



**Dora**  
Department of Regulatory Agencies

Attachment B

Executive Director's Office  
Barbara J. Kelley  
Executive Director

John W. Hickenlooper  
Governor

January 14, 2013

The Honorable Lois Tochtrop, Chair, Senate Business, Labor and Technology Committee  
The Honorable Angela Williams, Chair, House Business, Labor, Economic, and Workforce Development Committee

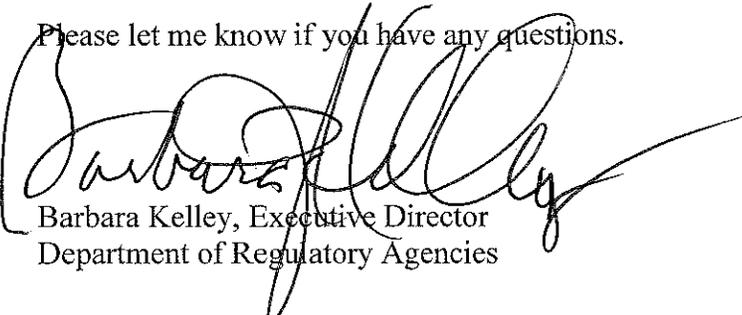
Dear Senator Tochtrop and Representative Williams,

Pursuant to the statutory section noted below, attached is a spreadsheet documenting the number of Confidential Letters of Concern (LOC) issued by each board/program in calendar year 2012. As a bit of history, this provision was added to the statute during the 2006 legislative session as a result of a Consistency Bill where the division requested that LOC authority be added to those boards and programs that did not have the authority. As a compromise for providing the boards and programs with this authority, the legislature requested data on an annual basis as to how many LOCs were issued. 2007 was the first full year of data.

§ 24-34-101(13) The executive director shall include in the presentation to the legislative committee of reference pursuant to section 2-7-201, C.R.S., the number of confidential letters of concern issued in the twelve months prior to the presentation by the director of the division of professions and occupations and any board pursuant to title 12, C.R.S.

You will note that this year the number of LOCs issued is very close to the number issued last year. However, there are some significant changes within specific boards and programs. The reason for increases and decreases from 2011 to 2012 in many boards and programs (dental, electrical, mental health, plumbing, and veterinary) is primarily a result of renewal cycles. Licensees that fail to renew on time but continue to practice typically receive an LOC. For example, most boards and programs require renewal of licenses every 2 years. If a licensee does not renew during the renewal cycle, the individual must submit an application to reinstate his or her license. An LOC for practicing on an expired license for less than one year is issued to any individual who discloses on the reinstatement application that he or she has continued to practice without a license. The Division has increased outreach efforts to licensees on this topic resulting in a slightly higher rate of compliance than in previous renewal cycles.

Please let me know if you have any questions.

  
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DORA - Division of Professions and Occupations  
 Report on Confidential Letters of Concern (LOC) by Calendar Year  
 Prepared 1.02.13

| Board/Program                                    | 2008       | 2009       | 2010         | 2011         | 2012         |
|--|------------|------------|--------------|--------------|--------------|
| Accountancy                                      | 3          | 9          | 75           | 101          | 89           |
| Acupuncturists                                   | 3          | 1          | 5            | 6            | 4            |
| Addiction Counselors                             | 14         | 5          | 26           | 17           | 18           |
| Architects/Engineers/Land Surveyors              | 4          | 59         | 78           | 65           | 16           |
| Athletic Trainers                                | -          | -          | -            | 0            | 0            |
| Barber/Cosmetology                               | 1          | 0          | 257          | 167          | 155          |
| Boxing   | 0          | 0          | 0            | 0            | 0            |
| Chiropractic                                     | 57         | 18         | 34           | 25           | 34           |
| Dental   | 111        | 63         | 119          | 32           | 66           |
| Electrical                                       | 5          | 11         | 20           | 18           | 63           |
| Funeral Homes/Crematories                        | 0          | 0          | 1            | 4            | 3            |
| Hearing Aid Providers/Audiologists               | 4          | 2          | 7            | 0            | 5            |
| Landscape Architects                             | 0          | 1          | 1            | 0            | 0            |
| Lay Midwives                                     | 0          | 2          | 3            | 1            | 4            |
| Massage Therapists                               | N/A        | N/A        | N/A          | N/A          | N/A          |
| Mental Health – Licensed Professional Counselors | 43         | 3          | 35           | 8            | 21           |
| Mental Health – Marriage and Family Therapists   | 9          | 0          | 7            | 5            | 5            |
| Mental Health – Psychology                       | 20         | 2          | 25           | 13           | 14           |
| Mental Health – Social Work                      | 37         | 5          | 36           | 11           | 15           |
| Mental Health – Registered Psychotherapists      | 30         | 5          | 22           | 4            | 27           |
| Medical  | 118        | 122        | 125          | 135          | 121          |
| Nursing  | 100        | 131        | 151          | 146          | 133          |
| Nurse Aides                                      | 68         | 65         | 56           | 59           | 48           |
| Nursing Home Administrators                      | 3          | 3          | 2            | 2            | 1            |
| Occupational Therapists                          | 0          | 0          | 2            | 0            | 0            |
| Optometric                                       | 6          | 9          | 1            | 4            | 2            |
| Outfitters                                       | N/A        | N/A        | N/A          | N/A          | N/A          |
| Passenger Tramway                                | 0          | 0          | 0            | 0            | 0            |
| Pharmacy   | 124        | 100        | 237          | 139          | 132          |
| Physical Therapy                                 | 1          | 7          | 3            | 4            | 15           |
| Plumbers   | 2          | 1          | 41           | 9            | 76           |
| Podiatry   | 4          | 4          | 8            | 6            | 3            |
| Respiratory Therapy                              | 2          | 1          | 1            | 3            | 1            |
| Surgical Technicians                             | -          | -          | -            | N/A          | N/A          |
| Veterinarians                                    | 7          | 8          | 11           | 48           | 6            |
| <b>Total Actual</b>                              | <b>776</b> | <b>637</b> | <b>1,389</b> | <b>1,032</b> | <b>1,077</b> |

N/A = Program does not have LOC authority.