

IOWA DEPARTMENT OF



**AGENCY  
PERFORMANCE  
REPORT**

***Fiscal Year 2012***

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# INTRODUCTION

I am pleased to present the FY12 (July 1, 2011 – June 30, 2012) performance report for the Iowa Department of Inspections and Appeals (Department). This report is published to provide the Governor, the legislature, department employees, and citizens with information about the challenges and accomplishments of the Department during FY12.

The biggest **key strategic challenge** facing the agency is continuing to deliver timely and accurate services that are critical to our mission within available human and financial resources.

Another **key strategic challenge** is to identify ways to improve collaboration and communication with internal and external customers and stakeholders to accomplish our mission and vision.

Major accomplishments during FY12 include:

- The average age of pending Unemployment Insurance appeal cases is 23 days, compared to the federal Department of Labor guidelines of 40 days.
- 99.5% of the children served by the Child Advocacy Board were safe from re-abuse.

- 99.9% of the cases handled by the State Public Defender system had no final findings of ineffective counsel.

- 99.7% of challenged indigent defense claims were upheld upon final judicial review.

- 93% of racing and gaming occupational licensees received no serious violations after licensure.

- 100% of all health care facility complaint investigations triaged as immediate jeopardy (harm) were initiated within the federally mandated timeframes.

- The Investigation Division's Divestiture Program collected \$942,475 of new public assistance money compared to the target of \$500,000.

We invite all citizens and our customers and stakeholders to join with us to protect public interests and integrity of executive branch programs.

Respectfully submitted,

Rod Roberts  
Director

## AGENCY OVERVIEW

The Department of Inspections and Appeals is a diverse regulatory agency established to protect the public through the enforcement of state and federal laws.

The services, products and activities of the Department relate to five core functions: Adjudication/Dispute Resolution; Advocacy; Legal Representation; Regulation and Compliance; and Resource Management.

Our Vision is to be “a flexible, adaptable workforce equipped to protect lowans.”

Our Mission is to “provide consumer protection for all lowans in an efficient and effective manner.”

Seven principles guide us in upholding the law through:

- Leadership
- Strategic Planning/Deployment
- Customer Focus
- Performance Measurement & Analysis
- Employee Engagement
- Continuous Improvement/Lean
- Results

The Department consists of four operating divisions and five attached units.

- The **Administration Division** provides essential, centralized fiscal and administrative services, such as budget preparation, accounts payable and receivable, personnel, public information, purchasing, lease and vehicle management, legislative affairs, strategic and performance planning, and legal counsel.

The Division regulates social and charitable gambling activities to protect the public from incidence of fraudulent or illegal activities and certifies targeted small businesses for eligibility for state loans and procurement opportunities.

The Division conducts (either through state inspectors or contracts with local boards of health) food safety inspections of restaurants, grocery stores, food processing plants, and vending machines to ensure consumers receive safe and wholesome food. It also conducts sanitation inspections of barber and cosmetology shops and hotels and motels to ensure lowans receive clean service.

The Director enters into, implements and enforces compacts between the State of Iowa and Indian tribes to operate Indian gaming establishments in accordance with federal law.

- The **Administrative Hearings Division** affords citizens due process for adverse actions taken by state agencies. The Division conducts quasi-judicial contested case hearings involving lowans who disagree with an administrative ruling issued by a state government agency. The division issues a proposed decision subject to final review by the Director of the agency involved in the contested case proceeding. During FY12, over 13,000 hearings were held. Over half of the hearings involve lowans who have disputes regarding public benefits or other matters regulated by the Department of Human Services.

- The **Health Facilities Division** enhances the safety, security and general welfare of the persons served in over 4,000 regulated entities. The Division inspects/monitors, licenses and/or certifies under the Medicare and Medicaid Programs health care providers and suppliers, which includes long-term care facilities, hospitals, hospices, end-stage renal disease units, rural health clinics, elder group homes, assisted living programs, adult day services programs and child-placing agencies.

The Division also provides staff for the **Hospital Licensing Board**, which consults with and advises the Division in matters of policy affecting administration of Iowa Code chapter 135B, including reviewing and approving rules and standards prior to adoption.

- The **Investigations Division** works to ensure misspent public assistance moneys obtained through fraud, inadvertent error or agency error are identified and collected so that only eligible applicants receive them in the appropriate amounts. The Division also provides necessary and timely information so the Iowa Department of Public Health can appropriately address professional licensing complaints. In addition, the Division ensures compliance with applicable federal and state financial requirements by DHS offices and health care facilities.

- The **Child Advocacy Board** works to ensure effective permanency planning for all children in out of home placement through advocacy. The Board accomplishes this purpose through local citizen foster care review boards, foster care registry and the Court Appointed Special Advocate volunteer program. In addition, the Board makes recommendations to the Governor, Legislature, Supreme Court, Chief Judge of each Judicial District, Iowa Department of Human Services, and child-placing agencies on ways to improve the delivery of foster care services and remove barriers that prevent the delivery of top-quality foster care.

- The **Employment Appeal Board** timely adjudicates the rights and duties of workers and employers under unemployment insurance laws, decides final resolution of contested OSHA and contractor registration violations, and handles personnel-related cases. The Board

serves as the final administrative law forum for unemployment benefit appeals.

- The **Racing and Gaming Commission** works to protect the public from incidence of fraudulent or illegal activities at pari-mutuel racetracks and excursion boat gambling. It also works to protect the health and welfare of the racing animals. The Commission licenses eligible applicants for employment and sets and enforces standards for the licensing of industry occupations and for the operation of all racetracks and excursion gambling boats.

- The **State Public Defender** provides high-quality, cost-efficient legal representation to indigent clients in state criminal court, juvenile court, and other proceedings as required by law in those areas of the state where local public defenders exist. The provision of legal services to indigent clients is constitutionally mandated. In Iowa, these services are provided through a combined system of local public defenders and private attorneys. The State Public Defender also has jurisdiction over the Indigent Defense Fund, which provides funds to pay for indigent defense and ancillary services provided by private and contract attorneys and miscellaneous vendors, such as expert witnesses and court reporters. Indigent defense services are constitutionally mandated, which requires these services to be paid by the state. The Indigent Defense Fund pays for those indigent

services not covered by local public defenders.

- The Department's **customers and stakeholders** include state agencies; municipal corporations; citizens (adults and children); federal government agencies; consumers of elder group homes, tenants of assisted living programs, consumers of adult day service programs, residents of health care facilities; health care providers; licensees; industry and advocacy associations; targeted small businesses; other businesses; unemployed persons; indigent persons; attorneys; law enforcement; the legislature; and the court system.

# STRATEGIC PLAN RESULTS

## STRATEGIC PLAN

### **Key Strategic Challenges and Opportunities:**

The protection of public interests and executive branch program integrity is the key result of the mission of the Iowa Department of Inspections and Appeals (Department). Accomplishing that result is challenged by the ability to continue to deliver timely and accurate services with reduced human and financial resources and to overcome any negative perception of our regulatory and oversight role.

To address these strategic challenges, the Department established three long-term goals and associated key strategies:

### **Goal #1: Enhance customer-centered services and satisfaction.**

#### **Strategies:**

- 1.1 Implement a web-based case management system
- 1.2 Offer alternatives to in-person hearings
- 1.3 Provide outreach education of laws/rules and programs
- 1.4 Adapt services to meet customer needs
- 1.5 Publicly acknowledge the contribution of others
- 1.6 Enhance public awareness of the Department's programs
- 1.7 Increase transparency of Department activities and information
- 1.8 Engage the Legislature

### **Goal # 2: Create a work environment that allows employees to maximize their talents and opportunities.**

#### **Strategies:**

- 1.1 Provide tools, training, and educational opportunities for employees
- 1.2 Identify and implement feasible recruitment and retention methodologies
- 1.3 Develop a continuous quality improvement culture
- 1.4 Cross-train employees, where applicable
- 1.5 Have LEAN government events
- 1.6 Conduct ongoing leadership retreats

### **Goal # 3: Meet all state and federal performance standards.**

#### **Strategies:**

- 3.1 Increase recovery of misspent public funds
- 3.2 Strengthen the Food and Consumer Safety compliance and enforcement program
- 3.3 Investigate all health care facility and health provider complaints/incidents within prescribed timeframes

# KEY RESULT

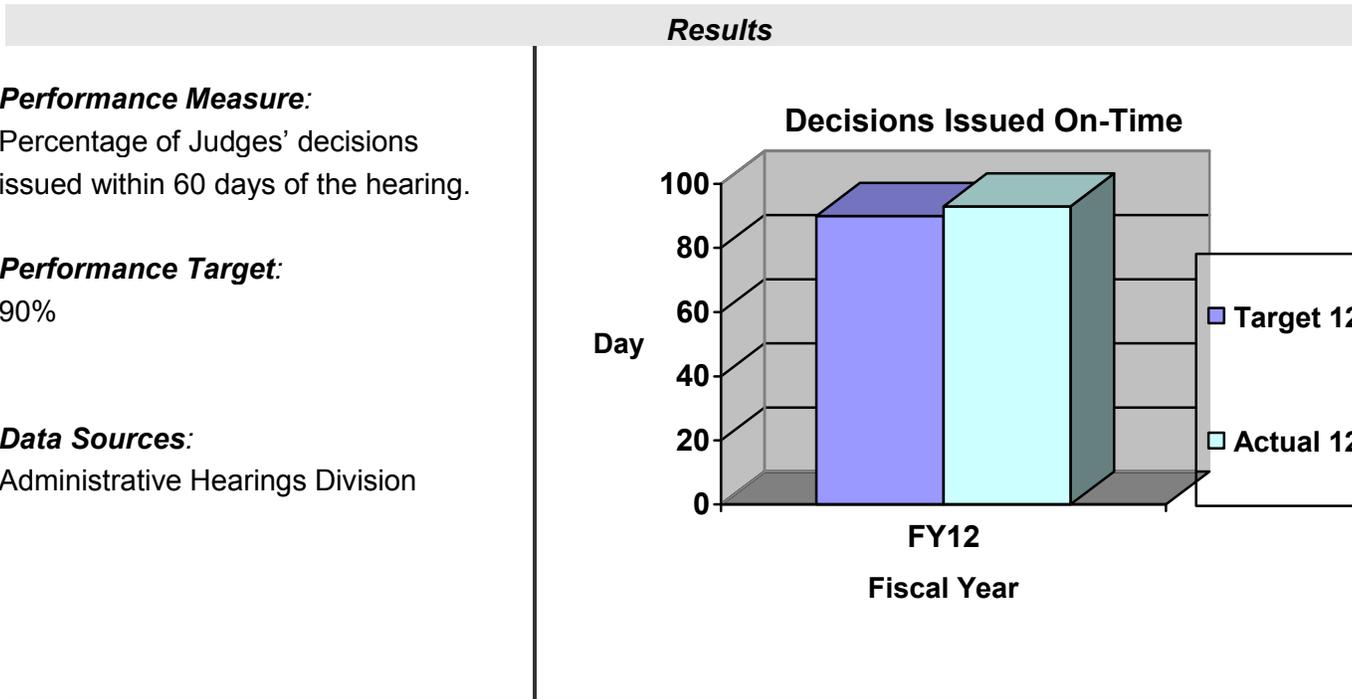
## SERVICE/PRODUCT/ACTIVITY

**Name:** Administrative Hearings

**Description:** The conduct of quasi-judicial contested case hearings involving lowans who disagree with an administrative ruling issued by a state government agency.

**Why we are doing this:** To afford citizens due process for adverse actions taken by state agencies.

**What we're doing to achieve results:** Conducting hearings in a timely and equitable manner. Issuing a proposed decision subject to final review by the director of the agency involved in the contested case proceeding.



**What was achieved:** 93% of decisions were issued within 60 days of the hearing.

**Resources:** Expenditures for the Administrative Hearings Division, as a whole, for FY12 were 23.00 FTE and \$3,248,463.

# KEY RESULT

## CORE FUNCTION

**Name:** Adjudication/Dispute Resolution – 01

**Description:** This core function relates to administrative hearings of adverse actions by state agencies and adjudication of the rights and duties of workers and employers under unemployment insurance (UI) laws.

**Why we are doing this:** To afford citizens due process.

**What we're doing to achieve results:** A three-member Employment Appeal Board serves as the final administrative law forum for state and federal unemployment benefit appeals. The Board also hears appeals of rulings of the Occupational Safety and Health Administration (OSHA), rulings of the Iowa Department of Administrative Services (DAS/HRE) on state employee job classifications, and rulings of the Iowa Public Employees Retirement System (IPERS). The Board hears appeals involving peace officer issues and contractor registration requirements.

### Results

**Performance Measure:**

Average age of pending UI appeal cases compared to the federal Department of Labor guidelines of 40 days.

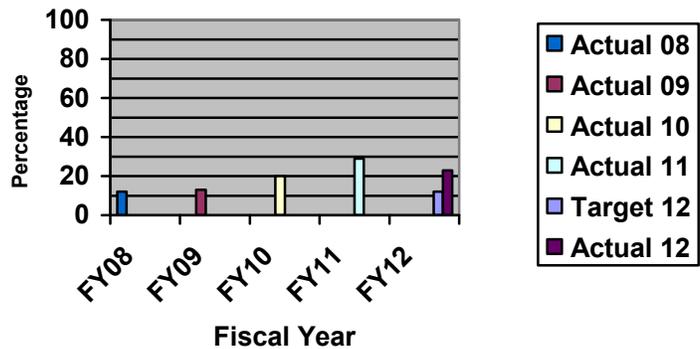
**Performance Target:**

12 days

**Data Sources:**

Employment Appeal Board

UI Decisions Issued On-Time



**What was achieved:** 23 days was the average age of pending UI appeal cases compared to the federal Department of Labor guideline of 40 days.

**Resources:** Expenditures for the Employment Appeal Board, as a whole, for FY12 were 14.00 FTE and \$1,225,084.

## Results

**Performance Measure:**

Percentage of OSHA decisions not appealed to district court.

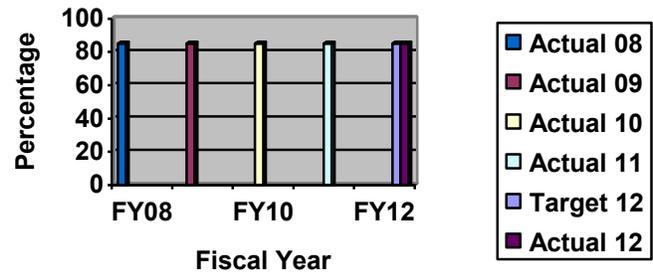
**Performance Target:**

85%

**Data Sources:**

Employment Appeal Board

**OSHA Decisions Not Appealed To District Court**



**What was achieved:** 85% of the decisions were not appealed to District Court.

**Resources:** Expenditures for the Employment Appeal Board, as a whole, for FY12 were 14.00 FTE and \$1,225,084.

# KEY RESULT

## CORE FUNCTION

**Name:** Advocacy - 04

**Description:** This core function describes the two volunteer child advocacy programs of the Child Advocacy Board (CAB). CAB operates the Court Appointed Special Advocate (CASA) and the Iowa Citizen Foster Care Review Board (ICFCRB) programs.

**Why we are doing this:** To ensure effective permanency planning exists for all children in out-of-home placement.

**What we're doing to achieve results:** Under the CASA program, volunteers are appointed by the Court to advocate for a specific abused or neglected child. The CASA volunteer serves many roles in a child's court case, including investigation, assessment, facilitation, advocacy, and monitoring. Under the ICFCRB program, volunteers are appointed by the Court to serve on a local, community board that conducts a review of the case of each child in out-of-home placement in their community once every six months. The ICFCRB volunteers make specific findings and recommendations as to the individual case as well as systemic findings and recommendations for Iowa's child welfare system.

### Results

**Performance Measure:**

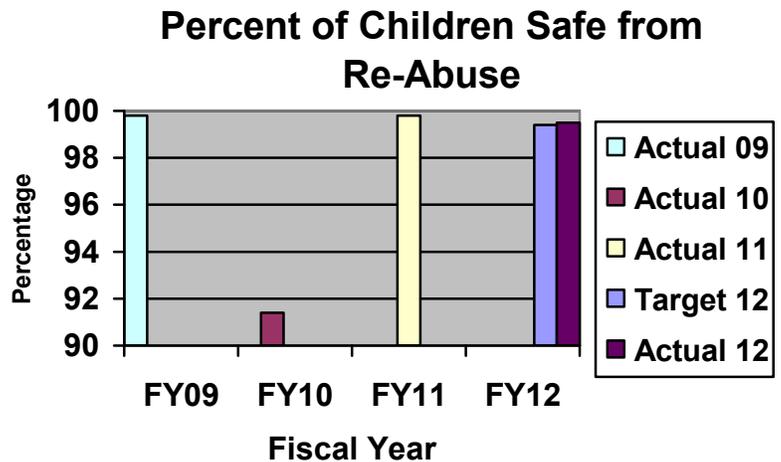
Percent of children safe from re-abuse.

**Performance Target:**

99.4%

**Data Sources:**

Child Advocacy Board



**What was achieved:** 99.5% of the children who had been abused in the past who are in one of the CAB program have been safe from re-abuse.

**Resources:** Expenditures for the Child Advocacy Board, as a whole, for FY12 were 32.25 FTE and \$3,074,552.

# KEY RESULT

## CORE FUNCTION

**Name:** Legal Representation - 37

**Description:** This core function relates to the provision of legal services to indigent clients through either public defenders or court-appointed private attorneys.

**Why we are doing this:** To provide high-quality and cost-efficient representation by public defenders to indigent clients in State criminal court, juvenile court, and other proceedings as required by law. To ensure the prompt and fair review and adjudication of claims for payment of indigent defense fees and costs from indigent defense providers.

**What we're doing to achieve results:** The results for public defenders are being achieved through the recruitment and hiring the best attorneys, investigators, and administrators available, providing or coordinating the tools (resources/ training/ professional development) for the staff to do their best, establishing and monitoring individual performance expectations, and reviewing caseloads on a regular basis. Claims results are being accomplished by publishing and properly applying administrative rules and internal procedures that govern the indigent defense claims process, acquiring and administering appropriate data automation systems to manage the process, and reviewing data on an ongoing basis to ensure propriety and timeliness of claims actions.

**Results**

**Performance Measure:**

Percentage of public defender cases where there have been final findings of no ineffective assistance of counsel, either on direct appeal of convictions, after post-conviction relief actions, or (for civil commitments) habeas corpus actions.

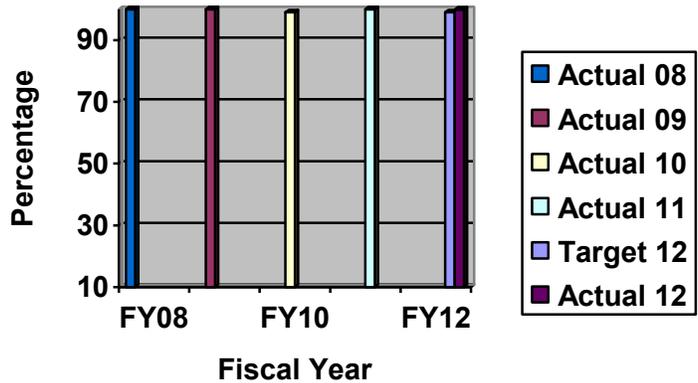
**Performance Target:**

99%

**Data Sources:**

State Public Defender

**No Ineffective Counsel by Public Defenders**



**What was achieved:** 99.9% of the cases handled had final findings of no ineffective assistance of counsel.

**Resources:** Expenditures for the State Public Defender and Indigent Defense, as a whole, for FY12 were 221 FTE and \$55,789,371.

**Results**

**Performance Measure:**

Percentage of challenged Notices of Action on indigent defense claims that are upheld upon final judicial review.

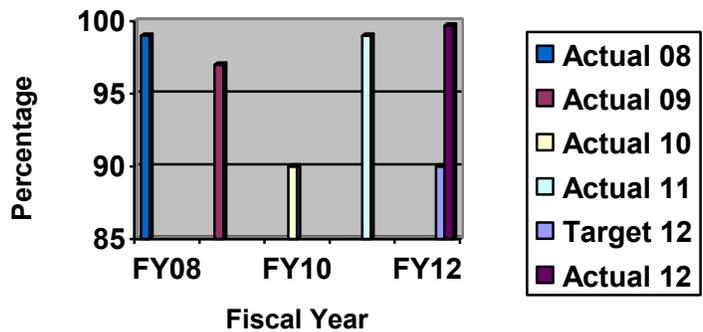
**Performance Target:**

90%

**Data Sources:**

State Public Defender

**Challenged Claims Upheld**



**What was achieved:** 99.7% of the challenged claims are being upheld upon final judicial review.

**Resources:** Expenditures for the State Public Defender and Indigent Defense, as a whole, for FY12 were 221 FTE and \$55,789,371.

# KEY RESULT

## CORE FUNCTION

**Name:** Regulation and Compliance - 61

**Description:** This core function covers a multitude of regulatory and compliance activities within the Iowa Department of Inspections and Appeals.

**Why we are doing this:** To protect the public from incidence of fraudulent or illegal activities and to protect the public health, safety and welfare. The individual services/products/activities will provide more detail on the results expected.

**What we're doing to achieve results:** The Department, through licensing, certification, investigation, and auditing activities, ensures applicants, participants, organizations, providers, and service recipients meet the requirements set out in state and federal laws, rules, and regulations. The individual services/ products/activities will provide more detail on how results are being achieved.

## Results

**Performance Measure:**

Percentage of pari-mutuel and excursion boat gambling occupational licensees receiving no serious violations after licensure.

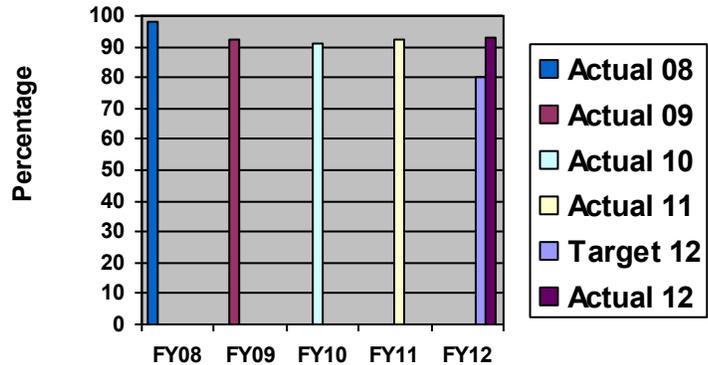
**Performance Target:**

80%

**Data Sources:**

Iowa Racing and Gaming Commission

Percentage of Occupational Licensees Without Violations



**What was achieved:** 93% of the occupational licensees received no serious violations after licensure.

**Resources:** Expenditures for the Racing and Gaming Commission, as a whole, for FY12 was 72.75 FTE and \$5,810,374.

# KEY RESULT

## SERVICE/PRODUCT/ACTIVITY

**Name:** Food and Consumer Safety

**Description:** Statewide regulatory oversight of food establishments, hotels/motels, food processing plants, and egg handlers.

**Why we are doing this:** To protect the public from incidence of serious disease and injury in the regulated environments.

**What we're doing to achieve results:** The Department, or through contract, conducts inspections, complaint investigations, and foodborne illness investigations, issues licenses to eligible applicants, and takes appropriate disciplinary action to ensure compliance with state and federal requirements. Contracts are monitored to ensure contract compliance.

### Results

**Performance Measure:**

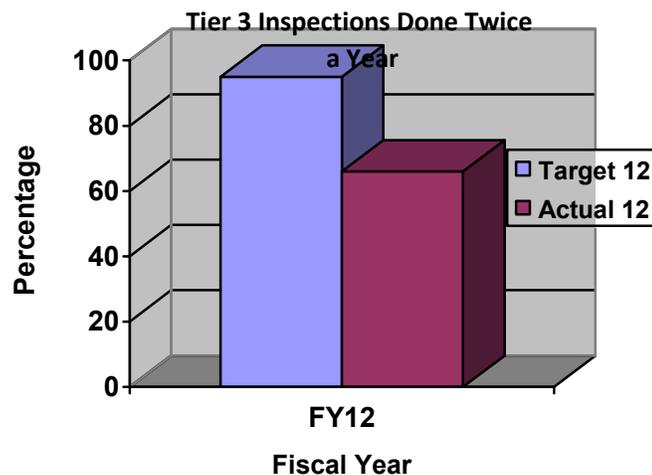
Percentage of Tier 3 (high risk level) establishments inspected two times during the year.

**Performance Target:**

95%

**Data Sources:**

Department of Inspections and Appeals – Food and Consumer Safety Bureau



**What was achieved:** 66% of Tier 3 (high risk level) establishments were inspected twice during the year.

**Resources used:** Expenditures for the Food and Consumer Safety Bureau, as a whole, for FY12 was 23 FTE and \$2,008,570.

## SERVICE/PRODUCT/ACTIVITY

**Name:** Long-term care and Habilitation facilities and programs licensing/certification

**Description:** Statewide regulatory oversight over health care facilities, hospitals, Medicare-certified health care providers and programs, and children's facilities/programs.

**Why we are doing this:** To enhance the safety, security and general welfare of persons served in licensed/certified health-related facilities and programs.

**What we're doing to achieve results:** The Department conducts license application processing, regular surveys/inspections and complaint investigations to ensure facilities and programs are in compliance with state and federal regulatory requirements prior to making licensing/certification decisions.

### Results

**Performance Measure:**

Number of months between nursing facility surveys in comparison with the federal timeframe guidelines.

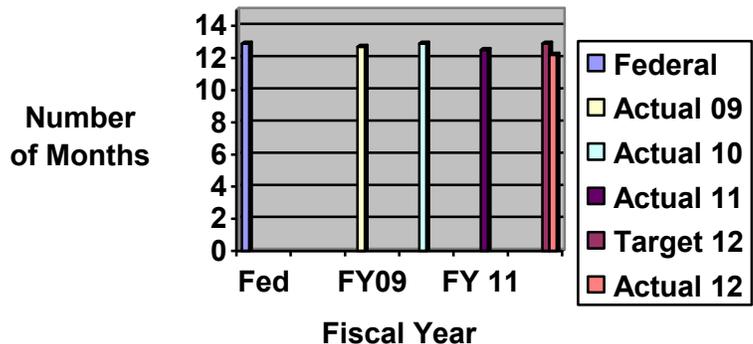
**Performance Target:**

12.9

**Data Sources:**

Department of Inspections and Appeals – Health Facilities Division

### Average Nursing Facility Survey Frequency



**What was achieved:** 12.2 was the average number of months between nursing facility surveys.

**Resources:** Expenditures for the Health Facilities Division, as a whole, for FY12 was 119 FTE and \$14,222,521.

## Results

**Performance Measure:**

Percentage of immediate jeopardy complaint investigations initiated within 2 days.

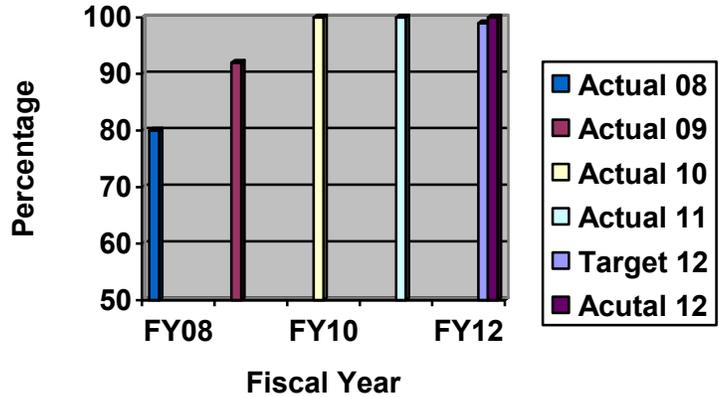
**Performance Target:**

99%

**Data Sources:**

Department of Inspections and Appeals – Health Facilities Division

### Complaint Investigations Initiated On-Time



**What was achieved:** 100% of all immediate jeopardy complaint investigations were initiated within the state guidelines.

**Resources:** Expenditures for the Health Facilities Division, as a whole, for FY12 was 119 FTE and \$14,222,521.

## SERVICE/PRODUCT/ACTIVITY

**Name:** Collections Services

**Description:** Collection of overpayments in various public assistance programs.

**Why we are doing this:** To assure repayment of overpayments made in the public assistance programs administered by DHS.

**What we're doing to achieve results:** The Investigations Division uses various collections methods including, but not limited to: voluntary repayment agreements, state tax offset, small claims, and court-ordered repayment.

### Results

**Performance Measure:**

New dollars collected for public assistance programs compared to the previous year.

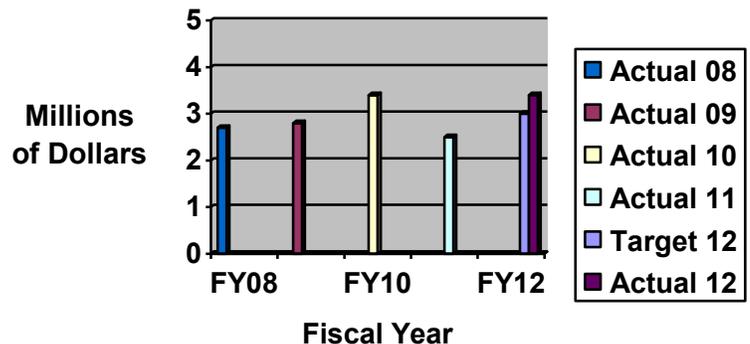
**Performance Target:**

\$3 million

**Data Sources:**

Department of Inspections and Appeals – Investigations Division

### Public Assistance Dollars Collected



**What was achieved:** \$3.4 million was collected during the fiscal year.

**Resources:** Expenditures for the Investigations Division, as a whole, for FY12 was 58 FTE and \$5,275,552.

## SERVICE/PRODUCT/ACTIVITY

**Name:** Audit Services

**Description:** Local DHS offices and health care facility financial audits.

**Why we are doing this:** To assure that local DHS offices and health care facilities comply with state and federal law related to financial resources.

**What we're doing to achieve results:** The Investigations Division conducts financial audits to identify any audit exceptions and follows up to ensure that reimbursement for audit exceptions are timely made to the state or federal government or to residents/families.

### Results

**Performance Measure:**

Average time between audits for care facilities.

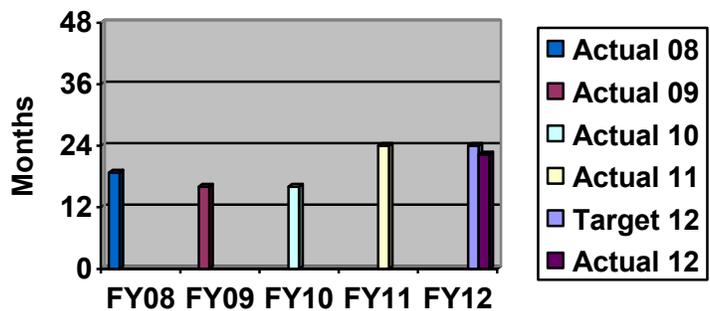
**Performance Target:**

24 months

**Data Sources:**

Department of Inspections and Appeals – Investigations Division

**Average Time Between Audits for Health Care Facilities**



**What was achieved:** Health care facilities were audited an average of every 22.3 months.

**Resources used:** Expenditures for the Investigations Division, as a whole, for FY12 was 58 FTE and \$5,275,552.

# KEY RESULT

## CORE FUNCTION

**Name:** Resource Management - 67

**Description:** Fiscal and administrative services provided to all agency personnel.

**Why we are doing this:** To provide consistently accurate and timely administrative and fiscal services to agency personnel so they can better provide their services to Department constituencies.

**What we're doing to achieve results:** The Department has a central staff to provide coordinated, efficient and cost-effective fiscal and administrative services, such as budgeting, financial management, inventory, claims processing, human resources, public information, information technology, vehicle coordination, purchasing, enterprise management, etc., to all Divisions and Attached Units.

### Results

**Performance Measure:**

Average rating of the resource management questionnaire regarding the accuracy and timeliness of services on a 5-point *Likert* Scale with 1 being poor and 5 being excellent.

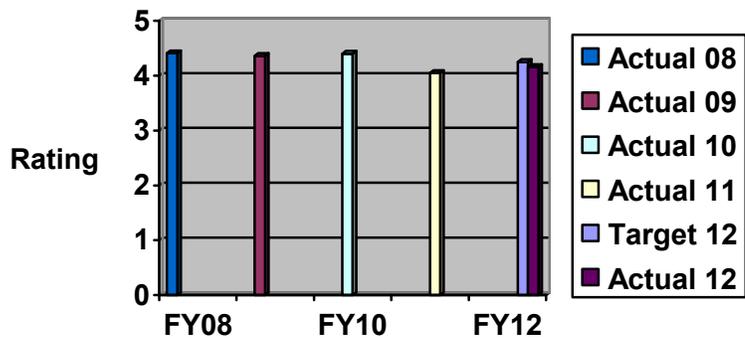
**Performance Target:**

4.25

**Data Sources:**

Department of Inspections and Appeals – Administration Division

### Average Customer Satisfaction Rating



**What was achieved:** Customers rated the accuracy and timeliness of resource management services at an average of 4.16 – between very good and excellent.

**Resources used:** Expenditures for the Administration Division, as a whole, for FY12 was 14 FTE and \$1,367,154.

**AGENCY PERFORMANCE PLAN  
FY 2012**

<b>Name of Agency: Department of Inspections and Appeals</b>			
<b>Agency Mission: "To provide consumer protection for all lowans in an efficient and effective manner."</b>			
<b>Core Function</b>	<b>Outcome Measure(s)</b>	<b>Outcome Target</b>	<b>Link to Strategic Plan Goal(s)</b>
<b>CF: Adjudication/Dispute Resolution</b>			DIA Goal #2 – Enhance customer-centered services and satisfaction. DIA Goal #3 – Meet all state and federal performance standards, efficiently and effectively. EAB Goal #1– Continue to increase compliance with state and federal laws.
<b>Desired Outcome(s):</b>			
<b>Citizens are afforded due process in contested case proceedings involving adverse agency action.</b>	Percentage of all cases conducted in accordance with due process requirements.	<b>100%</b>	
<b>Timely adjudication of the rights and duties of workers and employers under unemployment insurance (UI) laws.</b>	Average age of pending Unemployment Insurance appeal cases compared to the federal Department of labor guidelines of 40 days.	<b>12 days</b>	
<b>Timely adjudication of contested OSHA violations.</b>	Percentage of decisions not appealed to district court.	<b>85%</b>	
	Percentage of decisions issued within 14 days of Board review.	<b>90%</b>	
<b>Timely adjudication of contested construction contractor registration violations</b>	Percentage of decisions issued within 14 days of Board hearing.	<b>90%</b>	
<b>Activities, Services, Products</b>	<b>Performance Measures</b>	<b>Performance Target(s)</b>	<b>Strategies/Recommended Actions</b>
<b>1. Administrative Hearings Org # 3101, 3501, 3701 A. DHS all other hearings B. DOT OWI appeals</b>	Percentage Judges' decisions issued within 60 days of the hearing.	<b>90%</b>	ALJ time standards decisions must be issued no later than 60 days of closing the hearing record.
	Number of substantiated complaints against Judges (Administrative Code of Judicial Conduct).	<b>0</b>	
	Percentage of all hearings scheduled for new cases within 30 days of the receipt of the certified case.	<b>90%</b>	Timely docket and schedule contested case hearings.

Activities, Services, Products	Performance Measures	Performance Target(s)	Strategies/Recommended Actions
	Percentage of case closures (hearings, settlements, dismissals, etc) within 60 days following the hearing.	85%	Timely adjudication of contested case hearings.
	Percentage of decisions reversed on appeal due to legal error or defect.	0%	Decisions made in conformance with governing standards.
<b>2. Employment-Related Appeals Org. # 7200, 7700</b>	Average age of pending Unemployment Insurance appeal cases compared to the federal Department of labor guidelines of 40 days.	12 days	Maintain daily agendas.  Utilize new checkpoint system to download voice files from Iowa Workforce Development to save time and speed up transcription process.  Board use of voice file recordings to alleviate transcript workload.
	Percentage of OSHA decisions issued within 14 days of review by Board.	90%	Schedule administrative law judge hearing within 20 days of receipt of answer.
<b>3. Regulatory Appeals Org. #7700</b>	Percentage of Contractor Registration decisions issued within 14 days of hearing by Board.	90%	Utilize temp staffing if needed to timely process case flow and decisions.  Communicate importance of timeliness standards with staff.
Core Function	Outcome Measure(s)	Outcome Target	Link to Strategic Plan Goal(s)
<b>CF: Child and Adult Protection</b>			CAB Goal #1: All children involved with the CASA and ICFCRB programs will receive high quality services that contribute to their safety, well-being and permanency.
<b>Desired Outcome(s):</b>			
<b>Safety and permanency for children in the child welfare system.</b>	Percent of children safe from re-abuse.	99.4%	
	Percent of children re-unified timely.	83%	
	Percent of children adopted timely.	57.5%	

Activities, Services, Products	Performance Measures	Performance Target(s)	Strategies/Recommended Actions
<b>1. Foster Care Review Boards:</b>  <b>Issue review findings &amp; recommendations.</b>  <b>Org# 0310, 0320, 0325</b>	Percentage of required reviews conducted within specified timeframes.	<b>98%</b>	Provide for high quality volunteer recruitment, screening, training and support activities. Solicit program quality improvement suggestions from employees, volunteers and interested parties.
Activities, Services, Products	Performance Measures	Performance Target(s)	Strategies/Recommended Actions
<b>2. Court Appointed Special Advocates:</b>  <b>Submit court report with recommendations.</b>  <b>Org # 0310, 0400, 0420</b>	Percentage of reports submitted to the court within specified timeframes.	<b>98%</b>	Provide for high quality volunteer recruitment, screening, training and support activities. Solicit program quality improvement suggestions from employees, volunteers and interested parties.
Core Function	Outcome Measure(s)	Outcome Target	Link to Strategic Plan Goal(s)
<b>CF: Legal Representation</b>			SPD Goal #1 – Achieve quality representation of clients by public defender offices. SPD Goal #2 – Maintain economic efficiency of indigent defense programs by maximizing use of public defender resources while maintaining quality representation. SPD Goal #3 – Maintain a process for the review and adjudication of indigent defense claims that produces correct results within a reasonable time.
<b>Desired Outcome(s):</b>			
<b>Provide high-quality and cost-efficient representation by public defenders to indigent clients in State criminal court, juvenile court, and other proceedings as required by law.</b>	Percentage of public defender cases where there have been no final findings of ineffective assistance of counsel, either on direct appeal of convictions, after post-conviction relief actions, or (for civil commitments) habeas corpus actions.	<b>99%</b>	

Core Function	Outcome Measure(s)	Outcome Target	Link to Strategic Plan Goal(s)
Prompt and fair review and adjudication of claims for payment of indigent defense fees and costs from indigent defense providers.	Percentage of Notices of Action on indigent defense claims that are upheld upon final judicial review.	90%	
	Average processing time for an indigent defense claim within an established standard.	35 days	
Core Function	Outcome Measure(s)	Outcome Target	Link to Strategic Plan Goal(s)
Activities, Services, Products	Performance Measures	Performance Target(s)	Strategies/Recommended Actions
<b>1. Public Defender Legal Services</b> <b>Org# 9710, 9715, 9717, 9720, 9723, 9725, 9726, 9730, 9735, 9740, 9750, 9752, 9755, 9760, 9761, 9770, 9780, 9785, 9810, 9811, 9820, 9825</b>  <b>A. Trial Division</b> <b>B. Appellate Division</b> <b>C. Civil Commitment Unit</b>	Number of cases completed by the State Public Defender (SPD) system.	76,000	<p>Establish caseload performance expectations for the SPD System and public defender field offices.</p> <p>Engage with judges and public defender field offices to ensure that public defender field offices are receiving appointments in all cases for which they are designated.</p> <p>Review public defender caseloads to maintain quality service.</p>
<b>2. Assigned Counsel Legal Services</b> <b>Org# 9601, 9602, 9603, 9604, 9605, 9606, 9607, 9608, 9610, 9650, 9680</b>  <b>A. Adult Claims</b> <b>B. Juvenile Claims</b> <b>C. Appellate Claims</b> <b>D. Miscellaneous Claims</b>	Percentage of <b>adult</b> indigent defense claims reviewed and acted upon (approved or disapproved) within 35 days of receipt.	90%	Acquire and administer appropriate data automation systems to manage the indigent defense claim process, including development of a web
	Percentage of <b>juvenile</b> indigent defense claims reviewed and acted upon (approved or disapproved) within 35 days of receipt.	90%	Acquire and administer appropriate data automation systems to manage the indigent defense claim process, including development of a web
	Percentage of <b>appellate</b> indigent defense claims reviewed and acted upon (approved or disapproved) within 35 days of receipt.	90%	Acquire and administer appropriate data automation systems to manage the indigent defense claim process, including development of a web

	Percentage of <b>miscellaneous</b> indigent defense claims reviewed and acted upon (approved or disapproved) within 35 days of receipt.	<b>90%</b>	Acquire and administer appropriate data automation systems to manage the indigent defense claim process, including development of a web-based claims submission system..
<b>Core Function</b>	<b>Outcome Measure(s)</b>	<b>Outcome Target</b>	<b>Link to Strategic Plan Goal(s)</b>
<b>CF: Regulation, Compliance, Enforcement and Investigation</b>			IRGC Goal #1 – Achieve the highest possible voluntary compliance of statutes, rules and regulations. DIA Goal #2 – Enhance customer-centered services and satisfaction. DIA Goal #3 – Meet all state and federal performance standards, efficiently and effectively.
<b>Desired Outcome(s):</b>			
<b>To protect the public from incidence of fraudulent or illegal activities in pari-mutuel and excursion boat gambling and protect the health and welfare of the racing animals.</b>	Percentage of horses inspected for health and fitness prior to a race.	<b>80%</b>	
	Percentage of occupational licensees receiving <u>no</u> serious violations after licensure.	<b>80%</b>	
<b>To protect the public by ensuring only eligible applicants receive licenses/registrations/certifications in the areas of food establishments and processors, social and charitable gambling, amusement devices and targeted small business.</b>	Percentage of licenses/registrations/certifications requested that are issued.	<b>100%</b>	
<b>Core Function</b>	<b>Outcome Measure(s)</b>	<b>Outcome Target</b>	<b>Link to Strategic Plan Goal(s)</b>
<b>To enhance the safety, security and general welfare of the persons served in licensed/certified facilities and programs.</b>	Percentage of federal performance standard requirements met for Tier 1 and Tier 2.	<b>95%</b>	
	Percentage of nursing facilities that are deficiency-free.	<b>12%</b>	

To identify fraud, waste and abuse and restore accountability and integrity to the state public assistance programs to ensure that tax dollars are being used only as they are intended.	Percentage of completed investigations resulting in civil or administrative action.	85%	
To recover improper public assistance payments and save taxpayers millions of dollars each year.	Percentage of dollars collected.	10%	
To objectively investigate alleged violations received by professional licensing boards to assist the boards in determining whether a violation of board statute or rules has occurred.	Rate of completion of professional standards investigations (pending and new referrals).	40%	
To examine and verify accounts and records of DHS offices and to ensure compliance with federal regulations.	Percentage of local DHS offices in compliance within 45 days.	100%	
To examine and verify accounts and records of nursing facilities to ensure compliance with Iowa law and regulations.	Percentage of care facilities in compliance within 60 days.	95%	
<b>Activities, Services, Products</b>	<b>Performance Measures</b>	<b>Performance Target(s)</b>	<b>Strategies/Recommended Actions</b>
1. Pari-Mutuel and Excursion Gambling Boat Regulation Org# 8120, 8140 A Occupational license B Track or Boat license C Statute and rule compliance D Drug testing E Racing animal health and fitness inspections F. Revenue collection	Percentage of occupational licensees with initial issues receiving <u>no</u> serious violations after licensure.	75%	Streamline the eligibility determination process.
2. Social & Charitable Gambling Regulation Org #2801 A. Process application B. Make licensing decisions C. License quality applications D. Conduct complaint investigations E. Audit records	Percentage of completed social and charitable gambling applications/registrations acted upon within ten working days including amusement devices.	99%	Develop and implement an electronic web-based registration system with ability to accept credit card payments and with an integrated database.  Note: System has been implemented, now seeking to promote usage of system.

F. Take revocation action G. Make enforcement referrals			
Activities, Services, Products	Performance Measures	Performance Target(s)	Strategies/Recommended Actions
	Percentage of social and charitable gambling organizations including amusement devices required to file an annual report that complete the report for the current fiscal year.	<b>80%</b>	Make requirements easily understood and accessible to registrants to reduce noncompliance issues.  DIA makes numerous attempts to notify the organizations that a report must be filed.
<b>3. Targeted Small Business certification</b> <b>Org# 2801</b> <b>A. Process complete applications</b> <b>B. Review files</b> <b>C. Make certification decisions</b>	Percentage of applications processed within 21 days of receipt of all required documentation.	<b>95%</b>	Continue to work with the Department of Economic Development and the Department of Administrative Services in providing education and information sessions.
	The number of targeted small business (TSB) initial certifications issued this fiscal year.	<b>160</b>	
<b>4. Food and Consumer Safety</b> <b>Org # 2801</b> <b>A. Application processing</b> <b>B. Inspections</b> <b>C. Complaint investigations</b> <b>D. Foodborne illness investigations</b> <b>E. Contract management</b> <b>F. Licensing decisions</b> <b>G. Enforcement actions</b>	Percentage of Tier 3 (high risk level) establishments inspected two times during the year.	<b>95%</b>	Continue standardization of all staff in FDA Model Food Code every three years.  Acquire and train qualified inspectors to gain compliance with the FDA Food Code inspection frequency.
	Number of performance reviews completed for local health departments contracting under Iowa 137F to enforce the Food Code. There are a total of 26 contracts.	<b>3 reviews</b>	Continue standardization of all staff in FDA Model Food Code every three years.  Acquire and train qualified inspectors to gain compliance with the FDA Food Code inspection frequency.
	Number of complaint calls the Department receives.	<b>130</b>	<b>Educate the public about how to report a possible foodborne illness.</b>
<b>5. Regulatory oversight of state licensed and federally certified long-term care and habilitation entities</b> <b>Org #5301, 5501, 5601, 5701, 5801,</b>	Ratio of the average number of months between Nursing Facility surveys in comparison with the federal timeframe guidelines.	<b>11.9:12.9</b>	Utilize updated database to track and monitor survey frequency.  Utilize Aspen Enforcement Management (AEM) to insure

<b>5901</b> <b>A. Application processing</b> <b>B. Surveys</b> <b>C. Complaint investigations</b> <b>D. Licensing/Certification decisions</b> <b>E. Enforcement actions</b>			<p>enforcement guidelines are met.</p> <p>Secure additional training from the Abuse Coordinating Unit to improve efficiency of investigations and the quality of final memos.</p> <p>Utilize Program Coordinators to investigate complaints and assist with surveys when resource issues arise.</p>
	Percent of ICF/MR surveys successfully completed within federally prescribed timeframe of 12.9 months since the last survey.	<b>95%</b>	Acquire and train qualified surveyors to secure and sustain a 100% survey frequency within 12.5 months.
<b>Activities, Services, Products</b>	<b>Performance Measures</b>	<b>Performance Target(s)</b>	<b>Strategies/Recommended Actions</b>
	Percentage of nursing home immediate jeopardy complaint investigations initiated within required timeframes.	<b>95%</b>	<p>Secure additional training from the Abuse Coordinating Unit to improve efficiency of investigations and the quality of final memos.</p> <p>Utilize Program Coordinators to investigate complaints and assist with surveys when resource issues arise.</p>
<b>6. Monitor and regulation of state certified community based environments</b> <b>Org #5101</b> <b>A. Application processing</b> <b>B. Monitoring evaluations</b> <b>C. Complaint investigations</b> <b>D. Certification decisions</b> <b>E. Enforcement actions</b>	Percentage of assisted living program re-certifications completed at least 10 days prior to certification expiration date.	<b>50%</b>	<p>Ensure consistency and efficiency in dealing with corporately owned programs that cross Department prescribed geographical regions.</p> <p>Continue to triage DAA/complaints first, recertification visits second and certification visits last with limited resources.</p>
	Percentage of immediate jeopardy complaint investigations initiated within 2 days.	<b>99%</b>	<p>Input resolution of Adult Services Bureau complaints into the Health Facilities Division database.</p> <p>Retention of all ASB staff at 100%.</p> <p>Utilize Program Coordinators to investigate complaints and assist with monitoring when resource issues arise.</p>
<b>7. Investigations Services</b> <b>Org #4101, 4201, 4601, 4801, 4901</b> <b>A. Economic Fraud</b> <b>B. Medicaid Fraud</b>	Percentage of economic fraud investigation cases completed within statutory timeframes.	<b>95%</b>	<p>Review and update investigative procedures/protocol.</p> <p>Prioritize cases.</p>

<b>C. Professional Standards</b>			Employ the latest technology and investigative techniques to improve investigative efficiency.
	Amount of cost savings resulting from front-end investigations.	<b>\$3.5 million</b>	
	Number of food assistance EBT cases referred by the public and other state and federal agencies for suspected fraud	<b>150</b>	Educate the public and other state and federal agencies about intentional misrepresentation, concealment or withholding of information in order to get any, or increased, food stamp benefits.
<b>Activities, Services, Products</b>	<b>Performance Measures</b>	<b>Performance Target(s)</b>	<b>Strategies/Recommended Actions</b>
	Percentage of Medicaid fraud investigation cases will be reviewed and receive proper disposition within statutory timeframes.	<b>95%</b>	Review and update case protocols, as necessary, and include in policies and procedures.
	Number of dependent adult abuse and medical provider investigations referred for criminal prosecution.	<b>140</b>	Continue collaboration with the Abuse Coordinating Unit to deliver selected health care facilities investigation materials directly to county attorney for prosecution decision. Educate and coordinate with local law enforcement, county attorneys, licensing boards, SURS, and other entities on DAA law.
	Ratio of professional licensing investigations completed to total cases (pending and new referrals).	<b>1:3</b>	Maintain current efforts and continually seek ways and means to expedite professional licensing investigations and reduce the backlog
	Amount of cost savings resulting from EBT Investigations	<b>\$1 million</b>	Educate and coordinate efforts with other state and federal agencies to identify misuse of food assistance benefits.
	Number of completed Intentional Program Violations (IPVs)	<b>60</b>	Continue to monitor rule changes through Food and Nutrition Service (FNS)
	Amount of cost avoidance dollars and/or dollars pursued for collection as a result of Divestiture investigations.	<b>\$5.5 million</b>	Educate DHS, law enforcement, and the public on Iowa Code 249F.
<b>8. Collection Services Org # 4701, 4901</b>	Dollars recovered from improper public assistance, resulting from client error, fraud, or agency error, per year compared to the dollars	<b>\$3 million FY11</b>	Maintain current collection efforts, accept online and credit card payments, employ better technology to increase the amount of moneys

	recovered the previous year.		collected.
	Dollars collected under the Divestiture Program.	<b>\$500,000</b>	
<b>9. Audit Services</b> <b>Org# 4501, 4901</b> <b>A. DHS offices</b> <b>B. Health care facilities</b>	Average number of months between audits for care facilities.	<b>24</b>	Maintain current efforts and continually seek ways and means of increasing the number of audits conducted and decreasing the amount of money collected.
	Rate of collection for moneys owed to care facility residents.	<b>99.5%</b>	Maintain current collection rate and seek to raise percentage to 100%.
	Rate of collection of moneys owed to the state.	<b>100%</b>	Maintain current collection rate.
	Average number of hours spent on-site auditing per facility.	<b>11</b>	Collaborate with the Iowa Medicaid Enterprise to streamline facility history profile reports used in the conduct of the audit.
<b>Core Function</b>	<b>Outcome Measure(s)</b>	<b>Outcome Target</b>	<b>Link to Strategic Plan Goal(s)</b>
<b>CF: Resource Management</b>			DIA Goal #1 – Create a flexible, responsive, and diverse work environment that promotes job satisfaction, team building, skill development and work force tenure. DIA Goal #2 – Enhance customer-centered services and satisfaction. DIA Goal #3 – Meet all state and federal performance standards, efficiently and effectively.
<b>Desired Outcome(s):</b>			
<b>To provide consistently accurate and timely administrative and fiscal services to agency personnel so they can better provide their services to department constituencies.</b>	Average rating of the resource management questionnaire regarding the accuracy and timeliness of services on a 5-point Likert Scale with 1 being poor and 5 being excellent.	<b>4.25</b>	
<b>Activities, Services, Products</b>	<b>Performance Measures</b>	<b>Performance Target(s)</b>	<b>Strategies/Recommended Actions</b>
<b>1. Resource Management</b> <b>Org# 0101, 0199, 2101, 2201, 2301, 2401</b> <b>A. Claims Processing</b> <b>B. Budget</b> <b>C. Inventory</b> <b>D. Financial Management</b> <b>E. Public Information</b> <b>F. Personnel</b> <b>G. Government Relations</b>	Percent of federal and state financial reports completed and submitted by due date.	<b>95%</b>	Develop a schedule of reports with due dates and provide to pertinent staff.  Identify technology enhancements to improve process for completing reports timely and accurately.

<p>H. Indian Gaming  I. Purchasing  J. Vehicle Coordination  K. Communication Coordination  L. Grant Management  M. Enterprise Management  N. Information Technology  O. Space Management</p>			
Activities, Services, Products	Performance Measures	Performance Target(s)	Strategies/Recommended Actions
	Percent of media and public information inquiries responded to within prescribed timeframes.	<b>80%</b> within 24 hours	<p>Maintain current and accurate information on the website.</p> <p>Identify opportunities for divisions and attached units at public events to share departmental information.</p> <p>Redesign the website to provide additional public information and more user-friendly access.</p>
	Percent of budget funded by sources other than general fund.	<b>68%</b>	Identify and pursue grant opportunities for the department.
	Employee retention rate (non-retiree permanent employees).	<b>97%</b>	Performance evaluations will be conducted at three months for new employees to identify any workplace or satisfaction issues.

## **RESOURCES REALLOCATIONS**

During FY12, the Department continued to address the challenge of limited human and financial resources.

An evaluation of the responsibilities of the department was conducted on an ongoing basis during the fiscal year. In some cases, staff were reassigned or programs restructured to best utilize the skills necessary to accomplish the mission of the Department. The Department continues to maximize state and federal resources to accomplish our mission.

## **AGENCY CONTACTS**

Copies of the Iowa Department of Inspections and Appeals' Agency Performance Report are available on the Results Iowa web site ([www.resultsiowa.org](http://www.resultsiowa.org)) and the DIA web site ([www.state.ia.us/government/dia/index.html](http://www.state.ia.us/government/dia/index.html)). Copies of the report can also be obtained by contacting Sara Throener at 515-281-5457 or via e-mail at [sara.throener@dia.iowa.gov](mailto:sara.throener@dia.iowa.gov).

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