

AGENCY STRATEGIC PLAN

June 2014

For the 2015-2019 Period

By

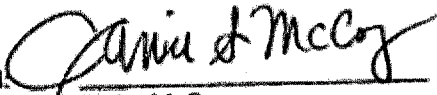
TEXAS FUNERAL SERVICE COMMISSION




<u>COMMISSION MEMBERS</u>	<u>EXPIRATION OF TERM</u>	<u>HOMETOWN</u>
Elwynn "Gene" Allen, Presiding Officer	February 1, 2015	Kerrville
Sue Evenwel	February 1, 2015	Mt. Pleasant
Joyce M. Odom	February 1, 2017	San Antonio
Jean L. Olinger	February 1, 2019	Blanco
Jon Scepanski	February 1, 2019	Mission
Gary Shaffer	February 1, 2019	San Angelo
W. Scott Smith	February 1, 2017	Murphy

Submitted June 23, 2014

Signed:


Janice McCoy
Executive Director

Approved:


Elwynn "Gene" Allen
Chairman/Presiding Officer



**TEXAS FUNERAL SERVICE COMMISSION
2015-2019 STRATEGIC PLAN**

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STATEWIDE VISION

We must continue to critically examine the role of state government by identifying the core programs and activities necessary for the long-term economic health of our state, while eliminating outdated and inefficient functions. We must continue to adhere to the priorities that have made Texas a national economic leader:

- Ensuring the economic competitiveness of our state by adhering to principles of fiscal discipline, setting clear budget priorities, living within our means and limiting the growth of government; and
- Increasing transparency and efficiency at all levels of government to guard against waste, fraud and abuse, ensuring that Texas taxpayers keep more of their hard-earned money to keep our economy strong and our families strong.

Rick Perry
Governor of Texas

STATEWIDE MISSION

Texas State government must be limited, efficient, and completely accountable. It should foster opportunity and economic prosperity, focus on critical priorities, and support the creation of strong family environments for our children. The stewards of the public trust must be men and women who administer state government in a fair, just, and responsible manner. To honor the public trust, state officials must seek new and innovative ways to meet state government priorities in a fiscally responsible manner.

Aim high...we are not here to achieve inconsequential things!

STATEWIDE PHILOSOPHY

The task before all state public servants is to govern in a manner worthy of this great state. We are a great enterprise, and as an enterprise we will promote the following core principles.

- First and foremost, Texas matters most. This is the overarching, guiding principle by which we will make decisions. Our state, and its future, is more important than party, politics or individual recognition.
- Government should be limited in size and mission, but it must be highly effective in performing the tasks it undertakes.
- Decisions affecting individual Texans, in most instances, are best made by those individuals, their families, and the local government closest to their communities.
- Competition is the greatest incentive for achievement and excellence. It inspires ingenuity and requires individuals to set their sights high. Just as competition inspires excellence, a sense of personal responsibility drives individual citizens to do more for their future and the future of those they love.
- Public administration must be open and honest, pursuing the high road rather than the expedient course. We must be accountable to taxpayers for our actions.
- State government has a responsibility to safeguard taxpayer dollars by eliminating waste and abuse, and providing efficient and honest government.

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- Finally, state government should be humble, recognizing that all its power and authority is granted to it by the people of Texas, and those who make decisions wielding the power of the state should exercise their authority cautiously and fairly.

STATEWIDE GOALS & BENCHMARKS

PRIORITY GOAL - To ensure Texans are effectively and efficiently served by high-quality professionals and businesses by:

- Implementing clear standards;
- Ensuring compliance;
- Establishing market-based solutions; and
- Reducing the regulatory burden on people and business.

RELEVANT BENCHMARKS

- Percentage of state professional licensee population with no documented violations
- Percentage of new professional licensees as compared to the existing population
- Percentage of documented complaints to professional licensing agencies resolved within six months
- Percentage of individuals given a test for professional licensure who received a passing score
- Percentage of new and renewed professional licenses issued online

TFSC MISSION & PHILOSOPHY

“The mission of the Texas Funeral Service Commission is to protect the public from deceptive practices in the funeral and death care industry through a process of impartial enforcement, inspection, licensing and education in order to guarantee that every citizen’s final disposition is conducted professionally and ethically.”

Arranging for a funeral, cremation or burial is a major consumer purchase involving many emotional, religious and social considerations. As such, the Texas Funeral Service Commission (TFSC) requires the highest standard of professional and ethical conduct from the funeral and death care industry.

The TFSC serves the public of Texas and is accountable to the public. The TFSC strives to be responsible, ethical and open in its actions, being ever mindful of its obligation to utilize state funds and resources in a cost effective and efficient manner.

TFSC EXTERNAL/INTERNAL ASSESSMENT

I. Overview of Agency Scope and Functions

Statutory Basis

The TFSC operates under the authority of Occupations Code, Chapter 651; Health and Safety Code, Chapter 716; and Texas Administrative Code (TAC), Title 22, Part 10. The TFSC is the licensing and regulatory agency for funeral directors/embalmers and for funeral/commercial embalming/crematory establishments. The TFSC also licenses certain cemeteries.

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The TFSC has limited concurrent jurisdiction with the Texas Department of Banking and the Texas Department of Insurance under TAC §201.15 regarding the Pre-Paid Funeral Act. Additionally, the TFSC has regulatory authority regarding the completion and filing of death records under TAC §201.16.

The TFSC underwent Sunset Review during the 78th Legislative Session and was continued as a stand-alone agency until the year 2015. The 82nd Legislature extended the continuation of the TFSC as a stand-alone agency until 2019.

Historical Perspective

The TFSC was established as the State Board of Embalmers in 1903 to license and regulate embalmers in order to protect the public health by preventing the spread of contagious disease. The law was amended in 1938 to include the regulation of funeral directors. The State Board of Embalmers became the State Board of Morticians in 1953 and was renamed the Texas Funeral Service Commission in 1987.

Prior to 1978 the agency's main focus was to protect the public from the practices of unresponsive funeral directors and embalmers. As a result of the Sunset process in 1979, the statute was amended to strengthen the agency's ability to protect the public from unethical, unscrupulous and dishonest practices known in the industry. During subsequent legislative sessions, the Texas Legislature has strengthened the agency's enforcement capabilities to comply more fully with the Federal Trade Commission's Funeral Rule.

Affected Population

Texans of every race, age, religion and socioeconomic group are impacted by the funeral and death care industry. According to the Texas State Data Center the estimated Texas population for 2013 was 26,251,278. The Department of State Health Services Vital Statistics Division reports that there were approximately 178,000 deaths in Texas during 2013.

Main Functions

As an Article VIII regulatory agency, the TFSC has two major functions - - ensuring competent, well-qualified professionals are licensed to serve the public and ensuring compliance with statutory requirements through inspections and the investigation of violations.

The current licensing work processes include (1) processing all provisional license applications, reciprocal applications and reinstatement applications for funeral directors and/or embalmers to include DPS/FBI fingerprint background checks; (2) administering examinations for all individual licensees; (3) renewing licenses issued to individuals based on the expiration date of each individual license; (4) ensuring licensees are current with their continuing education requirements; and (5) processing all initial/renewal establishment applications to include funeral homes, commercial embalming facilities, crematories and certain cemeteries with the assistance of the Compliance Division's inspection process.

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The compliance work processes include (1) ensuring each licensee is in compliance with the rules and regulations that govern the death care industry through investigation of consumer complaints and (2) inspections of all establishments licensed by the TFSC.

Public Perception

The public expects the TFSC to be the place they can seek information on death care service and also seek redress for injuries suffered at the hands of death care providers. However, several other entities -- federal, state and local -- regulate certain aspects of the death care industry. To address some of the overlap and concerns, the TFSC has entered into Memoranda of Understanding with the Department of State Health Services, the Department of Banking and the Department of Insurance to better coordinate the regulation of the death care industry.

II. Organizational Aspects

Workforce

The EEO workforce statistics show the agency is comprised of seven females and five males, of which there is one African American female, two Hispanic females, four Caucasian American females, one African American male, one Hispanic male, and three Caucasian American males.

Currently the workforce is composed of one official/administrator, three professionals, two paraprofessionals, two technicians, and four administrative support positions. The Executive Director is classified as a Group 1 Level Executive Director.

Organizational Structure

The TFSC is comprised of seven Commissioners appointed by the Governor with the advice and consent of the Senate. Two members must be licensed as both an embalmer and a funeral director for at least five years preceding appointment, one member must be a registered cemetery owner or operator, and four members must represent the public. The public members may not be regulated under Texas Occupations Code, Chapter 651, and must consistently show an interest in supporting consumer protection.

The TFSC operates with three functional divisions -- Administration, Licensing and Compliance. Due to the small size of the agency there is overlap of functions as every staff member provides support to the entire agency. Every employee is encouraged to utilize independent thought and action to improve operations.

The *Licensing Division* fulfills the TFSC's mission to protect the public from deceptive practices by performing licensing, examination and continuing education functions for both individuals and establishments. The Licensing Division consists of three FTEs, all of whom are classified as Administrative Assistants.

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The *Compliance Division* fulfills the TFSC's mission to protect the public from deceptive practices by inspecting establishments and investigating complaints. The Compliance Division consists of five FTEs: two Investigators, two Inspectors and one Administrative Assistant. One of the Investigators serves as the Administrator of Compliance and is the supervisor of the division's staff.

The *Administration Division* fulfills the TFSC's mission to protect the public from deceptive practices by supporting the Compliance and Licensing Divisions. This division consists of three FTEs: a Staff Attorney, a Legal Assistant and an Executive Assistant who also serves as Administrator of Licensing.

Overseeing all functions is the Executive Director.

Geographical Location of Agency

The Texas Funeral Service Commission is located in the William P. Hobby Building at 333 Guadalupe, Suite 2-110, in Austin. This location is shared with numerous state agencies for easy access to support and information services.

Human Resource Strengths and Weaknesses

A major risk identified in the TFSC 2015 Risk Assessment across four of the six consolidated activities was employee turnover. During FY2012 the TFSC experienced an 18.6% employee turnover, higher than the statewide average turnover rate of 17.3%. Additionally, in FY2013 the agency experienced a 25% turnover rate and during the first two quarters of FY2014 there was a 15% turnover rate. The TFSC employee turnover rate is consistently higher than both the statewide turnover rate and the Article VIII turnover rate. Contributing factors to voluntary separations are the low pay rate and low employee classification.

Two TFSC employees have been with the agency for more than 10 but less than 15 years, one employee has been with the agency more than five but less than 10 years, three employees have been with the agency more than two but less than five years, and the remaining six staff members, including the Executive Director and Staff Attorney, have been with the agency less than two years. Within the next two years the two most tenured staff members – both in critical agency positions - will be eligible to retire.

High employee turnover means that TFSC constantly has to train employees in the basic operations of the agency. An identified control step to the risk of employee turnover is to increase staff salaries.

According to the State Auditor's 2010 Workforce Summary, TFSC staff is paid approximately \$14,200 a year less than other Article VIII agencies. Additionally, TFSC staff salaries fall short of the statewide average salaries by \$3,123. The agency's limited budget makes it very difficult to hire and retain experienced personnel.

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Use of Historically Underutilized Businesses

For FY2013 the TFSC spent 91.28% of its commodity expenditures with Historically Underutilized Businesses (HUB). The goal for FY2014 is for the agency to spend 85% of commodity purchases with HUB vendors. The Commission will increase its efforts in helping the State of Texas meet its goal of increased purchases from HUBs whenever business opportunities exist.

III. Fiscal

Size of Budget/Method of Finance

The TFSC is a self-funded agency meaning that the fees the agency collects from its applicants, examinees and licensees must cover the amount appropriated by the Legislature. The TFSC expects to generate \$3,413,764 in fees while receiving \$1,625,154 for the 2014-2015 Biennium (\$1,478,154 from General Revenue and \$147,000 from appropriated receipts). The TFSC will return approximately \$1,788,610 to General Revenue during the biennium for other purposes. It is important to note that less than 50 percent of the collected fees are appropriated to the agency.

Budgetary Limitations

Like all state agencies, the TFSC has been dealing with budget reductions over the past several biennia. The agency absorbed these reductions through the elimination of one FTE position, reduction in inspector travel expenditures, reduction of postage and consumables, and postponement of purchase of replacement computers, printers and software. Merit salary increases for staff also were limited during the reductions.

The agency is being asked to provide more information and services online, as the demand for online services by licensees and the public increases. Costs for programming the TFSC database are prohibitive to all but the most essential changes. Additionally, the agency does not have the funding to hire its own information technology staff and relies on the Health Professions Council (HPC) shared IT staff. Sharing limited IT staff with several other agencies can potentially slow technology upgrades and work requests.

Degree to Which Current Budget Meets Current and Expected Needs:

The 2014-15 biennial budget does meet the immediate needs of the agency, but it is evident to both the public and the industry that funding and staffing limitations have an impact on agency operations – both licensing and compliance.

While the TFSC was able to award small merit raises in FY14, its average staff salary is still far below the Article VIII average. The disparity in salaries compared to other state employees makes it difficult to hire and retain qualified staff.

The TFSC will be seeking additional funding in order to not only meet current needs but to sustain and grow the merit raises granted this biennium and to meet the unexpected needs that may be generated by the public and/or legislative mandates.

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IV. Service Population Demographics

The service population is potentially every citizen in Texas. According to the Texas State Data Center and Office of the State Demographer the estimated Texas population for 2013 is 26,251,278 people - an increase of 4.4% from the year 2010.

As shown in the table below, approximately 178,341 deaths occurred in 2012 and 181,238 deaths occurred in 2013 according to the Department of State Health Services Bureau of Vital Statistics.

Type of Disposition	Year of Death		
	2011	2012	2013
Burial	98,532	99,356	97,931
Cremation	58,673	63,419	68,197
Remove from State	10,994	11,392	10,993
Donation	2,086	2,262	2,409
Other	103	117	59
Entombment	1,752	1,722	1,617
Unknown	83	73	32
Total	172,223	178,341	181,238

As “baby boomers” age there will be an increase in deaths throughout the state creating the need for more licensed death care professionals and establishments.

V. Technology

The TFSC currently utilizes Versa; Regulation for its licensing/enforcement database. Iron Data continues to maintain the agency’s database system and is contracted to make database programming changes. The agency allows licensees and establishments to renew a license online through the Versa;Regulation database. The agency uses the DPS/FBI Criminal History Database system to request criminal history records online for all of its applicants.

The agency uses USAS, USPS and SPA for its accounting, payroll and property systems. The agency submits all its budgetary and performance reports using ABEST in accordance with LBB requirements. Maintenance of all desktop computers, laptops, printers and network servers is done through the HPC shared IT staff.

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While the TFSC website provides all the necessary information to licensees and consumers, it is outdated and hard to navigate. The 83rd Legislature authorized web design services to be provided through the HPC. The TFSC is working with the new HPC staff to redesign and update its website to be more consumer-friendly. However, the TFSC must share the web design staff with all HPC member agencies so the development of an updated website is not expected to be complete until well into the biennium.

The TFSC uses email to send important information to industry members including notices of upcoming meetings, continuing education events and general information.

VI. Economic Variables

Over 178,000 residents will die each year and require the services of the death care industry. A family's economic situation definitely impacts the amount spent on a funeral. The Federal Trade Commission (FTC) has said "the purchase of a funeral is the third largest single expenditure many consumers will ever have to make after a home and a car."

According to the results of the National Funeral Directors Association's General Price List survey, the national median cost of a funeral for calendar year 2012 was \$7,045. If a vault is included, something which is typically required by a cemetery, that number rises to \$8,343. The cost does not take into account cemetery, monument or marker costs, or miscellaneous cash-advance items, such as flowers and obituaries. The cost of a funeral can vary by region. Costs can also vary based on a funeral home's location and the size of the business.

By law, counties are responsible for paying for indigent funerals if the family cannot afford to do so.

VII. Impact of Federal Statutes/Regulations

The FTC is the federal regulatory agency with oversight of the death care industry. The TFSC has adopted several rules in TAC, Title 22, Part 10 to ensure compliance with the FTC's Funeral Rule. There currently are ongoing discussions at the federal level regarding the update the FTC's Funeral Rule.

Both the Occupational Safety and Health Administration (OSHA) and the Environmental Protection Agency (EPA) have federal guidelines regarding the chemicals used for embalming and the disposition of those chemicals. Violations of the Funeral Rule or OSHA/EPA guidelines could result in substantial actions and penalties against licensees.

Changes to the regulations of the above mentioned federal agencies would require the TFSC to update its rules and regulations currently in place for governing the death care industry.

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VIII. Self Evaluation and Opportunities for Improvement

Effectiveness

The mission statement stresses the agency's mandate to protect the public from deceptive funeral practices so that the disposition of the deceased is conducted by professional and ethical funeral service personnel. TFSC performs two statutory functions - licensing and compliance – in order to fulfill its mission.

Through its *licensing function*, TFSC is charged with ensuring that well qualified professionals are licensed to serve the public. The TFSC currently licenses over 5,000 individual and provisional licensees and 1,500 funeral establishments (funeral homes, commercial embalmers and crematories).

In FY2013, the TFSC issued 371 new individual licenses, renewed 2,256 existing individual licenses and administered 370 mortuary law exams. Additionally, there were 104 new establishment licenses issued and 1,441 establishment renewals issued. The TFSC had an online renewal issuance of 71%. Both initial and renewal applications are processed immediately upon receipt of all required documentation.

Through its *compliance function*, TFSC is charged with ensuring that violations of the laws and regulations within the agency's jurisdiction are addressed and that licensees are operating in full compliance with the law. In FY2013, the TFSC received 173 jurisdictional complaints and resolved 172 complaints. 25% of these complaints resulted in disciplinary action. Average resolution time was 114 days and 77% of complaints were resolved within six months. Additionally, the agency inspected 1,569 establishments.

Prior to FY 2014, the TFSC had to rely on the Office of the Attorney General (OAG) to prosecute and/or mediate the agency's cases at SOAH. Under the OAG, the TFSC developed a serious backlog of cases pending at SOAH. With approval from the 83rd Legislature, the newly hired Staff Attorney is working diligently to reduce backlogged cases and keep up with new cases. Since September 2013, 16 of the backlogged cases have been closed at SOAH.

Despite the agency's budget constraints, the TFSC met or exceeded 62.5% of its quarterly performance measures and 71% of its annual measure in FY2013 due to the dedication of its hard-working and efficient staff.

Areas for Improvement

The Compliance and Licensing Divisions tend to operate as two independent entities within the TFSC. The agency and the public would be better served if the divisions worked more as a single entity. Part of the problem is that the agency offices are separated by a public hallway.

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The agency currently administers the Texas Mortuary Law Exam in person which requires most individuals seeking a provisional or reciprocal license to travel to Austin. The agency also keeps all of its licensing and complaint files in paper format which could have a negative impact on its Business Continuity Plan.

Obstacles

The major obstacle for the agency is the inadequate level of funding for staff salaries which makes it hard to retain key personnel. Half of the agency's FTEs have less than two years of experience with the agency. Employee turnover has been identified as a key risk impacting both the licensing and compliance functions. The agency needs continued resources to bring staff salaries more closely in line with Article VIII average salaries.

In the event of a mass fatality, the TFSC could experience an increase in license issuance as more funeral directors and embalmers would be needed to handle the increased death rate. A mass fatality impacting the entire state would not only increase licensing functions, but also increase complaints resulting from the increased funeral service demands. The heavy increase in work processes would contribute to additional stress and pressure on the staff.

Opportunities

Opportunities for improvement do exist. Both the Commissioners and agency staff are committed to improving upon the achievements of the agency. The new Executive Director holds monthly staff meetings to ensure that the Licensing and Compliance Divisions are keeping the other division informed so that all employees work together to fulfill the mission of the agency. Additionally, the Executive Director is reviewing agency work procedures to make sure they are efficient and effective.

The agency is currently in the process of converting all of its paper licensing files to digital format to ease investigations, inspections and renewals. Converting licensing data from paper format to digital format will also aid in public information requests and disaster recovery.

In FY2015, the agency will move its Mortuary Law Exam from "pen and paper" format to an online exam through a DIR approved vendor contract with eStrategy Solutions. Currently the written exam is given 10 times a year in Austin and twice a year at accredited mortuary schools if requested by the school. The new initiative will allow applicants more flexibility to take the exam.

Work With Other Governmental Entities

The TFSC is the primary point of contact for consumers, funeral professionals and various governmental entities for all areas of the death care industry. As such, the agency acts as both a clearinghouse and an information resource. The TFSC works closely with federal, state and local agencies to ensure the public is protected and the death care industry is monitored through licensing, regulation, education and consumer advocacy

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Memoranda of Understanding have been adopted with the Department of State Health Services, the Department of Banking and the Department of Insurance. The agency also works with the OAG's Consumer Protection Division and Crime Victims Division.

The TFSC has regulatory authority to take administrative action against a funeral establishment or a person acting on behalf of the funeral establishment for violations of Chapter 154 of the Finance Code and Chapters 193 and 361 of the Health and Safety Code. Information forwarded to the TFSC from the Department of Banking or the Department of State Health Services is investigated as a complaint case.

Consumer complaints involving non-regulated businesses are forward to the Office of the Attorney General's Consumer Protection Division. If warranted, information gathered in a complaint case regarding funeral goods and services purchased from a funeral establishment for a crime related death is transferred to the Office of the Attorney General's Crime Victims Division.

The TFSC works with Texas Commission on Environmental Quality (TCEQ) with regard to crematories. Before a crematory can be licensed by the TFSC, the owner must submit the manufacturing specifications of the chamber to TCEQ and obtain a Permit by Rule. A copy of this document along with other required paperwork is submitted to the TFSC when applying for a license. Consumer complaints about a crematory emitting an odor or smoke are referred to TCEQ for investigation of air quality.

Information Sharing

TFSC is a member of the HPC. The mission of the HPC is to coordinate regulatory efforts of the health care licensing boards represented on the HPC. The HPC agencies share ideas and resources to provide efficient and effective services to the consuming public as well as the state of Texas. The TFSC shares IT services with the other health care licensing agencies through the HPC. The HPC also hosts the TFSC website.

The agency also is a member of the International Conference of Funeral Service Examining Boards (The Conference). The Conference is composed of state regulatory boards and mortuary colleges. Membership allows the TFSC to utilize the mortuary National Board Examination and/or the Texas State Board Examination in its application process.

Needed Assistance

TFSC Commissioners and staff are working together to improve the agency and to demonstrate the agency's strong commitment to consumer advocacy and dedication to high industry professional and death care standards.

If the TFSC is to carry out its mission effectively it requires strong legislative authority, increased funding and support from other state agencies, as well as cooperation from professional organizations in upholding both the intent and letter of the law.

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PRIORITY GOALS

The TFSC will work to ensure that Texas consumers are served by qualified professionals working in a death care related industry by setting clear standards, maintaining compliance and seeking market-based solutions through the following goals:

- Managing a program of examination and licensure that ensures the development of competent funeral professionals with high standards of ethical conduct.
- Providing aggressive and impartial enforcement to protect the public from incompetent services and unprofessional and unethical conduct.
- Utilizing Historically Underutilized Business (HUB) when making purchases of supplies, equipment or services for the agency.
- Working with the Texas Department of State Health Services regarding filing death certificates as required by law.
- Working with other state agencies in preparing for a mass fatality when the number of dead could exceed death care facilities, supplies, equipment and resources.

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TFSC GOALS, OBJECTIVES, STRATEGIES & MEASURES:

Goal A: Competent Licenses

Objective A.1: To ensure that the licensing and provisional licensee functions are managed in a timely and cost effective manner.

Strategy A.1.1: Issue and renew licenses, manage a provisional licensing program and monitor continuing education requirements.

Outcome Measures:

- Percent of licensees with no recent violations
- Percent of licensees who renew online
- Percent of new individual licenses issued online

Output Measures:

- Number of new licenses issued to individuals
- Number of individual licenses renewed
- Number of new licenses issued to facilities
- Number of facility licenses renewed
- Individuals examined
- Number of new cemeteries and crematories registered
- Number of cemeteries and crematories renewed

Explanatory Measures:

- Total number of individuals licensed
- Total number of facilities licensed

Goal B: Enforce Standards

Objective B.1: To ensure the protection of the general public by inspecting 100% of all licensed funeral establishments every two years.

Strategy B.1.1: To provide enforcement through a vigorous program of inspections.

Outcome Measures:

- Percent of licensed facilities found to be noncompliant during inspection

Output Measures:

- Number of establishments inspected

Objective B.2: To ensure aggressive and impartial investigation of complaints and to ensure due process for all complainants and respondents.

Strategy B.2.1: Investigate complaints and recommend disciplinary or other action.

Outcome Measures:

- Percent of complaints resolved within 6 months
- Percent of complaints resulting in disciplinary action
- Recidivism rate of those receiving disciplinary action

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Output Measures:

- Number of complaints resolved
- Number of complaints pending

Efficiency Measures:

- Average time for complaint resolution
- Average time to resolve complaints pending litigation

Explanatory Measures:

- Number of jurisdictional complaints received

Goal C: Indirect Administration

Objective C.1: Indirect Administration

Strategy C.1.1: Indirect costs associated with the issuance and renewal of licenses, management of a provisional licensing program and the monitoring of continuing education requirements.

Strategy C.1.2: Indirect costs associated with enforcement through a vigorous program of inspections and investigations.

Strategy C.1.3: Indirect costs associated with the review of investigated complaints and recommended disciplinary or other action.

Goal D: Historically Underutilized Businesses

Objective D.1: To include historically underutilized businesses (HUBs) in at least 85% percent of the total value of contracts awarded annually by the agency in purchasing equipment and supplies.

Strategy D.1.1: Develop and implement a process to increase the use of historically underutilized businesses.

Outcome Measure:

- Percent of total dollar value of purchasing contracts awarded to HUBs.

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TECHNOLOGY RESOURCE PLANNING

1. Initiative Name	
Online Web-Based Mortuary Law Exam	
2. Initiative Description	
Develop a web-based online mortuary law examination for applicants.	
3. Associated Project	
Name	Status
Current Operations	Ongoing
4. Agency Objective Supported	
Goal 1, Objective 1 Ensure Licensing Functions Managed in Timely & Cost Effective Manner	
5. Statewide Technology Priorities that Align with Initiative	
Mobility, Cloud Services, Data Management	
6. Anticipated Benefits of Technology Initiative	
<p><u>Operational efficiencies:</u> The current "pen and paper" mortuary law exams require that one of the agency's two inspectors be on site to give this exam twice a year in Houston, San Antonio, Dallas and Amarillo at the mortuary law schools. Additionally, when the exam is given in Austin, a staff member must also be present to administer it.</p> <p><u>Customer satisfaction:</u> The online exam will allow approved examinees to take the test at any time as long as they have access to a computer and the internet. The current "pen and paper" mortuary law exam is only given in Austin once per month (excluding November and December) and twice a year in Houston, San Antonio, Dallas and Amarillo at the mortuary law schools.</p>	
7. Capabilities or Barriers to implementing the initiative	
None	

1. Initiative Name	
Agency Website Redesign	
2. Initiative Description	
Redesign of agency website to make it more informational and user friendly.	
3. Associated Project	
Name	Status
Current Operations	Ongoing
4. Agency Objectives Supported	
<p>All agency objectives.</p> <p>Objective 1 – Ensure Licensing Functions Managed in Timely & Cost-Effective Manner</p> <p>Objective 2 – Inspect Licensed Facilities</p> <p>Objective 3 – Investigation and Due Process for All Complaints</p>	
5. Statewide Technology Priorities that Align with Initiative	

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Cloud Services, Legacy Applications, Security and Privacy, Data Management, Mobility
6. Anticipated Benefits of Technology Initiative
<p><u>Operational efficiencies:</u> The current agency website is outdated and makes it difficult for staff to efficiently find information.</p> <p><u>Customer satisfaction:</u> The current agency website is outdated and makes it difficult for consumers and customers to efficiently find information.</p> <p><u>Security Improvements:</u> The redesign will be on a more secure platform</p> <p><u>Compliance:</u> The redesign will meet all accessibility requirements.</p>
7. Capabilities or Barriers to implementing the initiative
The agency has no IT staff of its own. It must use IT staff support through shared personnel coordinated by the Health Professions Council. Currently the HPC has one FTE dedicated to the design, redesign, maintenance and updates for the websites of all 11 HPC agencies.

1. Initiative Name	
Imaging Backlog of Licensing Files	
2. Initiative Description	
Convert paper licensing files to digital format	
3. Associated Project	
Name	Status
Current Operations	Ongoing
4. Agency Objectives Supported	
<p>All agency objectives</p> <p>Objective 1 – Ensure Licensing Functions Managed in Timely & Cost-Effective Manner</p> <p>Objective 2 – Inspect Licensed Facilities</p> <p>Objective 3 – Investigation and Due Process for All Complaints</p>	
5. Statewide Technology Priorities that Align with Initiative	
Cloud Services, Legacy Applications, Security and Privacy, Data Management, Mobility	
6. Anticipated Benefits of Technology Initiative	
<p><u>Operational efficiencies:</u> Imaging takes minimal staff time and eliminates the need for excessive storage of paper files. Imaged files are easily accessed by staff for open record requests or other agency needs.</p> <p><u>Security Improvements:</u> Imaged files are stored securely in electronic format, accessed only by agency staff.</p> <p><u>Compliance:</u> Imaging many of the agency's files allows the agency more room to store other types of paper records in accordance with the agency record retention schedule.</p> <p><u>Foundation for Future Operational Improvements:</u> With the success of imaged licensing files, the agency hopes to move to a more paperless environment by using imaging technology for workflow purposes in the future.</p>	
7. Capabilities or Barriers to implementing the initiative	
The agency has limited staff because of FTE cap and limited funding. Top priority is given by staff to image professional files as they are licensed. At times it may be difficult for staff to find the extra time needed to image these files. Additionally, the current HPC imaging system is outdated and storage is limited.	

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APPENDIX A DESCRIPTION OF AGENCY PLANNING PROCESS

The TFSC planning process starts internally with independent staff discussion regarding the advantages and disadvantages of current procedures. These discussions are ongoing. Staff is encouraged to bring ideas for improvement to their Supervisors and/or the Executive Director. The Executive Director reviews staff recommendations while considering the agency's budget and resources available.

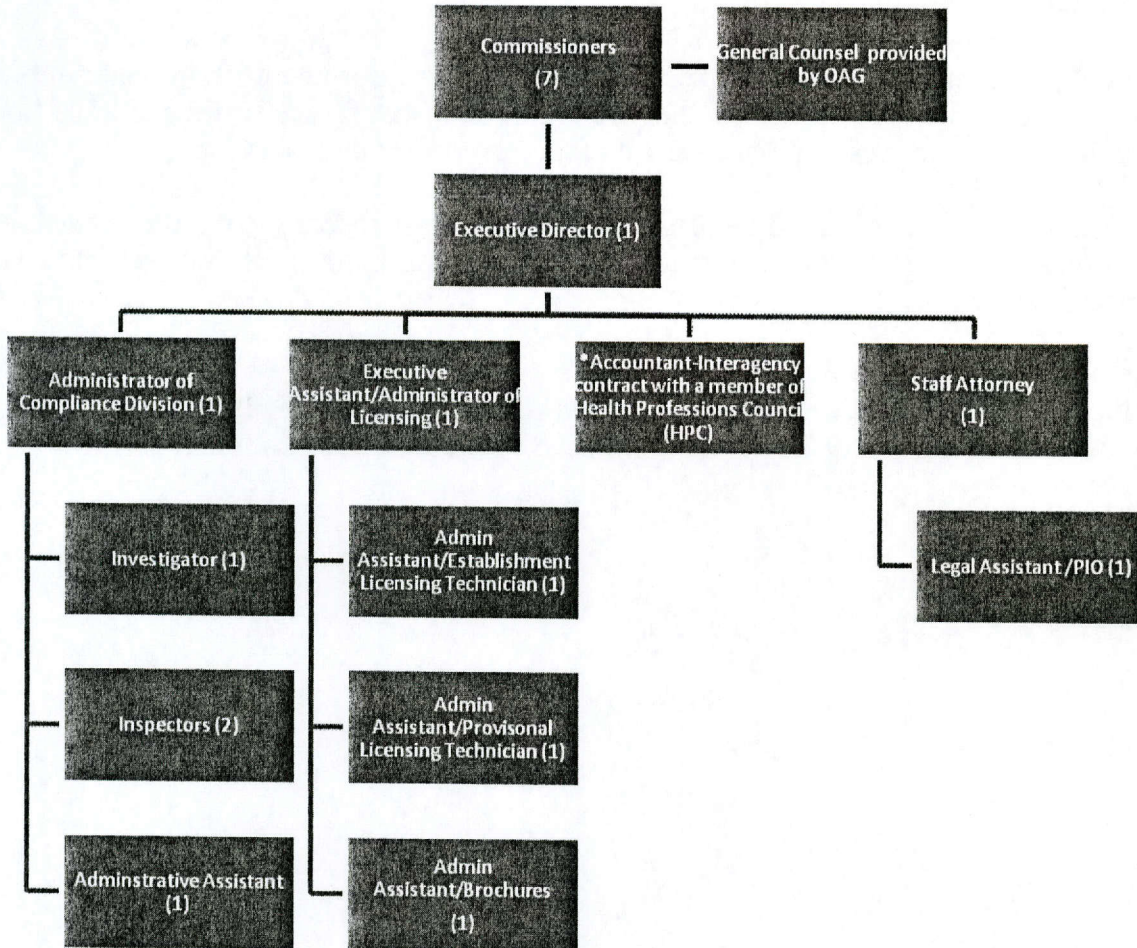
Additionally, the Executive Director keeps Commissioners informed on state and national issues that impact both the TFSC and the death care industry. These issues can arise from professional journal articles or discussion with funeral industry members.

Some events are calendar driven – based on Commission meetings or other scheduled events. For these events, planning is crucial to that staff can accomplish required duties by the determined date.

On her own initiative, the Executive Director may initiate a plan of action to implement recommendations to agency procedures. However some proposed planning actions and policy discussions require consideration and action by the TFSC Commissioners.

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APPENDIX B
CURRENT ORGANIZATIONAL CHART



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APPENDIX C
FIVE-YEAR PROJECTIONS FOR OUTCOMES

**Texas Funeral Service Commission
Fiscal Years 2015-2019**

<u>Outcomes</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Percent of Licensees With No Recent Violations	96%	96%	96%	96%	96%
Percent of Licensees Who Renew Online	80%	80%	80%	80%	80%
Percent of New Individual Licenses Issued Online	0	0	0	0	0
Percent of Complaints Resolved in Six Months	65%	70%	70%	75%	75%
Percent of Licensed Facilities Found to be Non-Compliant During Inspection	40%	40%	40%	40%	40%
Percent of Complaints Resulting in Disciplinary Action	30%	30%	30%	30%	30%
Recidivism Rate of Those Receiving Disciplinary Action	15%	15%	15%	12%	12%

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APPENDIX D LIST OF MEASURE DEFINITIONS

LICENSING STRATEGY

Outcome Measures

1. **Percent of Licensees with No Recent Violations**
Definition: The percent of the total number of licensees and establishments at the end of the reporting period, who have not incurred a violation within the current and preceding two fiscal years (three years total).
Date Limitations: None
Source/Collection of Data: This measure is calculated from a report generated from the database system by the CFO which shows the names of the licensees who have received disciplinary action from the Commission for the past three years. The total number of licensees is obtained from the system at the end of the reporting period by the accountant.
Method of Calculation: The total number of licensees currently licensed by the agency who have *not* incurred a violation within the current and preceding two years divided by the total number of licensees currently licensed by the agency. The numerator for this measure is calculated by subtracting the total number of licensees with violations during the three-year period from the total number of licensees at the end of the reporting period. The denominator is the total number of licensees at the end of the reporting period. The result is multiplied by 100 to achieve a percentage.
Purpose: To aggressively and effectively enforce state mortuary law and agency rules and to protect the public by inspecting facilities according to risk based criteria.
Calculation Type: Non-cumulative
New Measure: No
Key Measure: Yes

2. **Percent of Licensees Who Renew Online**
Definition: Percent of the total number of licensed individuals and establishments that renew their license online during the reporting period.
Data Limitations: None
Data Source: All individual and establishment renewal applications are entered into the database. At the end of the fiscal year, the accountant runs a report from the database system which shows all individuals and establishments that renewed online during the fiscal year.
Methodology: This report is used to total the number of licenses renewed online and divided by the total number of individuals and establishments renewed during the reporting period.
Purpose: To track the use of online license renewal technology by the licensee population.
Calculation Type: Non-cumulative
New Measure: No
Key Measure: Yes

3. **Percent of New Individual Licenses Issued Online**
Definition: Percent of all new licenses issued online to individuals during the reporting period.
Data Limitations: None
Data Source: All new individual applications are entered into the database. At the end of the fiscal year, the accountant receives a report from the database system which shows all individuals that had original applications processed online during the fiscal year.
Methodology: This report is used to total the number of new licenses issued to individuals online and divide by the total number of new licenses issued to individuals during the reporting period.
Purpose: To track the use of online license issuance technology by the licensee population.
Cumulative: No
New Measure: No
Key Measure: No

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Output Measures

1. **Number of New Licenses Issued to Individuals**

Definition: The number of licenses issued to previously unlicensed individuals during the reporting period.

Data Limitations: None

Data Source: All new individual license applications are entered into the database. At the end of the reporting period, the accountant receives a report from the database system which shows all individuals that had original applications processed during the reporting period.

Methodology: The database report is used to count the total number of licenses issued to previously unlicensed individuals during the reporting period, regardless of when the application was originally received. Only new licenses are counted. Licenses are counted as new for persons who were previously licensed, but whose license expired so that they were required to meet all criteria of a new applicant.

Purpose: This measure is a primary workload indicator and is intended to show the number of unlicensed persons who were documented to have successfully met all licensure criteria established by statute and rule as verified by the agency during the reporting period.

Calculation Type: Cumulative

New Measure: No

Key Measure: Yes

2. **Number of Individual Licenses Renewed**

Definition: The number of licensed individuals who held licenses previously and renewed their license during the reporting period.

Data Limitation: None

Data Source: All individual license renewal applications are entered into the database. At the end of the reporting period, the accountant receives a report from the database system which shows all individuals that had license renewals processed during the reporting period.

Methodology: The database report is used to count the number of licenses that were renewed during the reporting period.

Purpose: Licensure renewal is intended to ensure that persons who want to continue to practice in their respective profession satisfy current legal standards established by statute and rules governing professional education and practice. This measure is intended to show the number of licenses that were issued during the reporting period to individuals who currently hold a valid license.

Calculation Type: Cumulative

New Measure: No

Key Measure: Yes

3. **Number of New Licenses Issued to Facilities**

Definition: The number of licenses issued to previously unlicensed establishments during the reporting period. Establishments counted in this measure include funeral homes and commercial embalming facilities.

Data Limitations: None

Data Source: All new establishment license applications are entered into the database. At the end of the reporting period, the accountant receives a report from the database system which shows all establishments that had original applications processed during the reporting period.

Methodology: The database report is used to count the total number of licenses issued to previously unlicensed establishments during the reporting period, regardless of when the application was originally received.

Purpose: This measure is a primary workload indicator intended to show the number of new establishments licensed which directly relates to the number of inspectors and the amount of travel required by the agency to regulate the practice.

Calculation Type: Cumulative

New Measure: No

Key Measure: Yes

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4. **Number of Facility Licenses Renewed**

Definition: The number of licensed establishments who held licenses previously and renewed their license during the reporting period. Establishments counted in this measure include funeral homes and commercial embalming facilities.

Data Limitation: None

Data Source: All establishment license renewal applications are entered into the database. At the end of the reporting period, the accountant receives a report from the database system which shows all establishments that had license renewals processed during the reporting period.

Methodology: The database report is used to count the number of establishment licenses that were renewed during the reporting period.

Purpose: Licensure renewal is intended to ensure that establishments who want to continue to practice in their respective profession satisfy current legal standards established by statute and rules governing professional education and practice. This measure is intended to show the number of licenses that were issued during the reporting period to establishments who currently hold a valid license.

Calculation Type: Cumulative

New Measure: No

Key Measure: Yes

5. **Number of Individuals Examined**

Definition: The number of individuals to whom examinations were administered in whole or in part during the reporting period.

Data Limitation: Data is dependent of factors outside the control of the agency, such as the number of qualified graduates from mortuary school.

Data Source: The agency contracts with an approved vendor to host the mortuary law exam online. The vendor provides an option for the agency to receive a report of all online exams taken by individuals for any requested given time frame.

Methodology: This exam report is used to count the number of individuals examined during the reporting period.

Purpose: This number shows the number of individuals examined which is a primary step in licensing individuals.

Calculation Type: Cumulative

New Measure: No

Key Measure: No

6. **Number of New Cemeteries and Crematories Licensed**

Definition: The number of licenses issued to previously unlicensed cemeteries and crematories during the reporting period.

Data Limitations: None

Data Source: All new cemetery and crematory applications are entered into the database. At the end of the reporting period, the accountant receives a report from the database system which shows all cemeteries and crematories that had original applications processed during the reporting period.

Methodology: This report is used to count the total number of licenses issued to previously unlicensed cemeteries and crematories during the reporting period.

Purpose: This measure is a primary workload indicator intended to show the number of unlicensed cemeteries and crematories licensed which directly relates to the number of inspectors and the amount of travel required by the agency to regulate the practice.

Calculation Type: Cumulative

New Measure: No

Key Measure: No

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7. **Number of Cemeteries and Crematories Renewed**

Definition: The number of licensed cemeteries and crematories who held licenses previously and renewed their license during the reporting period.

Data Limitation: None

Data Source: All cemetery and crematory license renewal applications are entered into the database. At the end of the reporting period, the accountant receives a report from the database system which shows all cemeteries and crematories that had license renewals processed during the reporting period.

Methodology: This report is used to count the number of cemetery and crematory licenses that were renewed during the reporting period.

Purpose: Licensure renewal is intended to ensure that cemeteries and crematories who want to continue to practice in their respective profession satisfy current legal standards established by statute and rules governing professional education and practice. This measure is intended to show the number of licenses that were issued during the reporting period to cemeteries and crematories who currently hold a valid license.

Calculation Type: Cumulative

New Measure: No

Key Measure: No

Explanatory Measures

1. **Total Number of Individuals Licensed**

Definition: Total number of individuals licensed at the end of the reporting period.

Data Limitations: None

Data Source: Database records.

Methodology: At the end of the reporting period, the accountant receives a report from the database system which shows all individuals currently licensed.

Purpose: To obtain an accurate count of active licenses.

Calculation Type: Non-cumulative

New Measure: No

Key Measure: Yes

2. **Total Number of Facilities Licensed**

Definition: Total number of facilities licensed at the end of the reporting period. Facilities counted in this measure include funeral homes, commercial embalming facilities, crematories and cemeteries.

Data Limitations: None

Data Source: Database records.

Methodology: At the end of the reporting period, the accountant receives a report from the database system which shows all facilities currently licensed.

Purpose: To obtain an accurate count of active facility licenses.

Calculation Type: Non-cumulative

New Measure: No

Key Measure: Yes

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INSPECTION STRATEGY

Outcome Measures

1. **Percent of Licensed Facilities Found to be Non-Compliant During Inspection**

Definition: The total number of inspections conducted within a fiscal year compared to the number of facilities cited for a violation deficiency during the inspection process. Risk based inspections are mandated by statute and an inspection deficiency will indicate facilities that were non-compliant during an inspection. Facilities counted in this measure include funeral homes, commercial embalming facilities, crematories and cemeteries.

Data Limitations: None

Data Sources: Inspectors enter all inspection data into a spreadsheet maintained in the Compliance Division. This spreadsheet contains the number and type of inspections completed, and the results of each inspection. These spreadsheets are totaled at the bottom.

Methodology: At the end of the reporting period, the accountant is given a copy of the spreadsheet. The number of establishments cited for deficiency is the numerator divided by the number of establishments inspected which is the denominator during the reporting period. Multiply the result by 100 to be represented as a percentage.

Purpose: To aggressively and effectively enforce statute and rules and protect the public by inspecting facilities according to risk based criteria. The percentage of establishments cited for deficiency is an indication of the necessity for unscheduled inspections and the amount of time required by agency personnel to maintain vigilance over establishments who violate state mortuary law and agency rules.

Calculation Type: Cumulative

New Measure: No

Key Measure: No

Output Measures

1. **Number of Establishments Inspected**

Definition: The total number of establishments inspected during the reporting period. Establishments counted in this measure include funeral homes, commercial embalming facilities, crematories and cemeteries.

Data Limitations: None

Data Source: Inspectors enter all inspection data into a spreadsheet maintained in the Enforcement Division. This spreadsheet contains the number and type of inspections completed and the results of each inspection. These spreadsheets are totaled at the bottom. Inspections are entered into the database as they are made, as well as the spreadsheet.

Methodology: At the end of the reporting period, the accountant is given a copy of the spreadsheet which shows the totals.

Purpose: Measures how effectively the agency inspects facilities by risk based criteria and at least once every biennium for licensure requirements.

Calculation Type: Cumulative

New Measure: No

Key Measure: Yes

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INVESTIGATION/ENFORCEMENT STRATEGY

Outcome Measures

1. **Percent of Complaint Resolved Within Six Months**

Definition: The percent of complaints resolved during the reporting period which were resolved within a six month period from the date they were initially received by the agency.

Data Limitations: None

Source/Collection of Data: The accountant obtains a report from the database system which includes all the complaints resolved during the reporting period, the date they were received and the date they were resolved.

Method of Calculation: The report automatically calculates the number of days it took to resolve the complaint. The accountant manually counts those complaints that were resolved in 182 days or less from this report. This number (numerator) is divided by the total number of complaints resolved during the reporting period (denominator). The result is multiplied by 100 to achieve a percentage.

Purpose: To investigate complaints within 182 days.

Calculation Type: Non-cumulative

New Measure: No

Key Measure: Yes

2. **Percent of Complaints Resolved Resulting in Disciplinary Action**

Definition: Percent of complaints which were resolved during the reporting period that resulted in disciplinary action.

Data Limitations: None

Source/Collection of Data: The accountant generates a report from the database system which lists the total number of complaints resolved by type of resolution during the reporting period.

Method of Calculation: The total number of complaints resolved during the reporting period that resulted in disciplinary action (numerator) is divided by the total number of complaints resolved during the reporting period (denominator). The result is multiplied by 100 to achieve a percentage. Disciplinary action includes agreed orders, reprimands, suspensions, probation, revocation, and administrative fines on which the Commission has acted.

Purpose: This measure is intended to show the extent to which the agency exercises its disciplinary authority in proportion to the number of complaints received. It is important that both the public and the licensees have an expectation that the agency will work to ensure fair and effective enforcement of the Act, and this measure seeks to indicate agency responsiveness to this expectation.

Cumulative: No

New Measure: No

Key Measure: Yes

3. **Recidivism rate of those receiving disciplinary action**

Definition: The number of repeat offenders at the end of the reporting period as a percent of all offenders during the most recent three year period.

Data Limitations: None

Source/Collection of Data: The accountant uses previous performance report data to obtain the number of individuals receiving disciplinary actions during the current and preceding two fiscal years. The accountant generates a report from the database system that encompasses the current and preceding two fiscal years to list by name those licensees who have received disciplinary action, and manually scans to see if any licensee has had more than one disciplinary action during this three year period.

Method of Calculation: The number of licensees against whom two or more disciplinary actions were taken by the Commission within the current and preceding two fiscal years (numerator) is divided by the total number of licensees receiving disciplinary actions within the current and preceding two fiscal years (denominator). The result is multiplied by 100 to achieve a percentage.

Purpose: To track licensees with a history of repeated complaints.

Cumulative: No

New Measure: No

Key Measure: No

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Output Measures

1. **Number of Complaints Resolved**

Definition: The total number of jurisdictional complaints during which final action was taken by the commission or for which a determination is made that a violation did not occur.

Data Limitations: Number of complaints resolved will vary depending upon the severity of the offense, the cooperation of the licensee, the amount of tangible evidence that can be gathered, the number of witnesses to corroborate the allegation, whether or not the licensee appeals the finding of the commission, and the length of time it takes for the Office of the Attorney General to set a formal hearing.

Source/Collection of Data: The accountant obtains a report from the database system which lists the complaints resolved by resolution type during the reporting period.

Method of Calculation: The report provides the number of complaints resolved. The number of complaints resolved includes determinations that a violation did not occur. A complaint that after preliminary investigation is determined to be non-jurisdictional is not a resolved complaint.

Purpose: This measure shows the workload associated with resolving complaints.

Calculation Type: Cumulative

New Measure: No

Key Measure: Yes

2. **Number of Complaints Pending**

Definition: The number of complaints submitted that have not completed the investigative and/or adjudication process.

Data Limitation: None

Source/Collection of Data: The accountant obtains a report from the database system which lists the complaints open, or pending as of the last day of the reporting period.

Methodology: Pending complaints are totaled by classification. This report is used to calculate the total number of complaints that have not been resolved during the reporting period.

Purpose: This measure will provide the agency with the number of outstanding complaints.

Cumulative: No

New Measure: No

Key Measure: Yes

Efficiency Measures

1. **Average Time for Complaint Resolution**

Definition: The average length of time to resolve a complaint for all jurisdictional complaints resolved during the reporting period.

Data Limitation: None

Source/Collection of Data: The accountant generates a report from the database system which lists the complaints resolved during the reporting period, the dates they were received and the dates they were resolved.

Method of Calculation: This report automatically calculates the number of calendar days per complaint resolved that elapsed from receipt of a request for agency intervention to the date of final disposition of the complaint by the Commission, and then sums for all complaints resolved. This number (numerator) is divided by the number of complaints resolved during the reporting period (denominator). The calculation excludes complaints determined to be non-jurisdictional of the agency's statutory responsibilities.

Purpose: This measure shows the agency's efficiency in resolving complaints.

Cumulative: No

New Measure: No

Key Measure: Yes

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2. **Average Time to Resolve Complaints Pending Litigation**

Definition: The average length of time that it takes to resolve a jurisdictional complaint pending SOAH litigation or mediation during the reporting period.

Data Limitation: None

Source/Collection of Data: The accountant generates a report from the database system which lists the complaints resolved during the reporting period, the dates they were received and the dates they were resolved.

Methodology: This report is used to calculate the total number of calendar days per pending litigation complaint resolved, summed for all pending litigation complaints resolved during the reporting period, that elapsed from receipt of a request for agency intervention to the date upon which final action on the complaint was taken by SOAH or through mediation (numerator), is divided by the number of pending litigation complaints resolved during the reporting period (denominator). The calculation excludes complaints determined to be non-jurisdictional of the commission's statutory responsibilities.

Purpose: This measure shows the efficiency of the process for resolving litigated complaints.

Cumulative: No

New Measure: Yes

Key Measure: Yes

Explanatory Measures

1. **Number of Jurisdictional Complaints Received**

Definition: The total number of complaints received during the reporting period which were within the agency's jurisdiction of statutory responsibility.

Data Limitations: None

Source/Collection of Data: The accountant generates a report from the database system which lists all jurisdictional complaints received during the time period.

Method of Calculation: The agency sums the total number of complaints received only relative to their jurisdiction. It also keeps track of the total number of complaints that are not in its jurisdiction but does not use that figure in its calculation.

Purpose: This measure shows the number of jurisdictional complaints which helps determine agency workload.

Cumulative: Yes

New Measure: No

Key Measure: Yes

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APPENDIX E

WORKFORCE PLAN

TFSC Overview

The mission of the Texas Funeral Service Commission is to protect the public from deceptive practices in the funeral and death care industry through a process of impartial enforcement, inspection, licensing and education in order to guarantee that every citizen's final disposition is conducted professionally and ethically.

Goal: Competent Licensees

Objective: To ensure that licensees meet the highest standards of professional and ethical conduct.

Strategies:

- Operate licensing program to ensure initial and renewal applications are processed efficiently
- Decrease administrative processes through aggressive use of online renewals
- Promote uniformity and reciprocity with other licensing jurisdictions
- Ensure licensure qualifications and standards for professional practice are properly evaluated, accurately applied and vigorously enforced

Goal: Enforce Standards

Objective: To ensure the protection of the general public from licensed individuals and establishments.

Strategies:

- Inspect 100 percent of all licensed funeral establishments every 12 months
- Investigate complaints upon receipt
- Provide immediate due process

The Texas Funeral Service Commission is charged with regulating the practice of funeral directing and embalming in the State of Texas. Its core business functions are licensing and compliance.

- The Commission reviews applications for licensure in accordance with the Cemetery and Crematory Services, Funeral Directing, and Embalming Act and the Rules of the Commission. The Commission administers the Texas Mortuary Law Exam to individual licensees prior to licensure.
- The Commission investigates complaints and resolves them either by dismissal or disciplinary action. Disciplinary action ranging from reprimand to revocation is usually attained by Agreed Order. The Commission inspects all funeral establishments at least every 12 months to ensure compliance with mortuary laws.

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The Commission anticipates no changes to its mission, strategies and goals for the next five years. However, statutory changes at either the federal or state level could impact workforce needs.

Possible action at the state level could include:

- Amendments to Tex. Occ. Code, Chapter 651 which could expand agency duties and responsibilities.
- Amendments to Tex. Health & Safety Code to provide a maximum time frame for when the final disposition of a dead human body must occur.
- Amendments to Tex. Occ. Code to license or regulate Crematory Operators and/or Transport services.

Additionally, workforce needs could be impacted by the following non-statutory issues:

- Staff turnover due to low salaries
- Need for more funeral professionals because of the increasing population of Texas
- Updated work procedures to ensure timely and efficient customer service
- FBI fingerprint criminal record checks on license renewals

TFSC Current Workforce Profile

Due to recent turnover issues, the mission of the TFSC currently is being handled by a total of 12 classified employees.

Most notable, 75% of the agency's workforce has less than five years of agency service. Two TFSC employees have been with the agency for more than 10 but less than 15 years, one employee has been with the agency more than five but less than 10 years, three employees have been with the agency more than two but less than five years, and the remaining six staff members have been with the agency less than two years. The current Executive Director has only been with the agency for six months.

The agency workforce is 58% female and 42% male. The greatest concentration of males (four) is found in the Compliance Division. The EEO workforce statistics show the agency is comprised of one African American female, one African American male, two Hispanic females, one Hispanic male, four Caucasian American females and three Caucasian American males.

In fiscal year 2013, there was a 25% percent in staff turnover. It is expected that some staff may leave for higher paying positions. Additionally, two of the 12 employees are eligible to retire within two years.

The TFSC regulates an industry that deals with people during one of the most difficult and stressful periods in their lives – the death of a loved one. As such, TFSC employees must have some of the same critical skills that the industry members should have.

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One of the most critical skills for agency staff is the ability to manage difficult situations. Regulating the death care industry also requires the ability to organize, plan and prioritize, problem-solve, communicate and be professional. Without employees possessing these skills the TFSC's basic business functions would be impeded.

TFSC Future Workforce Profile

There will be changes to the Commission's workforce functions long-term. These changes are attributable to the following factors:

- New reporting mandates by the Legislature
- Current and projected growth in the death care industry workforce, increased by the increase in state population
- Updated work procedures to ensure timely and efficient customer service
- Increased use of and advances in technology
- Cross-training of employees in critical areas
- Agency undergoes "Sunset" during 2019 Legislative Session
- Continued low staff salaries

In order to handle future workforce needs, the Commission should focus on retaining and hiring staff that can multi-task. Emphasis should be placed on cross-training employees across job responsibilities so that if a critical employee leaves the agency, the essential work will not be impeded. Additionally, it is critical that the agency have the budget to offer regular merit increases so that employees feel valued and appreciated for their efforts on behalf of the state.

Gap Analysis

A comparison of the Commission's workforce supply to the workforce demand reveals minor gaps that can be addressed by additional staff training in new skills and higher staff salaries.

Providing quality service to consumers, as well as licensees, depends on the critical function of being able to respond in a timely and professional manner to public inquiries, complaints, licensing issues and requests for information. All staff positions need additional writing skills in order to better and more professionally communicate with licensees and consumers.

The Commission's ability to sustain continuity and maintain positive outcomes depends on retaining its trained staff. With every staff turnover, the agency must spend time training a new employee which takes away from the efficiency of the office. Relatively low staff salaries continue to make turnover a major concern for the Commission.

In order to address possible deficits between the current workforce and future demands, the TFSC has developed goals to address the current gaps in its workforce.

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Gap	Current employees lack critical skills
Goal	Develop a competent, well-trained workforce
Rationale	The training and development of current employees is critical to the success of the agency. TFSC must continue to analyze existing staff to determine which employees demonstrate the potential to develop new competencies. Through management and leadership development outside training opportunities are available for all levels of staff.
Action Steps	<ul style="list-style-type: none"> • Identify new skills required
	<ul style="list-style-type: none"> • Expand the training within and outside the agency
	<ul style="list-style-type: none"> • Rely on other small agencies for their expertise
	<ul style="list-style-type: none"> • Mentor current employees to benefit the organizational development of the agency
	<ul style="list-style-type: none"> • Review procedures and strategies to ensure that knowledge is retained within the agency

Gap	TFSC cannot retain the right employees for the job
Goal	Become an employer of choice
Rationale	Human resource investments are crucial to the continued efficiency and effectiveness of the agency operations. TFSC must recognize there is a competitive market for good workers and take appropriate action to ensure each staff member is compensated fairly in comparison to other Article VIII agencies of similar size. The agency will focus on rewarding exceptional performance and creating a culture that supports innovation and creativity.
Action Steps	<ul style="list-style-type: none"> • Develop and implement a pay incentive for performance planning
	<ul style="list-style-type: none"> • Utilize pay incentives to retain staff
	<ul style="list-style-type: none"> • Create programs for employees who are seeking new challenges to work on special projects and assignments

Gap	TFSC has high turnover rate without adequate succession plan
Goal	Ensure there is a plan to transfer knowledge of key employees
Rationale	Prepare TFSC for risks associated with the planned or unplanned loss of knowledge that is critical to the success of the agency.
Action Steps	<ul style="list-style-type: none"> • Develop job manual for each key position
	<ul style="list-style-type: none"> • Cross-train staff
	<ul style="list-style-type: none"> • Create programs for employees who are seeking new challenges to work on special projects and assignments

