cumulative

New Measure: No

Desired Performance: Lower than Target

Objective Outcome Measures (reported annually in q4):

11. Percent of Licensees With No Recent Violations ♦ KEY ♦

Short Definition: The percent of the total number of licensed, registered, or certified individuals at the end of the reporting period who have not incurred a violation within the current and preceding two years (three years total).

Purpose/Importance: Licensing, registering, or certifying individuals helps ensure that practitioners meet the legal standards for professional education and practice; a primary agency goal. This measure is important because it indicates how effectively the agency's activities deter violations of professional standards established by statute and rule.

Source/Collection of Data: Data is collected by the Executive Director from source documents, including computer-generated forms of the total licensing base. Also, the Executive Director or Investigator maintains records of disciplinary data, Board Orders, for calculation of percentages.

Method of Calculation: The total number of individuals currently licensed, registered, or certified by the agency who have not incurred a violation within the current and preceding two years divided by the total number of individuals currently licensed, registered, or certified by the agency. The numerator for this measure is calculated by subtracting the total number of licensees with violations during the three-year period from the total number of licensees at the end of the reporting period. The denominator is the total number of licensees at the end of the reporting period. The result is multiplied by 100 to achieve a percentage.

Data Limitations: None

Calculation type: Non-cumulative

New Measure: No

Desired Performance: Higher than Target

12. Percent of Complaints Resulting in Disciplinary Action

Short Definition: Percent of complaints which were resolved during the reporting period that resulted in disciplinary action.

Purpose/Importance: This measure is intended to show the extent to which the agency exercises its disciplinary authority in proportion to the number of complaints received. It is important that both the public and licensees have an expectation that the agency will work to ensure fair and effective enforcement of the act and this measure seeks to indicate agency responsiveness to this expectation.

Source/Collection of Data: Complaints received are numbered consecutively within the fiscal year and maintained in the CDB. Complaints resolved are also maintained in the CDB. Disciplinary actions are maintained in hardcopy format, i.e., Board Orders, as well as placed on the “Board Actions Tracking – Disciplinary Action List Master” spreadsheet maintained by the Executive Director as itemized listings for performance measure recording.

Method of Calculation: The number of complaints resolved during the reporting period that resulted in disciplinary action (numerator) is divided by the total number of complaints resolved during the reporting period (denominator). The result should be multiplied by 100 to achieve a percentage. Disciplinary action includes Agreed Orders, Reprimands, Warnings, Suspensions, Probations, Revocation, Restitution and/or Fines on which the Board/Commission has acted.

Data Limitations: Most complaint investigations result in a finding of not having violated the Board’s Rules or Statute and thus, our percentages are low.

Calculation Type: Non-cumulative

New Measure: No

Desired Performance: Higher than Target

13. (Percent) Recidivism Rate for Those Receiving Disciplinary Action

Short Definition: The number of repeat offenders at the end of the reporting period as a percentage of all offenders during the most recent three-year period.

Purposes/Importance: The measure is intended to show how effectively the agency enforces its regulatory requirements and prohibitions. It is important that the agency enforce its act and rules strictly enough to ensure that consumers are protected from unsafe, incompetent and unethical practice by the registered or licensed professional.

Source/Collection of Data: Disciplinary actions are maintained in list form (i.e. “Board Actions Tracking – Disciplinary Action List Master” spreadsheet) and in the CDB. Repeat offenders are noted on list form by the Executive Director who enters the data for performance measures reporting.

Method of Calculation: The number of individuals against whom two or more disciplinary actions were taken by the Board or Commission within the current and preceding two fiscal years (numerator) is divided by the total number of individuals receiving disciplinary actions within the current and preceding two fiscal years (denominator). The result should be multiplied by 100 to achieve a percentage.

Data Limitations: None

Calculation Type: Non-cumulative

New Measure: No

Desired Performance: Lower than Target

14. Percent of Documented Complaints Resolved Within Six Months ♦ KEY ♦

Short Definition: The percent of complaints resolved during the reporting period, that were resolved within a six month period from the time they were initially received by the agency.

Purpose/Importance: The measure is intended to show the percentage of complaints which are resolved within a reasonable period of time. It is important to ensure the swift enforcement of the Podiatry Practice Act, which is an agency goal.

Source/Collection of Data: Complaints that are received are assigned a complaint number for tracking purposes and are logged in as of the date they are received in the Board Office. As complaints are resolved they are closed and the closure date is recorded in the CDB. The number of complaints resolved within six months is calculated from the information taken from the printed report and given to the Staff Services Officer for performance measure reporting.

Method of Calculation: The number of complaints resolved within a period of six months or less from the date of receipt (numerator) is divided by the total number of complaints resolved during the reporting period (denominator). The result should be multiplied by 100 to achieve a percentage.

Data Limitations: The length of time required to resolve a complaint may vary substantially due to how complex the issue is, the aggressiveness of licensees to defend their license and “due Process” timeframe.

Calculation Type: Non-cumulative

New Measure: No

Desired Performance: Higher than Target

15. Percent of Licensees Who Renew Online ♦ KEY ♦

Note: Beginning September 1, 2010 (i.e. FY 2011) the target for this measure was decreased to 65% by the LBB (July 28, 2010 letter) in response to (2009) SAO Audit #09-038 which recommended the inclusion of “Rad-Techs” even though they are not eligible to renew their registration on-line (due to not meeting the population threshold for cost-effectiveness).

Short Definition: Percent of the total number of licensed, registered, or certified individuals that renewed their license, registration, or certification online during the reporting period. New licensees and Rad-Techs are included in this calculation.

Purpose/Importance: To track use of online license renewal technology by the licensee population.

Source/Collection of Data: Reports are downloaded from NICUSA and the Comptroller by the Staff Services Officer. After the information is verified, the Staff Services Officer updates the information in the database and also into an Excel spreadsheet designed to collect all of the pertinent information in one place. The spreadsheet contains the date the licensee renews online, their license number, name, amount and trace number. Then when the information from the Comptroller matches the initial information, the date is entered on the spreadsheet. When the Comptroller notifies the agency that the payment has cleared, the date and F doc number is entered on the spreadsheet. At that time, a certificate number is issued to the licensee and the database is updated.

Method of Calculation: Total number of individual licenses, registrations, or certifications renewed online (numerator) divided by the total number of individual licenses, registrations, or certifications processed during the reporting period (denominator). New licensees and Rad-Techs are included in this calculation. The result should be multiplied by 100 to achieve a percentage.

Data Limitation: At the present time, only podiatrists may renew online.

Calculation Type: Non-cumulative

New Measure: No

Desired Performance: Higher than Target

16. Percent of New Individual Licenses Issued Online

Note: The agency has received an EXEMPTION from Texas.gov for this measure due to not having enough new licensees for it to be beneficial.

Short Definition: The percent of all new license, registrations, or certifications issued online to individuals during the reporting period.

Purpose/Importance: To track use of online license issuance technology by the licensee population.

Source/Collection of Data: The agency has received an exemption from TexasOnline for this measure at this time due to not having enough new licensees for it to be beneficial.

Method of Calculation: Total number of new licenses, registrations, or certifications issued to individuals online (numerator) divided by the total number of new licenses, registrations, or certifications issued to individuals (denominator) during the reporting period. The result should be multiplied by 100 to achieve a percentage.

Data Limitations: N/A

Calculation Type: Non-cumulative

New Measure: No

Desired Performance: Higher than Target

► **Historically Underutilized Business Plan**

See attachment below.

► **Workforce Plan**

Per the 84th Texas Legislative Session/2015 (FY16 / FY17) GAA, we are capped at 4 FTE's.

1. Executive Director

- a. Current Classification: Exempt/Professional
- b. Hired: 10/19/1999 (as Investigator III; Classified/Professional)
- c. Reclassified: 10/15/2001 (as Investigator IV; Classified/Professional)
- d. Hired: 09/22/2005 (as Executive Director; Exempt/Professional)
- e. Current Salary: \$79,377.96
- f. Demographics: Male; Asian (Indian origin)
- g. Projected Retirement Date: 07/31/2025

2. Staff Services Officer V

- a. Current Classification: Classified/Professional
- b. Hired: 07/16/2006 (as Investigator III; Classified/Professional)
- c. Reclassified: 03/15/2010 (as Staff Services Officer II; Classified/Professional)
- d. Reclassified: 06/17/2013 (as Staff Services Officer V; Classified/Professional)
- e. Current Salary: \$61,500.00
- f. Demographics: Female; Hispanic
- g. Projected Retirement Date: 10/31/2021

3. Staff Services Officer I

- a. Current Classification: Classified/Professional
- b. Hired: 06/03/2013

- c. Current Salary: \$41,401.80
- d. Demographics: Female; Hispanic
- e. Projected Retirement Date: 10/31/2030

4. Administrative Assistant III

- a. Current Classification: Classified/Administrative Support
- b. Hired: 02/01/2014
- c. Current Salary: \$31,365.00
- d. Demographics: Female; Hispanic
- e. Projected Retirement Date: 03/31/2037

Agency General “Workforce Analysis” Percentages are as follows.

Agency At a Glance.

To suffice this requirement, and to guard against redundancy to allow for administrative efficiency, we have relied on the biennial SAO Legislative Workforce Summaries published prior to the start of each Legislative Session. Per the SAO, demographic data may appear skewed for agencies fewer than 50 employees.

- 1. 100% of agency employees are Minorities.
- 2. 25% of agency employees are Male & Asian (Indian origin) & Exempt.
- 3. 75% of agency employees are Female & Hispanic & Classified.
 - a. With regard to SAO “Classified Workforce Demographics”:
 - i. 100% of agency Classified employees are Female compared to 56.8% statewide for Females
 - ii. 100% of agency Classified employees are Hispanic compared to 25.3% statewide for Hispanics.

Numerators.

1. 25% of agency employees are Officials/Administration (Male; Asian).

- a. 2005 Executive Director Posting.
 - i. 3 Applicants.
 - ii. 100% Male.
 - iii. 33.3% Hispanic. Not hired.
 - iv. 33.3% White. Not hired.
 - v. 33.3% Asian (Indian origin). Hired.

2. 50% of agency employees are Professional (Female; Hispanic).

- a. 2006 Investigator III Posting.
 - i. 3 Applicants.
 - ii. 100% Female.
 - iii. 33.3% African American. Not hired.
 - iv. 33.3% White. Not hired.
 - v. 33.3% Hispanic. Hired. Reclassified to Staff Services Officer II on 03/15/2010. Reclassified to Staff Services Officer V on 06/17/2013.
- b. 2013 Staff Services Officer I Posting.
 - i. 2 Applicants.
 - ii. 100% Female.
 - iii. 50% White. Not hired.
 - iv. 50% Hispanic. Hired.

3. 25% of agency employees are Administrative Support (Female; Hispanic).

- a. 2013 Administrative Assistant III Posting.
 - i. 2 Applicants.
 - ii. 100% Female.
 - iii. 50% White. Not hired.
 - iv. 50% Hispanic. Hired.

Texas Labor Code §21.501 “Workforce Analysis” provides that: “Each state fiscal biennium, each state agency shall analyze its current workforce and compare the number of African Americans, Hispanic Americans, and females employed by the agency in each job category to the available African Americans, Hispanic Americans, and females in the statewide civilian workforce to determine the percentage of exclusion or underutilization by each job category.”

Denominators.

04/26/2013 TWC “Calculate Adverse Impact” Percentages (vs. “Statewide Civilian Workforce Composition Texas Labor Code §21.0035 Table”) – “The 80% Rule”

	<u>African American</u>	<u>Hispanic American</u>	<u>Female</u>
1. Officials/Administration	7.12%	20.90%	37.48%
2. Professional	10.96%	18.55%	54.88%
3. Technical	13.75%	28.82%	51.31%
4. Administrative Support	13.58%	33%	72.80%
5. Service/Maintenance	12.22%	53.71%	51.35%
6. Skilled Craft	9.52%	49.26%	11.13%
7. Protective Services***	16.96%	30.01%	24.58%

*** The TSBPME is not a “Protective Services” category agency.

Texas State Board of Podiatric Medical Examiners (4 FTE) Workforce as of September 1, 2015 in comparison to 04/26/2013 TWC “Calculate Adverse Impact” Percentages (vs. “Statewide Civilian Workforce Composition Texas Labor Code §21.0035 Table”) – “The 80% Rule” (Numerator / Denominator X 100 = %)

1. Officials / Administration

Year	Total Number of Positions	TSBPME Percent African-American	Statewide Civilian Workforce Percent	TSBPME Percent Hispanic	Statewide Civilian Workforce Percent	TSBPME Percent Female	Statewide Civilian Workforce Percent
2015	1	0%	7.12%	0%	20.90%	0%	37.48%

2. Professional

Year	Total Number of Positions	TSBPME Percent African-American	Statewide Civilian Workforce Percent	TSBPME Percent Hispanic	Statewide Civilian Workforce Percent	TSBPME Percent Female	Statewide Civilian Workforce Percent
2015	2	0%	10.96%	269.5%	18.55%	91.1%	54.88%

3. Technical

Year	Total Number of Positions	TSBPME Percent African-American	Statewide Civilian Workforce Percent	TSBPME Percent Hispanic	Statewide Civilian Workforce Percent	TSBPME Percent Female	Statewide Civilian Workforce Percent
2015	N/A	N/A	13.75%	N/A	28.82%	N/A	51.31%

4. Administrative Support

Year	Total Number of Positions	TSBPME Percent African-American	Statewide Civilian Workforce Percent	TSBPME Percent Hispanic	Statewide Civilian Workforce Percent	TSBPME Percent Female	Statewide Civilian Workforce Percent
2015	1	0%	13.58%	75.8%	33%	34.3%	72.80%

5. Service / Maintenance

Year	Total Number of Positions	TSBPME Percent African-American	Statewide Civilian Workforce Percent	TSBPME Percent Hispanic	Statewide Civilian Workforce Percent	TSBPME Percent Female	Statewide Civilian Workforce Percent
2015	N/A	N/A	12.22%	N/A	53.71%	N/A	51.35%

6. Skilled Craft

Year	Total Number of Positions	TSBPME Percent African-American	Statewide Civilian Workforce Percent	TSBPME Percent Hispanic	Statewide Civilian Workforce Percent	TSBPME Percent Female	Statewide Civilian Workforce Percent
2015	N/A	N/A	9.52%	N/A	49.26%	N/A	11.13%

► Report on Customer Service

Formerly for the “FY 2009 – FY 2013 Strategic Planning” process, in Fall 2007 (FY 2008), the Texas State Board of Podiatric Medical Examiners contracted with the Organizational Excellence Group at the University of Texas for an online customer satisfaction survey (<http://www.orgexcel.net/survey/index.php?&sc=51201>). All (then) 904 “Actively” licensed podiatric physicians from December 10, 2007 – December 30, 2007 were surveyed upon e-mail notification. The Annual License Renewal period culminated with a November 1, 2007 deadline with the expectation to have all licensees renewed by the end of December 2007. This time period was the best opportunity to capture a licensee’s input because licensees would have completed at least one year (annually; 11/1) of interacting with Board staff. There were a total of 84 respondents.

<http://www.tsbpme.texas.gov/licensing.oldpages/2008%20Survey%20-%20ReportCustomerSvc.pdf>

For the “FY 2017 – FY 2021 Strategic Planning” process, as a small state agency, the Board did not participate in the Survey of Organizational Excellence nor the Survey of Employee Engagement. All workforce, customer service and operational/administration issues have been otherwise discussed throughout this document. Due to on-going recovery from the former mandatory State of Texas Budget Reductions referenced herein, we did not have the opportunity nor funds (\$500.00 cost) to complete these requisite surveys for the present period. Our main focus remains on our primary (core) Mission of administering the Podiatric Medical Practice Act (Texas Occupations Code Chapter 202) and the Board Rules (Title 22, Part 18, Texas Administrative Code). Alternatively, a standing Customer Service Survey resides on the Board’s License Renewals webpage; however, for FY 2016, we only received one response which provided no measurable data.

<http://www.tsbpme.texas.gov/agencydocuments/Standing%20Survey-TSBPME.pdf>

***** END OF TSBPME “FY 2017-2021 STRATEGIC PLAN” SUBMISSION *****

TEXAS BOARD OF PODIATRIC MEDICAL EXAMINERS (512)
HUB STRATEGIC PLAN PROGRESS REPORT
For the Years Ended August 31, 2014 and August 31, 2015

Goal = Strategic Plan HUB Goal <u>Actual = % Spent with HUBS from HUB Report</u>	<u>ACTUAL FOR FY '14</u>	<u>ACTUAL FOR FY '15</u>	<u>GOAL FOR FY '15</u>
Heavy Construction other than building contracts	n/a	n/a	11.2%
Building Construction, including general contractors and operative builders contracts	n/a	n/a	21.1%
Special Trade construction contracts	n/a	n/a	32.9%
Professional Service Contracts	100.0%	100.0%	23.7%
Other Services Contracts	2.7%	0.0%	26.0%
Commodities Contracts	71.3%	94.4%	21.1%

Assessment of Efforts to Meet HUB Procurement Goals for Fiscal Years 2014-2015:

Attainment:

The Board has exceeded the state-wide goals for the two of the three categories where expenses were incurred.

Applicability:

The categories of Heavy Construction, Building Construction and Special Trade do not apply to the Board as they do not incur any expenditures in these categories.

Factors Affecting Attainment:

It is virtually impossible to meet the goal for the category of Other Services as there are no vendors available to provide the required service.

"Good-Faith" Efforts:

The Board utilizes the services of HUB vendors whenever possible. In the category of Professional Services, 100% of expenditures were with HUB vendors.

Future Compliance:

The Board will continue to utilize the services of HUB vendors whenever possible and will make every good-faith effort to contract with HUB vendors if possible in the category of Other Services Contracts. This category contains expenditures with Verizon, Federal Express and Pitney Bowes as well as individuals contracted with for board examinations where there are no HUB vendors available.

TEXAS BOARD OF PODIATRIC MEDICAL EXAMINERS (512)
HUB STRATEGIC PLAN PROGRESS REPORT
For the Years Ended August 31, 2014 and August 31, 2015

Analysis of Awards:

	<u>Total # and % of Vendor IDs Receiving Awards</u>		<u>Total Dollar Amount & % Awarded to HUBS</u>	
<u>Fiscal Year 2014</u>				
Asian Pacific	1	20.00%	\$190.00	0.95%
Black	1	20.00%	\$6,457.00	32.44%
Hispanic	0	0.00%	\$0.00	0.00%
Native American	0	0.00%	\$0.00	0.00%
Service-Disabled Veteran	0	0.00%	\$0.00	0.00%
Woman	<u>3</u>	<u>60.00%</u>	<u>\$13,257.00</u>	<u>66.61%</u>
Total FY 2014	5	100.00%	\$19,904.00	100.00%
<u>Fiscal Year 2015</u>				
Asian Pacific	1	16.67%	\$190.00	0.98%
Black	1	16.67%	\$6,235.00	32.29%
Hispanic	0	0.00%	\$0.00	0.00%
Native American	0	0.00%	\$0.00	0.00%
Service-Disabled Veteran	0	0.00%	\$0.00	0.00%
Woman	<u>4</u>	<u>66.66%</u>	<u>\$12,887.00</u>	<u>66.73%</u>
Total FY 2015	6	100.00%	\$19,312.00	100.00%

Staffing of the Agency's HUB Department:

Due to the Board's size, there is no HUB department