TEXAS STATE BOARD OF PODIATRIC MEDICAL EXAMINERS

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HEMANT MAKAN
EXECUTIVE DIRECTOR

TSBPME
AGENCY WORKFORCE PLAN

(Revised: 04/17/2016; Updated: 07/01/2016 per 85th LAR Policy Ltr.; Expiration: Until Rescinded)

OVERVIEW:

(In accordance with Texas Government Code §2056.002 and the State Auditor's Office Workforce Planning.)

The mission of the Texas State Board of Podiatric Medical Examiners is to assure quality Podiatric Medical Care for the citizens of Texas. The Board fulfills its mission through the regulation of the practice of Podiatric Medicine. This mission supersedes the interest of any individual, the podiatric medical profession or any special interest group.

The Texas State Board of Podiatric Medical Examiners has two Strategic Goals:

1. To protect the citizens of Texas from incompetent and unethical podiatric physicians with a quality program of examination and licensure, and swift, fair and effective enforcement of statues and rules.
2. To establish and carry out policies governing purchasing and contracting in accordance with state law that foster meaningful and substantive inclusion of Historically Underutilized Businesses.

Our agency's business functions all evolve and flow from our Strategic Goals. We annually license the Podiatric Physicians who provide medical care to the people in Texas, to ensure the competency of these medical professionals and to ensure that the people of Texas receive the best Podiatric Medical Care possible. We have an effective and efficient licensing and examination process (now encumbered by prior budget cuts) and a revised investigative process to address complaints made against our licensees. We interact in written format, via the Internet and in person with numerous outside federal, state and local agencies, the public, law enforcement agencies, trade associations, medical entities, etc. on a daily basis to effectively accomplish these goals. Similar to a business in the private sector, we use the most efficient and effective methodology available to us at the time of contact to meet our goals and conduct the day-to-day business of the agency. For example, we conduct our agency business by use of the USPS, interagency mail, private sector courier service (FedEx) and telephone service, dependent on what will provide us with the most cost-effective methodology, while still meeting our time related needs. More and more, we are providing service to our customers and are conducting our agency's business electronically, via the Internet. Examples of this are our agency's website, which provides our customers with licensing and Podiatric Physician profile information, licensee disciplinary information and detailed agency information via the Internet, in a cost-effective and efficient manner, and by our agency's heavy use of e-mail. Beginning in FY 2004, we joined "Texas On-Line," (now "Texas.gov") which allows us to provide instant license renewal access for our licensees, twenty-four hours a day, seven days a week. We are constantly searching for ways to make our provision of service more efficient and cost-effective.

We do not presently anticipate any significant changes to our mission, strategies or goals over the next five years (other than to recover from prior budget cuts). We believe that our mission and goals while being very specific, remain broad enough to allow them the flexibility to embrace any significant changes that might occur.

ADDITIONAL CONSIDERATIONS:

The key economic issues facing our agency relate to our being able to continue providing a high level of quality service to our customers within a very tight/limited budget. The need to fund all of our services within our small operating budget can be very challenging and has the potential to negatively impact our ability to provide our employees with the merit raises so vital to staff retention. By not providing our staff with merit raises, we risk losing our staff to other agencies with higher levels of funding that can afford higher salary levels and merit raises. Loss of trained staff has the potential to slow down and negatively impact our provision of services and functions.

Our challenge has been and will continue to be to path-find new ways to remain and become even more efficient and effective in our use of our appropriated funds, thus allowing us to continue to meet our goals and mission.

We have found that our current customer demands generally remain constant, with the exception of our licensee's demand for quicker response times in the provision of statute and rule information and in responding to a broad range of questions. We expect to keep up with this increased demand by the use of technology (our enhanced website, telecommunications, etc.).

As a result of the 83rd Texas Legislative Session (2013), we are back to an authorized four (4) person agency divided up into several component "divisions". The Executive Director is responsible for the day-to-day administration and running of the agency + investigations. The Staff Services Officer V and Staff Services Officer I are responsible for licensing (new and renewals), examinations and CME compliance, in addition to handling all agency fiscal matters. The Administrative Assistant III (Enforcement Coordinator) provides administrative support for our complaint investigations. All four of our present employees are multi-tasked with many "additional duties" as is the case in any small agency such as ours. The Staff Services Officer V, the Staff Services Officer I and Administrative Assistant III (Enforcement Coordinator) are all supervised by the Executive Director, who in turn, reports to our nine (9) member Board, accountable to the Governor of Texas.

Impact of Past 2003-2004 & 2010-2014 Budget Reductions:

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

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

Previously, the FTE level for FY 2012-2013 was less than 4.0 authorized for FY 2010-2011 due to the FY 2010-2011 5% Budget Reduction, FY 2011 2.5% Budget Reduction and FY 2012-2013 1 FTE Reduction (25% workforce reduction) … a vacancy (i.e. Administrative Assistant II – classified - Investigations) was left open and then eliminated to meet State mandated Budget Reductions. However, since February 2010, this does not mean we identified that our operations could continue with 3.0 FTE's; a 25% workforce reduction. The agency needed to be fully staffed at 4.0 FTE's, as that has historically been our required minimum staffing level. Therefore, for the FY 2014-2015 biennium (83rd Session/2013), we requested funding for the 4th FTE position (i.e. Investigations position). Again, the prior State mandated Budget Reductions from 2010-2013 have had a negative impact on agency operations, as well as the October 2013 federal government shutdown. The 83rd Legislature/2013 restored our funding and 1 FTE (Investigations position) per contingent revenue for FY 2014-2015. The Board sent the requisite FY 2014-2015 ($50.00 Annual DPM Renewal) Fee Increase letter to the Comptroller on 08/23/2013, began collecting increased fees on 09/01/2013 but the Comptroller did not release our contingent revenues until 12/06/2013. The 4th FTE (Investigations position) was hired on 02/01/2014.

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

Since the Board was required by the 83rd Texas Legislature/2013 (i.e. for FY 2014-2015 & beyond) to raise DPM Annual Renewal Fees by $50.00 (the present DPM "Annual" license renewal fee is $530.00) to recover from the prior State mandated Budget Reductions … we did not request any Exceptional Items (84th Texas Legislature/2015) for FY 2016-2017. Texas Podiatrists already pay a high Annual License Renewal Fee and we did not feel it would be fair to them to further increase their licensing costs although we collect revenue at approximately 30% - 40% in excess of our appropriation authority and other costs (benefits & indirect costs; 6.E. Page 1 of 2 FY 2016-2017 LAR) per year to the State's General Revenue (GR) Fund; over and above what we spend. For FY 2015, total collected revenue was $593,738.00 and we returned $226,282.00 to GR (IV.D. Page 1 of 2 of FY 2016 Operating Budget) which pays for the services of other state agencies.

It should be noted that the prior State mandated Budget Reductions were a reduction of agency appropriations and not a reduction of (excess) revenues, revenues of which reside in licensing fees to GR. Therefore, while our agency appropriations had been previously reduced (with a 25% workforce reduction), license fee increases compounded for each prior State mandated Budget Reduction as the State must meet a certain revenue schedule for GR, for funding of the State's entire budget. Every time there was a Stated mandated Budget Reduction (of appropriations and not excess revenues), we were forced to raise Podiatry license fees to recover from funds taken away by the State so that there was no impact to GR.

Impact of 2018-2019 Budget Reductions:

With regard to the FY 2018-2019 4% Budget Reduction, our baseline request was reduced by $23,245.00 for the biennium (i.e. $11,622.50 per FY). To accomplish this mandatory baseline reduction, per FY, we will have to completely eliminate Board Member Travel ($7,000.00), completely eliminate Staff Travel ($2,000.00), completely eliminate Verizon Wireless Cell Phone Services ($2,400.00) and reduce Office Supplies ($222.50). The elimination of Travel funds will negatively impact the full Board's ability to meet (statutorily required to meet twice a year; Texas Occupations Code §202.059), the Board's Investigative Committee's ability (meets twice a year, and as needed for emergencies) to attend to enforcement matters and staff's ability to attend to enforcement matters requiring on-site investigations. A lack of regularly scheduled Board/Committee meetings will result in delays of the approval/denial of license applications, rules/policies (e.g. scope of practice) administration, investigative matters (e.g. Board Orders) and the ability to respond to unforeseen events/emergencies.

With regard to the FY 2018-2019 10% General Revenue-Related Base Reduction exercise, this reduction ($55,788.00 biennium; $27,894.00 per FY) would paradoxically require us to eliminate the (aforementioned) very recently hired/recovered FY 2014-2015 4th FTE (Administrative Assistant III; Investigations position) which the 83rd Legislature/2013 restored via a required ($50.00 Annual DPM Renewal) Fee increase. This yet again amounts to a 25% workforce reduction. The Administrative Assistant III (Investigations position) is essential/critical to the proper functioning of the agency. In addition to the loss of valuable invested institutional knowledge, the effect on revenue would be a reduction in the number of enforcement cases investigated and resolved in a timely manner, and would impact the efficiency of our overall investigations capabilities. Our enforcement operations cannot continue with 3.0 FTE's; a 25% workforce reduction. This agency needs to be fully staffed at 4.0 FTE's minimum, as that has historically been our required minimum staffing level.

We believe we have shown dedicated management of the use of allocated funds and respectfully point out that any reduction could disproportionately and greatly impair the continued efficiency of this small agency by forcing (yet again) a 25% staffing reduction in base administration. We are requesting to be exempted from further reductions. The opportunity exists to strengthen our agency by exempting us from further Budget Reductions as our budget is already frugal/minimal.

Again, while state agencies have realized budget/resource/staffing reductions to respond to the former/present state/national economic downturn, it appears that population growth along with the public's expectations and needs for state agency service delivery have not decreased. We are attempting to reconcile the public's service delivery needs/expectations with the reality of our present staffing/budgetary limitations.

As a result, to reiterate, the opportunity exists to strengthen our agency by exempting us from further budget reductions and to allow us to grow along with the Texas population. Once more, we are a self-funded agency that operates exclusively on revenue we generate from our own license fees. We collect revenue at approximately 30% - 40% in excess of our appropriation authority and other costs (benefits & indirect costs; 6.E. Page 1 of 2 FY 2016-2017 LAR) per year to the State's General Revenue (GR) Fund; over and above what we spend. For FY 2015, total collected revenue was $593,738.00 and we returned $226,282.00 to GR (IV.D. Page 1 of 2 of FY 2016 Operating Budget) which pays for the services of other state agencies.

CURRENT WORKFORCE PROFILE:

Our agency's current workforce faces challenges in meeting the mission and goals of our agency but possesses the capacity to be sufficiently flexible, innovative and creative so as to adapt to any future critical business issues and needs. Our agency's IT functions are shared by the staff and the Health Professions Council Systems Analysts. Our Staff Services Officers have received training to enhance their knowledge and skill in the fiscal area (ABEST, SPA, USAS, USPS, etc.); and also daily training from the Executive Director who is the Board's present longest tenured employee. Our Administrative Assistant III (Enforcement Coordinator) receives day-to-day training from the Executive Director & Staff Services Officers to enhance investigative capabilities. Additional training as our funds allow, and IT and HR support from the staff of other Health Profession Council agencies (at no cost to us) that are specialists in these areas, should allow us to remain current with the skills necessary to address future critical business issues.

The following is a demographic chart that shows the age, gender, race and tenure of our current employees:

Position	**Age**	**Gender**	**Race**	**Tenure w Texas**
Executive Director	**43**	**Male**	**Asian/Pacific Islander**	**21+ years**
Staff Services Officer V	**54**	**Female**	**Hispanic**	**26+ years**
Staff Services Officer I	**43**	**Female**	**Hispanic**	**13+ years**
Administrative Assistant III	**35**	**Female**	**Hispanic**	**14+ years**

Our agency had one staff (i.e. Staff Services Officer V) retire from state service on May 31, 2013 after 29+ years. As a result of this one retirement (based on then 3 FTE's), our agency experienced an employee turnover rate of 33% for FY 2013.

To project our potential employee attrition rate for the next five years, we need to look at this issue from two separate and distinct positions. First, at our present workforce level, the potential for attrition from staff's eligibility to retire from state service is 0% for our agency for the next five years. The second method of looking at staff attrition is from the standpoint of one or more employees voluntarily leaving their employment with us to work for another state agency or in the private sector. It is difficult to project an accurate figure for this kind of potential loss of staff, due to the wide range of variables that could impact an employee's decision to remain or not with a specific state entity. A reasonable projection would be that over the next five years, we will have at least one employee (Executive Director) leave the agency (given his valuable State experience). This equates to a possible minimum 25% attrition rate in any one of the next five years.

There are varied "workforce skills" that are critical to the mission and goals of our agency. The Executive Director must possess an exceptionally broad range of skills and talents to enable him to oversee the daily operations of the agency, to be a reliable resource of information and guidance for the agency's staff and Board, and to effectively perform the many, varied functions of his job. Our fiscal staff (Staff Services Officers V & I) must be familiar with the agency's rules, statutory mandates and requirements for licensure and Continuing Medical Education credit, as well as possess an intimate knowledge of "past practice" issues, to be effective in the consistent oversight of licensing as well as all federal and state fiscal requirements, in order to keep the agency compliant with federal and state mandates, such as the state's mandate for three-day deposits of funds received. All staff must possess a strong knowledge of the agency's rules and statute, possess the highest level of confidentiality, and have excellent licensing/examinations/fiscal/investigative skills. They must also possess excellent people and communication skills, and a broad knowledge of our rules and statutes to appropriately respond to customer questions. They must also have a working knowledge of our investigative process and demonstrate a high level of confidentiality, as they administratively assists the investigations division and has access to confidential complaint, patient and licensee information.

It is believed that the skill and experience level of the agency's workforce could substantially change within the next five years with possible departure of the Executive Director should he receive a competitive job offer whether in the public or private sector. Based on past trends, all staff will need to stay current with IT technology as it continues to evolve. Doing so will allow our agency to use information technology to offset the inevitability of increasing workloads and more readily allow for the most cost-effective and efficient provision of services to our customers.

The greatest challenge facing our agency as it affects our ability to recruit and retain mission critical staff are future budget cuts which would not allow us to reward our employees who meet specific requirements with well-deserved merit increases. In a small agency such as ours, the loss of any one staff position can have a critical impact on our ability to meet our goals and legislative mandates. Because each staff member wears many hats, the loss of any one position has a negative "spin-off" effect on one, some, and sometimes all other positions being able to complete their work in a timely manner. This has the potential to negatively impact the entire agency. It is crucial that our agency has the level of funding necessary to remain competitive with other larger state agencies (and the private sector) to avoid losing any of our staff to an agency or entity that can pay a higher salary and give out merit increases.

FUTURE WORKFORCE PROFILE (DEMAND ANALYSIS):

At present, notwithstanding the Office of the Governor's February 2008 "BPR" report, we had experienced an immediate workforce staffing change effective February 16, 2010 due to the mandatory FY 2010-2011 5% Budget Reduction, FY 2011 2.5% Budget Reduction and FY 2012-2013 1 FTE Reduction (25% workforce reduction) previously discussed exhaustively in our "FY 2011 – FY 2015 Strategic Plan". With any future budget cuts, we do not believe that our workforce will remain consistent within our current structure. Nevertheless, adding or removing responsibilities from one staff position to another can address things such as increased or decreased workloads. There is some potential that this could change, if, for example, the Legislature were to add any new unfunded mandates on our agency next 85th Session/2017 and not protect our funding from future budget cuts. With our present heavy workload, any new mandates would require an additional (5th) FTE to keep us compliant with our goals and mandates. We believe that future workforce skills will more and more revolve around our staff having a good working knowledge of new computer hardware technology and software programs. It is through the best use of future computer technology advances that we could keep the workplace time efficient and cost effective. We feel that the increase in new Information Technology over the next five years could help to offset any potential increase in the time needed to meet our goals and mission.

All of our current staff positions are critical to performing our licensing, testing and enforcement functions necessary to support our agency's mission, goals and legislative mandates. Again, due to the FY 2010-2011 5% Budget Reduction, FY 2011 2.5% Budget Reduction and FY 2012-2013 1 FTE Reduction (25% workforce reduction) effective February 16, 2010, we had experienced a critical decrease in requisite staffing levels necessary to do our jobs as a state medical licensing and regulatory agency. We are planning to ask for "funding stability" this coming 85th Session/2017 to maintain our restored funding/workforce from the 83rd Texas Legislative Session (2013).

GAP ANALYSIS:

We have not identified any gaps or surpluses in our staffing levels based on the current information available to us. There is, however, an anticipated gap in the computer hardware and software and management skills that will be needed by our staff to remain ahead of increasing workloads. The key to the resolution of this training gap is to address the gap in the level of funding available for critical staff training, most importantly, in the IT area. We believe that continued training will be critical to keep our current level of staff prepared to meet the potentially increased pressure on staff from heavier future workload levels, by fostering effective agency leadership and management and by utilizing new methodologies and technologies (hardware and software) to level the playing field.

STRATEGY DEVELOPMENT:

It is difficult to nearly impossible to prevent the potential loss of an employee who decides to leave this agency for other employment or retirement. Over the last eleven years, we have had several employees leave our agency for a variety of reasons. One (Investigator III) left state employment to become a law enforcement officer (Captain in charge of the Investigations Division, with the Leander, Texas Police Department). The second (Administrative Technician III) left state employment (twice) to pursue her life-long dream of becoming a licensed beautician. The third (Administrative Technician II) left state employment to follow through on personal interests in Midland, Texas. The fourth (Administrative Technician IV) was lost due to a Reduction in Force (RIF) pursuant to mandated budget reductions. The fifth (Administrative Technician II) was terminated due to violations of personnel policies. The sixth Administrative Assistant II left the agency in September 2009 but that position was eliminated due to the FY 2010-2011 5% Budget Reduction, FY 2011 2.5% Budget Reduction and FY 2012-2013 1 FTE Reduction (25% workforce reduction). Two (seventh & eight) Executive Directors resigned in 2004/2005 over concerns brought forth by the Board. The agency's Investigator V of the past 6 years then became the new Executive Director in September 2005 (and remains in this position). In addition, the Administrative Assistant II from September 2004 – December 2005 (ninth) became the new Systems Analyst (& now RDB Database Administrator) with the Health Professions Council due to exemplary service with the Board. The Investigator III from January – May 2006 (tenth) resigned due to personnel deficiencies. The Investigator III (effective February 16, 2010) was reclassified to a Staff Services Officer (II then V) as part of a total agency reorganization in response to the FY 2010-2011 5% Budget Reduction, FY 2011 2.5% Budget Reduction and FY 2012-2013 1 FTE Reduction (25% workforce reduction). Most recently, after 29+ years, the Staff Services Officer V (eleventh) retired on May 31, 2013.

Notwithstanding the above, our agency has utilized several strategies to make our workplace a good place to work, within our limited fiscal resources. We have actively included all employees in many of the major decisions relating to the running of our agency and the policies by which we run, to make staff feel like the valued individuals they are. The Executive Director has fostered leadership development by allowing the agency's Staff Services Officer V to act in a greater management role, developing her leadership skills under his guidance. Training to enhance our staff's development within their own areas of specialization has been encouraged, within the limited resources of the agency.

We have and will continue to cross-train our staff, and have entered into an agreement with other Health Professions Council agencies to provide mutual support in a staffing emergency, in the event that any agency staff possessing unique and critical skills should be absent from the agency due to illness, extended vacation, etc. This ensures that our agency will minimally continue to run and that all functions and responsibilities of the agency will continue uninterrupted.

ADDITIONAL CONSIDERATIONS:

Historically, when positions have opened, we have been successful in attracting a diverse and qualified pool of applicants, and have successfully hired positions, from "posting of the job" to "first day on the job" within a month. We are confident that we would be able to quickly replace any of our staff positions that should open, quickly, with minimal impact to the agency provided that we are appropriately funded. In the absence of being able to fill a position, we have formerly contracted with outside providers (i.e. the aforementioned PMR's) to supplement the duties performed by the Executive Director/Investigator.

We do anticipate having skill or staffing imbalances due to one potential departure within the next five years. Any imbalances due to changing programs could be absorbed by our staff, as our positions already overlap in their responsibilities and training. One of our agency strengths is that because we are small, we are able to adapt to change. Duties and responsibilities can quickly be assigned, removed or adapted to meet any change or challenge.

We consider all of our staff as being in potential leadership positions. We use every opportunity to allow our staff to enhance their interpersonal and leadership skills. The acquisition of additional training funds will facilitate allowing our staff to attend training that we presently cannot afford to pay for.

We have made a conscious effort to be understanding in allowing our staff to flex their work schedule so that they can attend training programs to enhance their level of personal knowledge and better prepare them for future leadership rolls.

All the aforementioned allows for a sense of staff "Ownership;" a philosophy of success in the private sector whereby employees feel they "belong" to a successful team.

Again, TSBPME staff remains open to the Office of the Governor's "BPR" report and its findings in achieving the noted efficiencies to be gained as the Board proceeds towards the 85th Legislative Session beginning in January 2017. It is staff's position that the centralization of common agency "Finance/Human Resource/Information Technology" functions within the HPC would allow the Board to focus on CORE Licensure & Enforcement functions DIRECLTY related to our Mission and expertise especially due to experience of the FY 2010-2011 5% Budget Reduction, FY 2011 2.5% Budget Reduction and FY 2012-2013 1 FTE Reduction (25% workforce reduction).

The Board's Workforce Summaries prepared by the State Auditor's Office Classification Team can be found on their website.

INQUIRIES

Inquiries regarding the content of this policy should be directed to Hemant Makan, Executive Director, at (512)-475-3301 or by e-mail at **Hemant.Makan@tsbpme.texas.gov**.

Hemant Makan; Executive Director; (512)-475-3301; Hemant.Makan@tsbpme.texas.gov

"AGENCY ORGANIZATION" CHART
(On/After 04/17/2016)

GOVERNOR OF TEXAS

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9 TSBPME BOARD MEMBERS

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BOARD COMMITTEES:
Licensing, Exams, Training & Education; Investigative; Rules; Budget; Executive

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ASSISTANT ATTORNEY GENERAL

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EXECUTIVE DIRECTOR (1)
Functions in Executive, Budget, Licensure & Enforcement Capacity
Supervises all 3 FTE's & 2 Consultants

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STAFF SERVICES OFFICER V (1)
Functions Primarily in Budget, Licensure (& Enforcement) Capacity
Supports Executive Director Functions

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STAFF SERVICES OFFICER I (1)
Functions Primarily in Budget, Licensure (& Enforcement) Capacity
Supports Staff Services Officer V Functions
Supports Executive Director Functions

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ADMINISTRATIVE ASSISTANT III (1)
Functions solely in Enforcement Capacity
Oversees Consultant Case Activity

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CONTRACTED CLINICAL INVESTIGATORS/CONSULTANTS (2)
Function solely in Enforcement Capacity

All Board personnel are persons of immense value with a combined minimum total of 123 years of Board/State Experience. It's noted that "People" are any organization's most valuable asset.