

IOWA DEPARTMENT OF



**AGENCY  
PERFORMANCE  
REPORT**

***Fiscal Year 2005***

# TABLE OF CONTENTS

<i>SECTION</i>	<i>PAGE</i>
INTRODUCTION .....	4
AGENCY OVERVIEW .....	6
STRATEGIC PLAN RESULTS.....	9
Goal 1.....	9
Goal 2.....	10
Goal 3.....	11
Goal 4.....	11
Goal 5.....	12
Goal 6.....	13
Further Results.....	13
KEY RESULTS	19
PERFORMANCE PLAN RESULTS .....	38
Core Function – Adjudication/Dispute Resolution.....	38
SPA – Administrative Hearings.....	39
SPA – Unemployment Insurance Appeals.....	39
SPA – OSHA/Contractor Registration Appeals.....	40
Core Function – Advocacy .....	41
SPA – Court-Appointed Special Advocate.....	41
SPA – Local Citizen Foster Care Review Board.....	41
Core Function – Legal Representation .....	42
SPA – Public Defender Services .....	43
SPA – Indigent Defense Claims .....	43
Core Function – Regulation & Compliance.....	44
SPA – Compliance & Licensing .....	45
SPA – Social & Charitable Gambling Enforcement .....	45
SPA – Targeted Small Business Certification.....	46
SPA – Food and Consumer Safety.....	46
SPA – Regulatory oversight of state licensed and federally certified long-term care and habilitation entities .....	46

SPA – Monitor and regulation of state certified community based environments .....	47
SPA – Investigation Services.....	48
SPA – Collections Services .....	48
SPA – Audit Services .....	48
Core Function – Resource Management .....	50
RESOURCES REALLOCATIONS .....	51
AGENCY CONTACTS .....	52

## INTRODUCTION

I am pleased to present the FY05 (July 1, 2004 – June 30, 2005) performance report for the Iowa Department of Inspections and Appeals (DIA). This report is published to provide department employees, the Governor, the legislature, and citizens with information about the challenges and accomplishments of the department during FY05.

The biggest **key strategic challenge** facing the agency is continuing to deliver timely and accurate services that are critical to our mission with reduced 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 FY05 include:

- The average turnaround time for issuing contested case decisions in the areas of food stamps and other DHS appeals was well under the mandated timeframes. Food stamps - 26.6 days vs 38 days; Other DHS appeals 36.5 days vs 65 days.
- 89% of unemployment decisions by the Employment Appeal Board (EAB) were issued within 45 days, compared to federal guidelines of 50%.
- 98% of decisions by the EAB related to OSHA cases were not appealed to district court, an increase of 3% over FY04.
- 76.2% of the permanency planning case-specific or systems findings and recommendations made by the Child Advocacy Board were implemented compared to 73.9% in FY04.
- 99.99% 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.
- 90% of racing and gaming occupational licensees received no serious violations after licensure.
- 100% of food establishments inspected by the state were conducted on the risk-based method.
- 75.4% of deficiencies taken by the Health Facilities Division were upheld on Informal Dispute Resolution.
- 99% of all health care facility complaint investigations were initiated within federal mandated timeframes.

- \$2.4 million in public assistance overpayments was collected by the Investigations Division compared to \$2.1 million in FY04.
- The average number of months between audits of health care facilities conducted by the Investigations Division was reduced from 30 months to 27 months.
- The Director successfully negotiated gaming compacts with two Native American Tribes, which contained creative oversight features.

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

Respectfully submitted,

Steven K. Young  
Director

## AGENCY OVERVIEW

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

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

Our Vision is to be “a diverse agency of dedicated employees who are respectful, accountable and responsive to the citizens of Iowa.”

Our Mission is to “administer and enforce state and federal laws to provide for the protection of the public interests and ensure program integrity to programs and services administered by the executive branch.”

Eight principles guide us in upholding the law through:

- Service Focus
- Proactivity in All We Do
- Employee Involvement
- Collaborative Leadership
- Decisions Based on Data
- Continuous Improvement
- Ensuring Program Integrity
- Protecting Those We Serve

DIA consists of four operating divisions and five attached units.

- The **Administrative 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 of state loans and procurement opportunities.

The Division provides for the conduct, either through state inspectors or contracts with local boards of health, food safety inspections at restaurants, grocery stores, food processing plants, egg handlers, and vending machines, and sanitation inspections of barber and cosmetology shops and hotels and motels to ensure Iowans receive safe and wholesome foods and clean service.

The Director enters into and implements agreements or 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 with 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 FY05, nearly 13,000 hearings were held. Nearly two-thirds of all administrative hearings conducted by the Division involve lowans who have had their driver's license revoked or suspended by the Iowa Department of Transportation.

- The **Health Facilities Division** enhances the safety, security and general welfare of the persons served in over 1,800 licensed/certified facilities and programs. 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 hospital administration, 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 public assistance moneys in the appropriate amounts. The Division also provides necessary and timely information so the Iowa Department of Public Health may 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 Division conducts front-end, fraud, dependent adult abuse and divestiture investigations related to welfare programs, financial audits in local DHS offices and health care facilities, professional licensing complaint investigations, and initiates recovery actions to recoup public assistance and audit overpayments.

- 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, and 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 how to 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 and final resolution of contested OSHA and contractor registration violations and personnel-related cases. The Board serves as the final administrative law forum for unemployment benefit appeals. The Board also hears appeals of rulings of the Occupational Safety and Health Administration (OSHA), ruling of the Iowa Department of Administrative Services on state employee job classifications, rulings of the Iowa Public Employees Retirement System (IPERS), appeals involving peace officer issues, elevator rule violations, and contractor registration requirements.

- 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 and to protect the health and welfare of the racing animals. The Commission licenses eligible applicants 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 and 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 provide 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.

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

# STRATEGIC PLAN RESULTS

## STRATEGIC PLAN

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

The protection of the public interests and executive branch program integrity is the key result of the mission of the Iowa Department of Inspections and Appeals (DIA). 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 the negative perception of our regulatory and oversight role.

To address these strategic challenges, DIA established six long-term goals and associated key strategies:

### **Goal #1: Achieve the highest possible voluntary compliance of statutes, rules and regulations.**

#### **Strategies:**

- 1.1 Partner with communities, other state agencies, and the court system to ensure children in foster care have comprehensive permanency plans.
- 1.2 Conduct all required financial audits at nursing facilities, residential care facilities and local Iowa Department of Human Services offices within applicable timeframes.
- 1.3 Establish a comprehensive training and education program to enhance the ability of licensed health care facilities comply with all applicable statutes, rules and regulations.
- 1.4 Ensure all health care facilities and providers are adequately, accurately, and timely inspected and investigated for compliance with federal and state regulations.
- 1.5 Strengthen the food and consumer safety bureau's compliance and enforcement program.
- 1.6 Partner with the Iowa Department of Public Safety, Division of Criminal Investigation, and the Department of Commerce, Alcoholic Beverages Division, to inspect social gambling locations and non-licensed beer or liquor establishments for illegal gambling.
- 1.7 Increase public awareness of Targeted Small Business Certification program eligibility standards.

- 1.8 Collaborate with other entities in the conduct of investigations and audits to expedite the resolution of cases, initiate the recovery of program dollars, and encourage compliance.
- 1.9 Develop processes to improve exchange of information between the Iowa Racing and Gaming Commission and licensees.

**Goal # 2: Enhance the provision of education, information and assistance to our customers, the public, law enforcement and other state agencies.**

**Strategies:**

- 2.1 Expand the utilization of the best practices program to areas of licensing beyond long-term care
- 2.2 Educate current licensee and potential applicants regarding permissible and impermissible gambling activities.
- 2.3 Promote increased participation in the Iowa Food Safety Task Force by industry, state agencies, academia and consumers.
- 2.4 Educate and update customers and potential applicants quarterly regarding Targeted Small Business programs and eligibility standards in collaboration with the Iowa Departments of Economic Development and Administrative Services, General Services Enterprise.
- 2.5 Provide training to nursing facilities and residential care facilities in creating, updating or changing bookkeeping systems that will meet standards for generally accepted accounting procedures.
- 2.6 Providing training and information to the general public, service organizations, educational institutions, state agencies and law enforcement agencies on ways to detect fraud and abuse or the intent of the investigative programs.
- 2.7 Expedite and improve the processing time required for the claim establishment and collection process.
- 2.8 Enhance the training curriculum for the claims establishment and collections process in collaboration with the Iowa Department of Human Services.

**Goal # 3: Increase customer satisfaction and enhance the public image of the department.**

**Strategies:**

- 3.1 Disseminate the results of the Health Facilities Division "Survey Satisfaction Questionnaire" on a quarterly basis.
- 3.2 Establish caseload performance and quality representation expectations for the SPD System and public defender field offices.
- 3.3 Maintain a process for the review and adjudication of indigent defense claims that produces correct results within a reasonable time.
- 3.4 Allow social and charitable gambling license applicants to pay for license application fees using credit cards.
- 3.5 Process and manage indigent defense claims more efficiently in accordance with statute and State Public Defender rules.
- 3.6 Enhance public awareness relative to the accomplishments of the department.
- 3.7 Conduct special investigative operations with planned media coverage.
- 3.8 Assess customer needs to further develop information distributed through the Iowa Racing and Gaming Commission website.

**Goal # 4: Create a work environment that enhances job satisfaction, customer service, process improvement, and public accountability.**

**Strategies:**

- 4.1 Establish detailed performance measures that go beyond the reporting expectations of the Centers for Medicare and Medicaid Services (CMS).
- 4.2 Maintain economic efficiency of indigent defense programs by maximizing use of public defender resources while maintain quality representation.
- 4.3 Ensure accuracy of collections entered on the overpayment recovery system to generate collections statistics.
- 4.4 Operate within FDA's established limits for the workload ratios for inspector/inspections.
- 4.5 Establish recruitment, training, and mentoring programs to enhance visibly the quality and effectiveness of State Public Defender personnel.

- 4.6 Develop processes to improve exchange of information and resources throughout the State Public Defender system, thereby enhancing performance and customer satisfaction.
- 4.7 Increase cooperation with other state, local and federal law enforcement agencies to maximize program results.
- 4.8 Expand quality of the investigative process beyond state and federal minimum requirements for division operations.
- 4.9 Increase the time for identification of claims that need to be purged as not collectable.
- 4.10 Ensure Iowa Racing and Gaming Commission employees have the knowledge to carry out job duties.
- 4.11 Develop a process for Iowa Racing and Gaming Commission employees to make suggestion for improvement of current procedures.

**Goal # 5: Maximize the use of information technology resources to increase the efficiency and effectiveness of the department.**

**Strategies:**

- 5.1 Establish an electronic license request and renewal capability for all licenses issued and monitored by the Health Facilities Division.
- 5.2 Provide electronic access to case file information by ALJs and support staff.
- 5.3 Improve electronic access to records, such as licensee applications, reports, and correspondence in order to provide an immediate response to inquiries from licensees, general public, and stakeholders.
- 5.4 Implement an electronic food safety inspection process for state inspectors.
- 5.5 Enhance technology support within the overpayment recovery system so that internal processes are streamlined and the necessary data is available for reports for internal use, the legislature, news media and others as requested.
- 5.6 Implement an electronic web-based certification system for Targeted Small Business.

- 5.7 Refine the intranet Information Resource Guide for Iowa Racing and Gaming Commission staff.
- 5.8 Develop on-line licensing for Iowa Racing and Gaming Commission licensees.
- 5.9 Design Iowa Racing and Gaming Commission technology systems to improve licensee compliance tracking and exchange of information with other jurisdictions.

**Goal #6: Enhance the provision of adjudication/dispute resolution services through timely issuance of decisions.**

**Strategies:**

- 6.1 Develop procedures to ensure contested case hearings are scheduled within seven days of receipt and ALJ decisions are issued within 30 days of closing the record.
- 6.2 Enforce mandatory compliance by ALJs with Code of Administrative Judicial Conduct.
- 6.3 Address workload issues through technology and temporary staffing.
- 6.4 Communicate importance of timeliness standards with staff.

**Results:** The results for key performance measures identified for the goals are reported in the key results section of this report.

Additional special-identified results related to implementation of strategies follows:

***1.6 Partner with the Division of Criminal Investigation (DCI) and the Alcoholic Beverages Division (ABD) to inspect social gambling locations and non-licensed beer or liquor establishments for illegal gambling.***

The department partnered with DCI on eleven cases and with ABD on two cases. In addition, ABD notifies the department of all liquor violation hearings. In addition, the department has partnered with the Department of Revenue on sales tax issues and the City of Marion Police Department on social gambling violations.

***1.7 Increase public awareness of Targeted Small Business Certification (TSB) program eligibility standards.***

The TSB Task Force and purchasers hosted two seminars. One in Des Moines (October) and the other in Muscatine (April). Discussions continue with purchases in the Des Moines area regarding a vendor fair, intended for TSBs to show their wares to all interested purchasers. In addition, the TSB pamphlet,

“How to do Business as a Targeted Small Business” was updated and is mailed to all newly certified TSBs with their certificate.

***1.9 Develop processes to improve exchange of information between the Iowa Racing and Gaming Commission and licensees.***

The Commission administrator continues to meet annually with each licensed facility general manager. Commission staff meets periodically with the Iowa Gaming Association on specific issues of interest to the licensees.

***2.2 Educate current licensee and potential applicants regarding permissible and impermissible gambling activities.***

Education efforts occur daily through telephone inquiries, correspondence and the department’s website.

***2.3 Promote increased participation in the Iowa Food Safety Task Force by industry, state agencies, academia and consumers.***

The Iowa Food Safety Task Force met and developed a plan to target a specific topic each year that has a direct relationship to foodborne illness. The first focus will be on handwashing. Plans are to have a kickoff, and then follow up with new releases for every holiday and season of the year. Currently, the Task Force is made up of members from academia, industry, regulators, and consumers.

***2.4 Educate and update customers and potential applicants quarterly regarding Targeted Small Business programs and eligibility standards in collaboration with the Departments of Economic Development and Administrative Services/General Services Enterprise.***

Semi-annual seminars for customers and applicants are held to address eligibility standards and financial and purchasing opportunities. Other education efforts occur daily through telephone inquiries, correspondence and the department’s website. In addition, TSB Task Force members are available to speak to any groups that are interested in the program.

***3.1 Disseminate the results of the Health Facilities Division “Survey Satisfaction Questionnaire” on a quarterly basis.***

The Iowa Foundation for Medical Care tabulates all responses to the “Questionnaire” and reports the results to the Health Facilities Division on a monthly basis. The information is used to report ratings for the agency’s performance plan and provided to consumers and stakeholders upon request. The information is also used in evaluating the performance of employees and developing strategies to improve customer service.

**3.2 Establish caseload performance and quality representation expectations for the SPD System and public defender field offices.**

The caseload expectation of 71,000 cases was exceeded by 4.6% for a total of 74,286 cases handled. High quality representation was evident as a result of less than .01% of the cases having a finding of ineffective assistance of counsel (9 of 74,286 cases).

**3.3 Maintain a process for the review and adjudication of indigent defense claims that produces correct results within a reasonable time.**

Judges upheld disputed SPD actions reducing claims 99.7% of the time.

**3.4 Allow social and charitable gambling license applicants to pay for license application fees using credit cards.**

A new system is in the development process, which will allow applicants to pay license fees using credit cards. This system currently exists for persons registering electrical and mechanical amusement devices.

**3.5 Process and manage indigent defense claims more efficiently in accordance with statute and State Public Defender rules.**

98% of Adult fee claims were processed within 35 days with an average time of 22.1 days. 100% of Appellate fee claims were processed within 35 days with an average time of 8.5 days. 97% of Juvenile fee claims were processed within 35 days with an average time of 15.6 days. 98% of Miscellaneous fee claims were processed within 35 days with an average time of 20.3 days.

**3.7 Enhance public awareness relative to the accomplishment of the department.**

The Department continues to make changes in the website to provide more and easily accessible information to the public.

**3.9 Assess customer needs to further develop information distributed through the Racing and Gaming Commission website.**

The Commission continues to assess customer needs and add information to its website.

**4.2 Maintain economic efficiency of indigent defense programs by maximizing use of public defender resources while maintain quality representation.**

Expanded public defender Class A felony defense service to 21 additional counties, with no findings of ineffective assistance of counsel in any Class A felony case and many verdicts of not guilty to alleged Class A felonies.

***4.5 Establish recruitment, training, and mentoring programs to enhance visibly the quality and effectiveness of State Public Defender (SPD) personnel.***

SPD either supported or sponsored various Continuing Legal Education (CLE) programs. The CLE credit cost for all attending attorneys at the Public Defender Association criminal law seminar was paid by SPD. SPD and First Assistant SPD gave presentations to local CLE programs. SPD obtained National Institute for Trial Advocacy (NITA) scholarships for Iowa PDs. SPD partnered with NITA to conduct a free workshop for public defenders and other public service attorneys in Iowa.

***4.6 Develop processes to improve exchange of information and resources throughout the State Public Defender system, thereby enhancing performance and customer satisfaction.***

Crossfeed of information on expert witnesses, winning motions, and trial strategies. Continued use of “Orders and Pleadings” link at SPD website for posting of informative documents. Development, in partnership with the National Legal Aide and Defender Association, of the Immigration Consequences of State Convictions Chart and distribution to all public defenders and SPD’s indigent defense partners. SPD website carries up-to-date information on all indigent defense issues, including “Recent News” postings of course offerings, national developments, and information of interest to the profession and the public.

***4.10 Ensure Iowa Racing and Gaming Commission employees have the knowledge to carry out job duties.***

Annual staff meetings are held, employees are allowed to attend all industry training held in their area, and employees are allowed attend conferences and industry meetings.

***4.11 Develop a process for Iowa Racing and Gaming Commission employees to make suggestions for improvement of current procedures.***

Supervisors ask employees, during annual evaluations, if they have any suggestions for improvement of current regulatory procedures. Staff also holds pre- and post-race meetings with the vets, stewards, and licensing assistants to get information on what works well or what needs to be changed.

***5.3 Improve electronic access to records, such as licensee applications, reports, and correspondence in order to provide an immediate response to inquiries from licensees, general public, and stakeholders.***

The GMMS system for registering electrical and mechanical amusement devices, which allows registrants 24/7 access to their accounts, continues to run smoothly. A new system is in the development process for social and charitable gambling licensing, which will allow applicants to pay license fees using credit cards. Future plans are for a similar system for the Targeted Small Business Certification program. All three systems will allow the public greater access to records, better availability of statistics for use by the Department and

stakeholders, and ease in applying for a license/certification/registration. In addition, the Department website provides the public easy access to forms, rules, state law, and FAQ for the three programs, which are also available in printed form. The website allows for on-line filing of complaints regarding the three programs.

***5.5 Implement an electronic food safety inspection process for state inspectors.***

State inspectors are now using PDAs to conduct food inspections. A redesigned database allows the inspections to be uploaded to the database, eliminating the need for manual entry of inspections into the system.

***5.6 Implement an electronic web-based certification system for Targeted Small Business.***

This effort is in the planning stages with the Iowa Department of Administrative Services, Information Technology Enterprise.

***5.9 Develop on-line licensing for Iowa Racing and Gaming Commission licensees.***

The Commission continues to move forward to accomplish on-line licensing.

***5.10 Design Iowa Racing and Gaming Commission technology systems to improve licensee compliance tracking and exchange of information with other jurisdictions.***

A database was implemented in order to track the compliance of the licensee on issues mandated by law. The Commission continues to download licensing and ruling information to the two racing organizations.

***6.3 Address workload issues through technology and temporary staffing.***

Digital transcription equipment have been installed for and are being used by Employment Appeal Board word processors. The process is running smoothly and efficiently.

***6.4 Communicate importance of timeliness standards with staff.***

With the new digital transcription equipment, Employment Appeal Board staff are able to more easily meet timeliness standards.

**Link(s) to Enterprise Plan:**

DIA's six goals and associated key strategies link to the following Enterprise Goals:

- Increase by 50,000 the number of employed workers with college experience.
- Create 50,000 high-paid, high-skill jobs that require two years post secondary education within four years.
- All Iowans have access to quality health care, including access to mental health and substance abuse treatment services.

- Seniors, adult with disabilities and those at risk of abuse have safe quality living options in their communities.

# 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 with 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.

### Results

**Performance Measure:**

Average turnaround time for issuing food stamp decisions compared to the required timeframe of within 38 days of receipt from DHS.

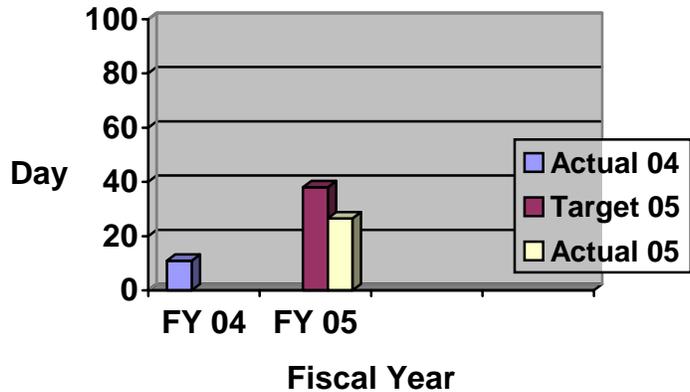
**Performance Target:**

38 days

**Data Sources:**

Administrative Hearings Division

**Food Stamp Appeals On-Time**



**What was achieved:** The average number of days from receipt to decision issuance was 26.6 days compared to the target of 38 days.

**Resources:** Expenditures for the Administrative Hearings Division, as a whole, for FY05 were 22.39 FTE and \$2,316,755.

## Results

### **Performance Measure:**

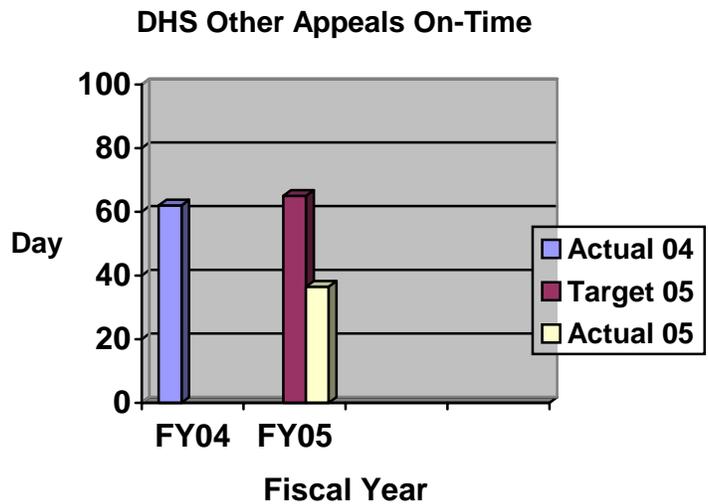
Average turnaround time for issuing DHS all other appeals proposed decisions compared to the requirement timeframe of within 65 days of receipt from DHS.

### **Performance Target:**

65 days

### **Data Sources:**

Administrative Hearings Division



**What was achieved:** The average number of days from receipt to decision issuance was 36.5 days compared to the target of 65 days.

**Resources:** Expenditures for the Administrative Hearings Division, as a whole, for FY05 were 22.39 FTE and \$2,316,755.

# 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:**

Percentage of UI decisions issued within federal Department of Labor guidelines.

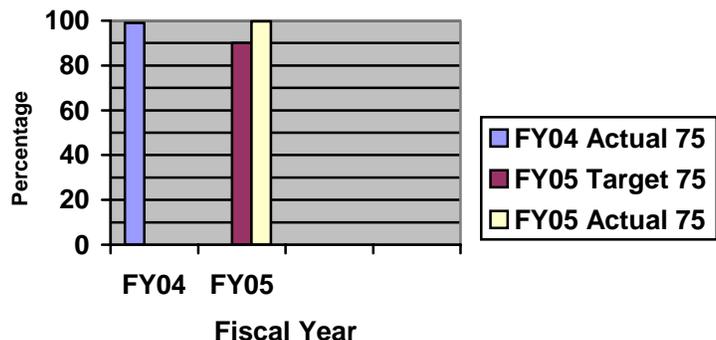
**Performance Target:**

90% within 75 days

**Data Sources:**

Employment Appeal Board

UI Decisions Issued On-Time



**What was achieved:** 99.7% were issued within 75 days.

**Resources:** Expenditures for the Employment Appeal Board, as a whole, for FY05 were 12.66FTE and \$901,410.

**Results**

**Performance Measure:**

Percentage of OSHA decisions not appealed to district court.

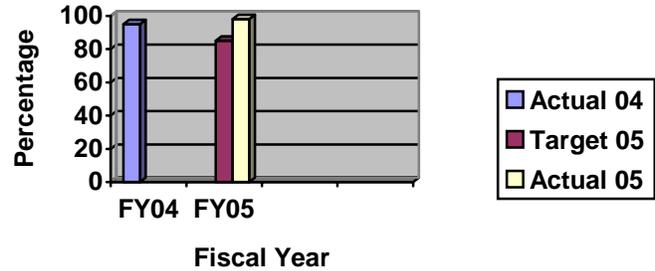
**Performance Target:**

85%

**Data Sources:**

Employment Appeal Board

**OSHA Decisions Not Appealed To District Court**



**What was achieved:** 95% of the decisions were not appealed to district court.

**Resources:** Expenditures for the Employment Appeal Board, as a whole, for FY05 were 12.66FTE and \$901,410.

# 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:**

Percentage of permanency planning case-specific or systems findings and recommendations implemented.

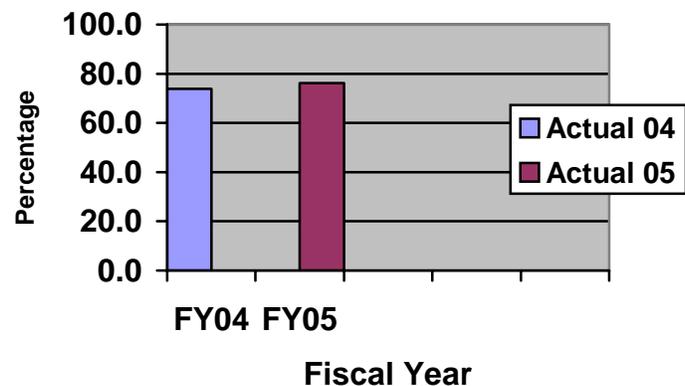
**Performance Target:**

Baseline was to be established in FY04

**Data Sources:**

Child Advocacy Board

### Percentage of Recommendations Implemented



**What was achieved:** 76.2% of the permanency planning case-specific or systems findings and recommendations were implemented, which was an increase of 2.3% over FY04.

**Resources:** Expenditures for the Child Advocacy Board, as a whole, for FY05 were 35.19 FTE and \$2,520,593.

## 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 is 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 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.

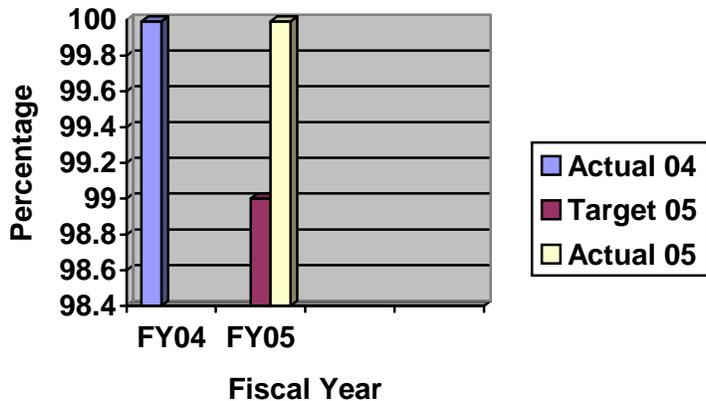
**Performance Target:**

99%

**Data Sources:**

State Public Defender

**No Ineffective Counsel by Public Defenders**



**What was achieved:** 99.99% of the cases (71,112 of 71,118 cases) had no final findings of ineffective counsel.

**Resources:** Expenditures for the State Public Defender and Indigent Defense, as a whole, for FY05 were 200.67 FTE and \$43,388,758.

**Results**

**Performance Measure:**

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

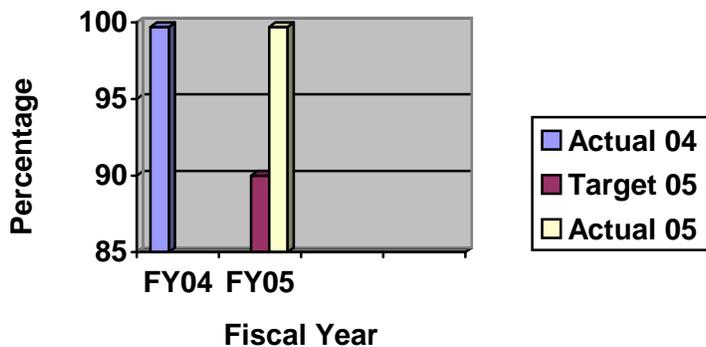
**Performance Target:**

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 FY05 were 200.67 FTE and \$43,388,758.

# KEY RESULT

## CORE FUNCTION

**Name:** Regulation and Compliance - 61

**Description:** This core function covers the 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 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 ensure applicants, participants, organizations, providers, and service recipients meet the requirements set out in state and federal law and 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.

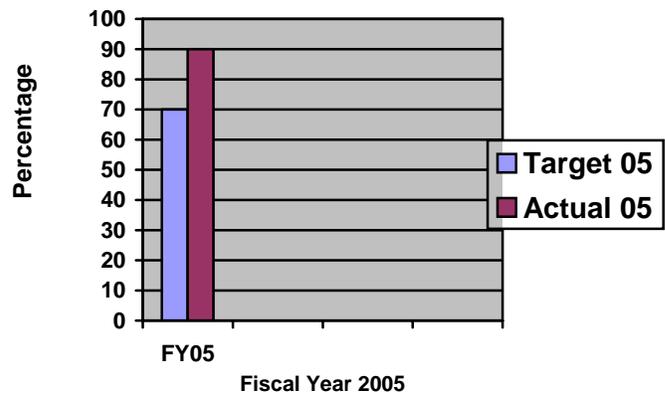
**Performance Target:**

70%

**Data Sources:**

Iowa Racing and Gaming Commission

**Percentage of Occupational Licensees Without Violations**



**What was achieved:** 90% of the of the occupational licensees received no serious violations after licensure.

**Resources:** Expenditures for the Racing and Gaming Commission, as a whole, for FY05 was 51.48 FTE and \$4,230,127.

**Results**

**Performance Measure:**

Rate of individuals affected by a substantiated foodborne illness per 100,000 population.

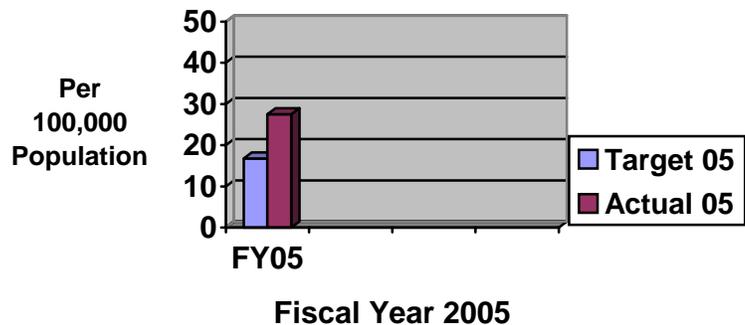
**Performance Target:**

16.79 individuals

**Data Sources:**

Department of Inspections and Appeals – Food and Consumer Safety Bureau

**Individuals Affected by a Substantiated Foodborne Illness**



**What was achieved:** 27.5 persons per 100,000 population were affected by a substantiated foodborne illness.

**Resources used:** Expenditures for the Food and Consumer Safety Bureau, as a whole, for FY05 was 12.00 FTE and \$893,935.

**Results**

**Performance Measure:**

Percentage of fining and citation actions for noncompliance upheld on Informal Dispute Resolution.

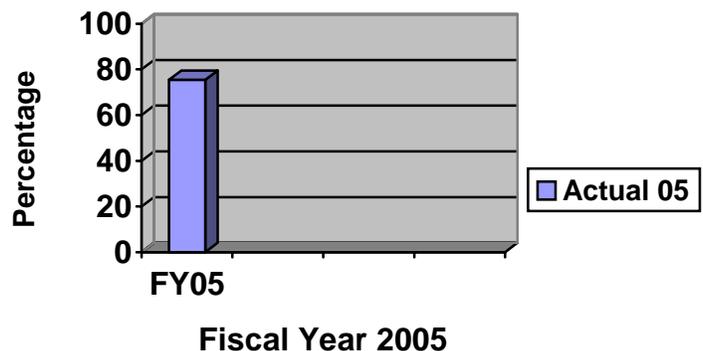
**Performance Target:**

Baseline to be established in FY05

**Data Sources:**

Department of Inspections and Appeals – Health Facilities Division

**Fining and Citation Actions Upheld on IDR**



**What was achieved:** 75.4% of deficiencies taken by the Health Facilities Division were upheld on Informal Dispute Resolution (IDR).

**Resources:** Expenditures for the Health Facilities Division, as a whole, for FY05 was 109.62 FTE and \$10,415,628.

# 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 they meet contract compliance.

### Results

**Performance Measure:**

Percentage of inspections conducted in compliance with the risk-based schedule.

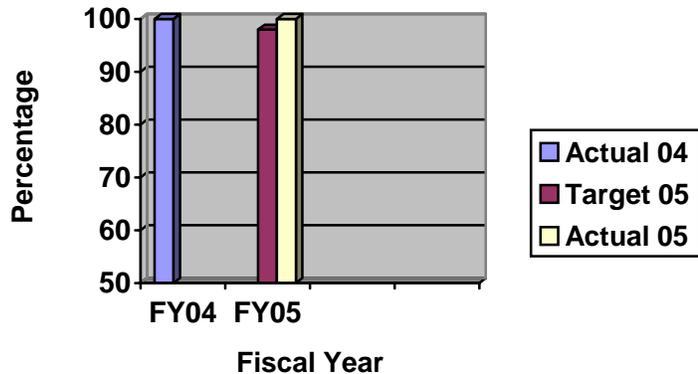
**Performance Target:**

98%

**Data Sources:**

Department of Inspections and Appeals – Food and Consumer Safety Bureau

### Risk-Based Inspections Done by State Inspectors



**What was achieved:** 100% of all licensed establishments were inspected through risk-based criteria.

**Resources used:** Expenditures for the Food and Consumer Safety Bureau, as a whole, for FY05 as 12.00 FTE and \$893,935.

## SERVICE/PRODUCT/ACTIVITY

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

**Description:** Statewide regulatory oversight of 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 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:**

Ratio of the average number of months between nursing facility surveys in comparison with the federal timeframe guidelines.

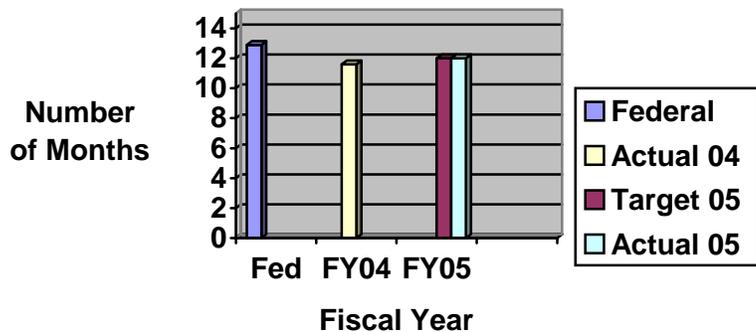
**Performance Target:**

12:12.9

**Data Sources:**

Department of Inspections and Appeals – Health Facilities Division

### Average Nursing Facility Survey Frequency



**What was achieved:** A frequency rate of 12:12.9 was achieved.

**Resources:** Expenditures for the Health Facilities Division, as a whole, for FY05 was 109.62 FTE and \$10,415,628.

### Results

**Performance Measure:**

Percentage of complaint investigations initiated within state required timeframes

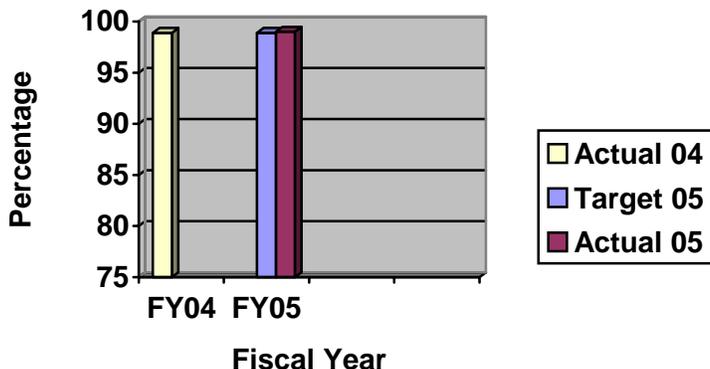
**Performance Target:**

Baseline was established in FY04 – 98.9

**Data Sources:**

Department of Inspections and Appeals – Health Facilities Division

### Complaint Investigations Initiated On-Time



**What was achieved:** 99% of all complaints investigations were initiated within the state guidelines.

**Resources:** Expenditures for the Health Facilities Division, as a whole, for FY05 was 109.62 FTE and \$10,415,628.

### SERVICE/PRODUCT/ACTIVITY

**Name:** Collections Services

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

**Why we are doing this:** To assure repayment of any 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.

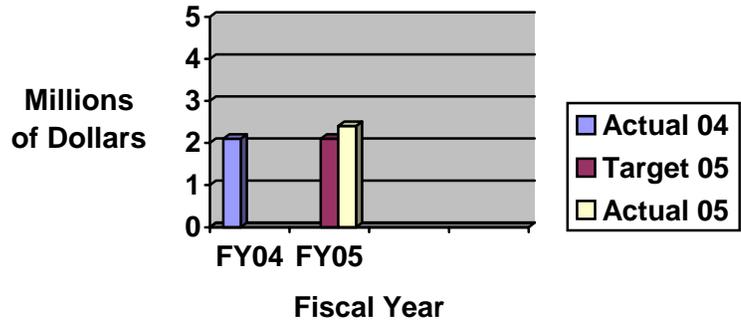
**Performance Target:**

Baseline to be established in FY04 - \$2.1 million

**Data Sources:**

Department of Inspections and Appeals – Investigations Division

**Public Assistance Dollars Collected**



**What was achieved:** In the baseline year for data collection, \$2.1 million was collected during the fiscal year.

**Resources:** Expenditures for the Investigations Division, as a whole, for FY05 was 40.99 FTE and \$3,319,714.

**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.

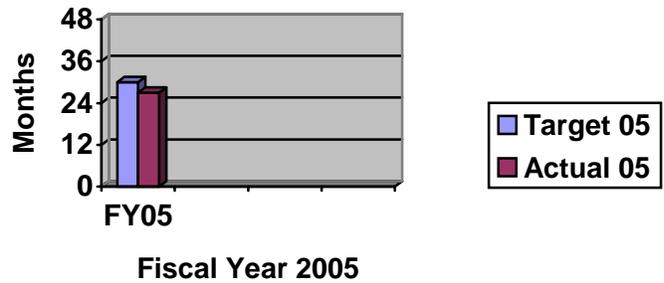
**Performance Target:**

30 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 27 months, which was an average of 3 months less than the target.

**Resources used:** Expenditures for the Investigations Division, as a whole, for FY05 was 40.99 FTE and \$3,319,714.

# 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.

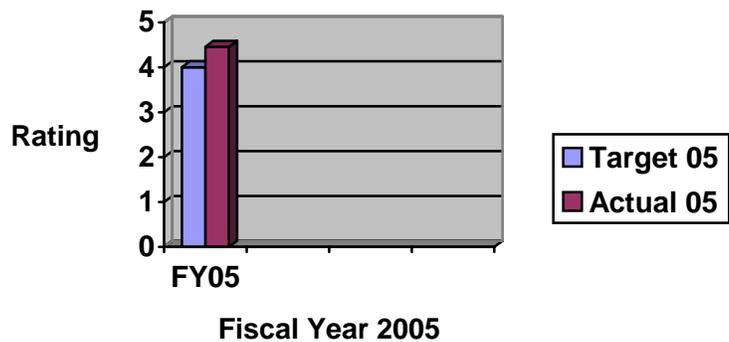
**Performance Target:**

4.00

**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 4.45 – between very good and excellent.

**Resources used:** Expenditures for the Administration Division, as a whole, for FY05 was 17.25 FTE and \$1,608,359.

## AGENCY PERFORMANCE PLAN RESULTS FY 2005

<b>Name of Agency: Department of Inspections and Appeals</b>			
<b>Agency Mission: "The Department of Inspections and Appeals will administer and enforce state and federal laws to provide for the protection of the public interests and ensure program integrity in programs and services administered by the executive branch."</b>			
<b>Core Function: Adjudication/Dispute Resolution</b>			
Performance Measure (Outcome)	Performance Target	Performance Actual	Performance Comments & Analysis
1. Percentage of DHS Food Stamp appeals proposed decisions issued within 38 days of receipt from DHS	95%	81.5%	<p><b>What Occurred:</b> Due to an increase in other types of appeals, this target was not met. The average number of days was well below the 38 days.</p> <p><b>Data Source:</b> Administrative Hearings Division</p>
2. Percentage of DHS all other appeals proposed decision issued within 65 days of receipt from DHS	95%	89%	<p><b>What Occurred:</b> Due to an increase in other types of appeals, this target was not met. The average number of days was well below the 65 days.</p> <p><b>Data Source:</b> Administrative Hearings Division</p>
3. Percentage of DOT OWI appeals proposed decision issued within 65 days of receipt from DHS	95%	100%	<p><b>What Occurred:</b> All OWI appeals were conducted with the specified timeframe.</p> <p><b>Data Source:</b> Administrative Hearings Division</p>
4. Percentage of UI decisions issued within 45 days of appeal	50%	89%	<p><b>What Occurred:</b> The percentage of Unemployment Insurance appeal decisions issued within 45 days of appeal far exceeded the target and federal requirement.</p> <p><b>Data Source:</b> Employment Appeal Board</p>
5. Percentage of UI decisions issued within 75 days of appeal	90%	99.7%	<p><b>What Occurred:</b> Most of the Unemployment Insurance appeal decisions were issued within 75 days of appeal, far exceeding the target and federal requirement.</p> <p><b>Data Source:</b> Employment Appeal Board</p>
6. Percentage of OSHA decisions not appealed to district court	85%	98%	<p><b>What Occurred:</b> The majority of the OSHA decisions issued by the Employment Appeal Board are accepted as final decisions, without further judicial review.</p> <p><b>Data Source:</b> Employment Appeal Board</p>
7. Percentage of OSHA decisions issued within 14 days of Board review	90%	100%	<p><b>What Occurred:</b> All of the OSHA decisions issued were within the specified timeframe, far exceeding the target.</p> <p><b>Data Source:</b> Employment Appeal Board</p>

Performance Measure (Outcome)	Performance Target	Performance Actual	Performance Comments & Analysis
8. Percentage of construction contractor registration decisions issued within 14 days of Board hearing	90%	100%	What Occurred: All of the construction contractor registration decisions were issued within the specified timeframe, far exceeding the target.  Data Source: Employment Appeal Board
<b>Service, Product or Activity: Administrative Hearings</b>			
Performance Measure	Performance Target	Performance Actual	Performance Comments & Analysis
1. Average turnaround time for issuing food stamp decisions compared to the required timeframe of within 38 days of receipt from DHS	38	26.6	What Occurred: The average number of days for issuing food stamp decisions was under the specified timeframe by an average of 11.4 days, far exceeding the target.  Data Source: Administrative Hearings Division
2. Average turnaround time for issuing DHS all other appeals proposed decisions compared to the required timeframe of within 65 days of receipt from DHS	65	36.5	What Occurred: The average number of days for issuing all other types of DHS decisions was under the specified timeframe by an average of 28.5 days, far exceeding the target.  Data Source: Administrative Hearings Division
3. Average turnaround time for hearing DOT OWI appeals compared to the required timeframe of within 45 days of receipt of request for hearing	45	33.6	What Occurred: The average number of days for hearing DOT OWI appeals was under the specified timeframe by an average of 11.4 days, far exceeding the target.  Data Source: Administrative Hearings Division
4. Percentage of proposed decisions issued affirmed by DOT	95%	89%	What Occurred: The percentage of affirmed proposed DOT decisions was less than the target. 11% of the proposed decisions were either modified or reversed by DOT.  Data Source: Administrative Hearings Division
<b>Service, Product or Activity: Employment-Related Appeals</b>			
Performance Measure	Performance Target	Performance Actual	Performance Comments & Analysis
1. Percentage of UI decisions issued within 45 days of appeal	50%	89%	What Occurred: The percentage of Unemployment Insurance appeal decisions issued within 45 days of appeal far exceeded the target and federal requirement.  Data Source: Employment Appeal Board
2. Percentage of UI decisions issued within 75 days of appeal	90%	99.7%	What Occurred: Most of the Unemployment Insurance appeal decisions were issued within 75 days of appeal, far exceeding the target and federal requirement.  Data Source: Employment Appeal Board

<b>Service, Product or Activity:</b>			
<b>Performance Measure</b>	<b>Performance Target</b>	<b>Performance Actual</b>	<b>Performance Comments &amp; Analysis</b>
<b>1. Percentage of OSHA decisions issued within 14 days of Board review</b>	<b>90%</b>	<b>100%</b>	<p><b>What Occurred:</b> The majority of the OSHA decisions issued by the Employment Appeal Board are accepted as final decisions, without further judicial review.</p> <p><b>Data Source:</b> Employment Appeal Board</p>
<b>2. Percentage of construction contractor registration decisions issued within 14 days of Board hearing</b>	<b>90%</b>	<b>100%</b>	<p><b>What Occurred:</b> All of the construction contractor registration decisions were issued within the specified timeframe, far exceeding the target.</p> <p><b>Data Source:</b> Employment Appeal Board</p>

## AGENCY PERFORMANCE PLAN RESULTS FY 2005

<b>Name of Agency:</b> Department of Inspections and Appeals			
<b>Agency Mission:</b> “The Department of Inspections and Appeals will administer and enforce state and federal laws to provide for the protection of the public interests and ensure program integrity in programs and services administered by the executive branch.”			
<b>Core Function:</b> Advocacy			
Performance Measure (Outcome)	Performance Target	Performance Actual	Performance Comments & Analysis
1. Percentage of permanency planning case-specific or systems findings and recommendations implemented	TBD	76.2%	<p>What Occurred: A baseline was establishing this fiscal year with over three-fourths of the permanency planning case-specific or systems findings and recommendations being implemented.</p> <p>Data Source: Child Advocacy Board</p>
<b>Service, Product or Activity:</b> Local Foster Care Review Board Program			
Performance Measure	Performance Target	Performance Actual	Performance Comments & Analysis
1. Percentage of required reviews conducted within specified timeframes by judicial district	98%	97.4%	<p>What Occurred: The required reviews conducted were just slightly under the target.</p> <p>Data Source: Child Advocacy Board</p>
2. Percentage of all children in out of home placement being reviewed by a local foster care review board	50%	50.6%	<p>What Occurred: Of all the children in out of home placement, slightly over half were reviewed by local foster care review boards, exceeding the target.</p> <p>Data Source: Child Advocacy Board</p>
<b>Service, Product or Activity:</b> Court Appointed Special Advocate Program			
Performance Measure	Performance Target	Performance Actual	Performance Comments & Analysis
1. Percentage of written reports submitted to the court within specified timeframes	95%	98.6%	<p>What Occurred: The target was exceeded in the percentage of written CASA report submitted to the court within required timeframes.</p> <p>Data Source: Child Advocacy Board</p>
2. Percentage of children needing a CASA having a CASA available in the areas where CASA operates	90%	95.2%	<p>What Occurred: More children needing a CASA had a CASA available than expected by the target.</p> <p>Data Source: Child Advocacy Board</p>

**AGENCY PERFORMANCE PLAN RESULTS  
FY 2005**

<b>Name of Agency: Department of Inspections and Appeals</b>			
<b>Agency Mission: "The Department of Inspections and Appeals will administer and enforce state and federal laws to provide for the protection of the public interests and ensure program integrity in programs and services administered by the executive branch."</b>			
<b>Core Function: Legal Representation</b>			
Performance Measure (Outcome)	Performance Target	Performance Actual	Performance Comments & Analysis
1. Percentage of public defender cases where there have been 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	1%	.01%	<p><b>What Occurred:</b> The percentage of public defender cases with final findings of ineffective assistance of counsel was far under the 1% target.</p> <p><b>Data Source:</b> State Public Defender</p>
2. Percentage of caseload performance expectations achieved by the State Public Defender System	95%	103.7%	<p><b>What Occurred:</b> The number of cases handled by the State Public Defender system far exceeded the target.</p> <p><b>Data Source:</b> State Public Defender</p>
3. Percentage of challenged Notices of Action on indigent defense claims that are upheld upon final judicial review	90%	99.7%	<p><b>What Occurred:</b> Almost 100% of challenged Notices of Action on indigent defense claims were upheld on judicial review, far exceeding the target.</p> <p><b>Data Source:</b> State Public Defender</p>
4. Percentage of indigent defense claims reviewed and acted upon within an established time period	90%	98.5%	<p><b>What Occurred:</b> The majority of indigent defense claims were handled within the specified timeframe, far exceeding the target.</p> <p><b>Data Source:</b> State Public Defender</p>
5. Average processing time for an indigent defense claim within an established standard	35 days	16.625 days	<p><b>What Occurred:</b> The average time for processing indigent claims was less than half the standard, far exceeding the target.</p> <p><b>Data Source:</b> State Public Defender</p>

<b>Service, Product or Activity: Public Defender Legal Services</b>			
<b>Performance Measure</b>	<b>Performance Target</b>	<b>Performance Actual</b>	<b>Performance Comments &amp; Analysis</b>
<b>1. Percentage of public defender cases where there have been 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>	<b>1%</b>	<b>.01%</b>	<b>What Occurred: The percentage of public defender cases with final findings of ineffective assistance of counsel was far under the 1% target.</b>  <b>Data Source: State Public Defender</b>
<b>2. Percentage of caseload performance expectations achieved by the State Public Defender System</b>	<b>95%</b>	<b>103.7%</b>	<b>What Occurred: The number of cases handled by the State Public Defender system far exceeded the target.</b>  <b>Data Source: State Public Defender</b>
<b>Service, Product or Activity: Assigned Counsel Legal Services</b>			
<b>Performance Measure</b>	<b>Performance Target</b>	<b>Performance Actual</b>	<b>Performance Comments &amp; Analysis</b>
<b>1. Percentage of challenged Notices of Action on indigent defense claims that are upheld upon final judicial review</b>	<b>90%</b>	<b>99.7%</b>	<b>What Occurred: Almost 100% of challenged Notices of Action on indigent defense claims were upheld on judicial review, far exceeding the target.</b>  <b>Data Source: State Public Defender</b>
<b>2. Percentage of indigent defense claims reviewed and acted upon within an established time period</b>	<b>90%</b>	<b>98.5%</b>	<b>What Occurred: The majority of indigent defense claims were handled within the specified timeframe, far exceeding the target.</b>  <b>Data Source: State Public Defender</b>
<b>3. Average processing time for an indigent defense claim within an established standard</b>	<b>35 days</b>	<b>16.625 days</b>	<b>What Occurred: The average time for processing indigent claims was less than half the standard, far exceeding the target.</b>  <b>Data Source: State Public Defender</b>

## AGENCY PERFORMANCE PLAN RESULTS FY 2005

<b>Name of Agency: Department of Inspections and Appeals</b>			
<b>Agency Mission: "The Department of Inspections and Appeals will administer and enforce state and federal laws to provide for the protection of the public interests and ensure program integrity in programs and services administered by the executive branch."</b>			
<b>Core Function: Regulation and Compliance</b>			
Performance Measure (Outcome)	Performance Target	Performance Actual	Performance Comments & Analysis
1. Percentage of racing animals inspected for health and fitness prior to a race	75%	88%	<p><b>What Occurred:</b> A greater number of racing animals were able to be inspected for health and fitness prior to a race than required.</p> <p><b>Data Source:</b> Racing and Gaming Commission</p>
2. Percentage of required racing animals sampled for illegal substances	20%	27%	<p><b>What Occurred:</b> A greater number of racing animals were sampled for illegal substances than required.</p> <p><b>Data Source:</b> Racing and Gaming Commission</p>
3. Percentage of pari-mutuel and excursion boat gambling occupational licensees receiving no serious violations after licensure	70%	90%	<p><b>What Occurred:</b> Only 10% of occupational licensees received serious violations after licensure, far exceeding the target.</p> <p><b>Data Source:</b> Racing and Gaming Commission</p>
4. Percentage of social and charitable gambling referrals to DCI resulting in prosecution, confiscation, or other disciplinary action	TBD	1%	<p><b>What Occurred:</b> A baseline was established during the fiscal year, which shows disciplinary action taken on referrals to DCI was minimal.</p> <p><b>Data Source:</b> Social and Charitable Gambling Unit</p>
5. Percentage of targeted small business applications administratively closed due to not meeting requirements	TBD	11%	<p><b>What Occurred:</b> A baseline was established during the fiscal year, which shows most TSB applications are approved.</p> <p><b>Data Source:</b> Targeted Small Business Certification Unit</p>
6. Rate of individuals affected by a substantiated foodborne illness per 100,000 population	16.79	27.5	<p><b>What Occurred:</b> More individuals were affected by a substantiated foodborne illness than the target. A reduction in the inspection frequency has been determined as one factor in this increase.</p> <p><b>Data Source:</b> Food and Consumer Safety Bureau</p>
7. Percentage of licensed/certified healthcare facilities requiring a second revisit	3.6%	7.6%	<p><b>What Occurred:</b> More healthcare facilities required a second revisit than the target.</p> <p><b>Data Source:</b> Health Facilities Division</p>
8. Percentage of Habilitation facilities that are deficiency-free	20%	16.3%	<p><b>What Occurred:</b> Fewer facilities had no compliance violations than the target.</p> <p><b>Data Source:</b> Health Facilities Division</p>

Performance Measure (Outcome)	Performance Target	Performance Actual	Performance Comments & Analysis
9. Percentage of certified assisted living programs in substantial compliance	TBD	100%	<p>What Occurred: A baseline was established during the fiscal year, which shows that all certified assisted living programs were in substantial compliance.</p> <p>Data Source: Health Facilities Division</p>
10. Percentage of actions for noncompliance upheld on Informal Dispute Resolution (IDR)	TBD	75.4%	<p>What Occurred: A baseline was established during the fiscal year, which shows that over three-fourths of the noncompliance actions are upheld during the informal appeal process.</p> <p>Data Source: Health Facilities Division</p>
11. Percentage of closed economic fraud investigations resulting in civil action by public assistance program	TBD	83.1%	<p>What Occurred: A baseline was established during the fiscal year, which shows a majority of economic fraud cases resulted in civil action.</p> <p>Data Source: Investigations Division</p>
12. Rate of completion of professional standards investigations	TBD	51%	<p>What Occurred: A baseline was established during the fiscal year, which shows that over half of the pending and newly referred cases are completed during the fiscal year.</p> <p>Data Source: Investigations Division</p>
13. Percentage of local DHS offices in audit compliance within 45 days	100%	100%	<p>What Occurred: All of the local DHS offices were in audit compliance within the required timeframe, meeting the target.</p> <p>Data Source: Investigations Division</p>
14. Percentage of care facilities in audit compliance within 60 days	95%	95%	<p>What Occurred: Care facilities met the target in being in audit compliance within the required timeframe.</p> <p>Data Source: Investigations Division</p>
<b>Service, Product or Activity: Pari-Mutuel and Excursion Gambling Boat Regulation</b>			
Performance Measure	Performance Target	Performance Actual	Performance Comments & Analysis
1. Percentage of pari-mutuel and excursion boat gambling occupational licensees with initial issues receiving no serious violations after licensure	TBD	Data not yet available	<p>What Occurred: Baseline will not be established until FY06 due to technology issues.</p> <p>Data Source: Racing and Gaming Commission</p>
<b>Service, Product or Activity: Social and Charitable Gambling Regulation</b>			
Performance Measure	Performance Target	Performance Actual	Performance Comments & Analysis
1. Percentage of completed social and charitable gambling applications acted upon within five working days	98%	98%	<p>What Occurred: The timeliness of action on social and charitable gambling applications met the target.</p> <p>Data Source: Social and Charitable Gambling Unit</p>

<b>Service, Product or Activity: Social and Charitable Gambling Regulation</b>			
<b>Performance Measure</b>	<b>Performance Target</b>	<b>Performance Actual</b>	<b>Performance Comments &amp; Analysis</b>
2. Ratio of completed social and charitable gambling applications processed compared to the number of licenses/registrations issued	TBD	39:40	What Occurred: Baseline was establishing during the fiscal year, which shows that almost all of the social and charitable gambling applications were approved.  Data Source: Social and Charitable Gambling Unit
<b>Service, Product or Activity: Targeted Small Business Certification</b>			
<b>Performance Measure</b>	<b>Performance Target</b>	<b>Performance Actual</b>	<b>Performance Comments &amp; Analysis</b>
1. Percentage of TSB certification application certification determinations made within 30 days of receipt of all required documentation	95%	95%	What Occurred: The timeliness of action on targeted small business certification applications met the target.  Data Source: Targeted Small Business Certification Unit
<b>Service, Product or Activity: Food and Consumer Safety</b>			
<b>Performance Measure</b>	<b>Performance Target</b>	<b>Performance Actual</b>	<b>Performance Comments &amp; Analysis</b>
1. Percentage of food inspections conducted in compliance with the risk-based schedule by state inspectors	98%	100%	What Occurred: Compliance with the risk-based schedule of inspections exceeded the target.  Data Source: Food and Consumer Safety Bureau
2. Percentage of food service establishments that have certified food managers	TBD	17.9%	What Occurred: Baseline was established during the fiscal year, which shows that less than one-fifth of the licensed restaurants have certified food managers.  Data Source: Food and Consumer Safety Bureau
<b>Service, Product or Activity: Regulatory oversight of state licensed and federally certified long-term care and habilitation entities</b>			
<b>Performance Measure</b>	<b>Performance Target</b>	<b>Performance Actual</b>	<b>Performance Comments &amp; Analysis</b>
1. Ratio of the average number of months between nursing facility surveys in comparison with the federal timeframe guideline of 12.9 months average for all facilities	12:12.9 months	12:12.9 months	What Occurred: The average number of months between surveys of nursing facilities met the target.  Data Source: Health Facilities Division
2. Percentage of ICF/MR surveys successfully completed within the federally prescribed timeframe of 12.9 months average for all facilities	TBD	69.6%	What Occurred: Baseline was established during the fiscal year, which shows that not quite three-fourths of the surveys are conducted within prescribed timeframes.  Data Source: Health Facilities Division

<b>Service, Product or Activity: Regulatory oversight of state licensed and federally certified long-term care and habilitation entities</b>			
<b>Performance Measure</b>	<b>Performance Target</b>	<b>Performance Actual</b>	<b>Performance Comments &amp; Analysis</b>
3. Percentage of licensed-only surveys completed within the prescribed timeframe of 19 months average for all facilities	TBD	100%	<p>What Occurred: Baseline was established during the fiscal year, which shows that all licensed-only surveys were completed within prescribed timeframes.</p> <p>Data Source: Health Facilities Division</p>
4. Percentage of complaint investigations initiated within required timeframes of no less than 20 working days from receipt of complaint	TBD	99%	<p>What Occurred: Baseline was established during the fiscal year, which shows that only one percent of the complaints are not investigated within required timeframes. Further information shows that critical complaints requiring investigation within two days or ten days are being done in 100% of the cases.</p> <p>Data Source: Health Facilities Division</p>
5. Average rating of the nursing home satisfaction questionnaire regarding the skill and professionalism of surveyors on a 5-point Likert scale with 1 being poor and 5 being outstanding	TBD	4.51	<p>What Occurred: Baseline was established during the fiscal year, which shows that nursing homes are highly satisfied with the skill and professionalism of surveyors.</p> <p>Data Source: Health Facilities Division</p>
<b>Service, Product or Activity: Monitor and regulation of state certified community based environments</b>			
<b>Performance Measure</b>	<b>Performance Target</b>	<b>Performance Actual</b>	<b>Performance Comments &amp; Analysis</b>
1. Percentage of assisted living program re-certifications completed at least 10 days prior to certification expiration date	TBD	31.03%	<p>What Occurred: Baseline was established during the fiscal year, which shows that approximately one-third of the re-certifications met the stated timeframe. Further research showed that a delay by other entities in completing their portion of the process accounted for the low percentage.</p> <p>Data Source: Health Facilities Division, Adult Services Bureau</p>
2. Percentage of complaint investigations initiated within required timeframes of no less than 20 working days from receipt of complaint	TBD	100%	<p>What Occurred: Baseline was established during the fiscal year, which shows that all complaints were investigated within required timeframes.</p> <p>Data Source: Health Facilities Division, Adult Services Bureau</p>
3. Average rating of the certificate holders satisfaction questionnaire regarding the skill and professionalism of monitors on a 5-point Likert scale 5 with 1 being poor and 5 being outstanding	TBD	4.55	<p>What Occurred: Baseline was established during the fiscal year, which shows that assisted living programs, adult day services programs, and elder group homes are highly satisfied with the skill and professionalism of monitors.</p> <p>Data Source: Health Facilities Division, Adult Services Bureau</p>

<b>Service, Product or Activity: Investigations Services</b>			
<b>Performance Measure</b>	<b>Performance Target</b>	<b>Performance Actual</b>	<b>Performance Comments &amp; Analysis</b>
1. Percentage of front-end investigations initiated within 30 days of receipt from DHS	80%	84%	What Occurred: A greater number of front-end investigations were initiated within the specified timeframe resulting in exceeding the target.  Data Source: Investigations Division
2. Percentage of economic fraud investigation cases closed within five years	90%	95.1%	What Occurred: A greater number of economic fraud investigations were closed within the specified timeframe resulting in exceeding the target.  Data Source: Investigations Division
3. Percentage of Medicaid fraud investigation cases will be reviewed and receive proper disposition with statutory timeframes	95%	96.5%	What Occurred: The number of Medicaid fraud cases disposed of within required timeframes slightly exceeded the target.  Data Source: Investigations Division
4. Ratio of professional standards investigations completed to total cases (pending and new referrals)	TBD	1:3	What Occurred: One-third of the pending and new referral professional standards cases were completed during the fiscal year. This is due to an increase in the number of high priority referrals to be handled by limited staff.  Data Source: Investigations Division
<b>Service, Product or Activity: Collection Services</b>			
<b>Performance Measure</b>	<b>Performance Target</b>	<b>Performance Actual</b>	<b>Performance Comments &amp; Analysis</b>
1. Dollars collected for public assistance programs per year compared to the dollars collected the previous year	\$2.1 million vs \$2.1 million	\$2.4 million vs \$2.1 million	What Occurred: \$300,000 more was collected than the previous year.  Data Source: Investigations Division
<b>Service, Product or Activity: Audit Services</b>			
<b>Performance Measure</b>	<b>Performance Target</b>	<b>Performance Actual</b>	<b>Performance Comments &amp; Analysis</b>
1. Average time between audits for care facilities	30 months	27 months	What Occurred: The time between care facility audits was reduced by an average of three months, which greatly exceeded the target.  Data Source: Investigations Division
2. Rate of collection for moneys owed to care facility residents	TBD	99.5%	What Occurred: Baseline was established during the fiscal year, which shows that less than one-half a percent had not yet been collected for care facility residents during the fiscal year.  Data Source: Investigations Division

<b>Service, Product or Activity: Audit Services</b>			
<b>Performance Measure</b>	<b>Performance Target</b>	<b>Performance Actual</b>	<b>Performance Comments &amp; Analysis</b>
<b>3. Average number of hours spent on-site auditing per facility</b>	<b>TBD</b>	<b>11.1 hours</b>	<p><b>What Occurred: Baseline was established during the fiscal, which shows that less than two work days are spent on-site conducting a financial audit of a care facility.</b></p> <p><b>Data Source: Investigations Division</b></p>

**AGENCY PERFORMANCE PLAN RESULTS  
FY 2005**

<b>Name of Agency: Department of Inspections and Appeals</b>			
<b>Agency Mission: "The Department of Inspections and Appeals will administer and enforce state and federal laws to provide for the protection of the public interests and ensure program integrity in programs and services administered by the executive branch."</b>			
<b>Core Function: Resource Management</b>			
<b>Performance Measure (Outcome)</b>	<b>Performance Target</b>	<b>Performance Actual</b>	<b>Performance Comments &amp; Analysis</b>
<b>1. The 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>	<b>4.00</b>	<b>4.45</b>	<b>What Occurred: Department personnel rated the accuracy and timeliness of resource management services at between very good and excellent, far exceeding the target.</b>  <b>Data Source: Customer Satisfaction Survey by Director's Office</b>
<b>Service, Product or Activity: Resource Management</b>			
<b>Performance Measure</b>	<b>Performance Target</b>	<b>Performance Actual</b>	<b>Performance Comments &amp; Analysis</b>
<b>1. Percent of media and public information inquiries responded to within prescribed timeframes</b>	<b>75% within 24 hours</b>  <b>95% within 48 hours</b>	<b>75% within 24 hours</b>  <b>95% within 48 hours</b>	<b>What Occurred: Responses to all media and public information inquiries met the targets.</b>  <b>Data Source: Director's Office, Public Information Office</b>
<b>2. Percent of budget funded by sources other general fund</b>	<b>67.3%</b>	<b>67.3%</b>	<b>What Occurred: Other sources of budget funds met the target.</b>  <b>Data Source: Fiscal Services Bureau</b>

## RESOURCES REALLOCATIONS

During FY05, the Department continued to address the challenge of limited human and financial resources, resulting from prior years' budget reductions and early out programs.

The Health Facilities Division continued to face the challenge of an increasing number of complaints, while attempting to meet the survey frequency required by federal mandate for certified facilities and programs. This challenge was addressed by focusing existing resources to the most critical complaints impacting or potentially impacting the health, safety and welfare of consumers and matching schedules, as much as possible.

To address the need for education, consistency and action across division lines in dependent adult abuse cases, the Abuse Coordinating Unit was created, by reassigning the function of existing resources within the department.

Through additional federal resources, additional investigators were added to conduct dependent adult abuse complaints for possible criminal action.

## 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 Beverly Zylstra at 515-281-6442 or via e-mail at [beverly.zylstra@dia.state.ia.us](mailto:beverly.zylstra@dia.state.ia.us).

### General Contact Information:

Iowa Department of Inspections and Appeals

Lucas State Office Building

321 East 12th Street

Des Moines, IA 50319

(515) 281-7102

Telephone Number of the Hearing Impaired: 515-242-6515