

DPOR's leadership has not sufficiently addressed long-standing agency problems

DPOR has several long-standing problems that impede its ability to fulfill its mission of protecting consumers through effective occupational licensing and enforcement. These problems have persisted because DPOR's leadership has not identified the problems in need of a resolution or taken adequate steps to address known problems. These long-standing problems have contributed to staffing shortages in key agency divisions, inefficient IT systems that are fundamental to effective agency operations, and vulnerability to licensing fraud.

WHAT WE RECOMMEND

Legislative action

- Eliminate regulation of community managers, opticians, residential energy analysts, and natural gas automobile mechanics.
- Require that any legislation to increase or begin regulation of an occupation under DPOR first be evaluated for regulation by DPOR's Board for Professional and Occupational Regulation.
- Establish a cap on board balances and require DPOR to distribute to current regulants the funds that exceed the cap.
- Authorize DPOR to issue cease and desist notices to individuals and businesses found to be engaged in the unlicensed practice of an occupation that is licensed by DPOR.

Executive action

- Develop a plan for upgrading or replacing the agency's licensing IT system.
- Establish specific criteria for closing enforcement cases at various stages, and develop formal guidance that addresses the types of cases and circumstances under which staff may close a case without board review.
- Resume unannounced inspections and audits for certain occupations, and establish specific protocols for how all potential violations uncovered during an investigation should be handled.
- Take action to address staff vacancies, remove non-licensing functions from the licensing division, and develop an internal plan to address long-standing agency problems.