

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1966

SPONSOR: Governmental Oversight and Productivity Committee and Senator Latvala

SUBJECT: Florida Customer Service Standards Act

DATE: March 21, 2000

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>White</u>	<u>Wilson</u>	<u>GO</u>	<u>Favorable/CS</u>
2.	_____	_____	<u>JU</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

The committee substitute (CS) creates the Florida Customer Service Standards Act which requires all state departments, in part, to:

- ▶ designate an employee(s) to resolve complaints and problems from department customers;
- ▶ respond promptly to questions and requests for assistance;
- ▶ provide toll-free telephone or electronic access to the department;
- ▶ develop customer satisfaction measures;
- ▶ track customer complaints and resolutions of those complaints;
- ▶ report customer satisfaction measures and tracking data in annual reports; and
- ▶ provide customer service training to employees.

This bill creates an unnumbered section of the Florida Statutes.

II. Present Situation:

The need for government agencies to develop customer service standards was recently recognized by the federal government. Vice President Gore's National Performance Review team found in 1993, that the public's confidence in the federal government to solve problems had plummeted from 75 percent in 1963, to 17 percent in 1993.¹ In response to this trend, President Clinton issued an executive order calling for a revolution within the federal government to change the way it does business.²

¹ *The National Performance Review*, "Standards for Serving the American People", October 1997.

² Executive Order 12862, Setting Customer Service Standards, September 11, 1993.

The executive order required putting customers first and striving for a customer-driven government that matched or exceeded the best service available in the private sector. Specifically, the order:

- ▶ Defined “customer” as an individual or entity directly served by a department or agency.
- ▶ Required all executive departments and agencies that provide significant services to the public to immediately identify customers served by the agency, survey the customers to determine needs and satisfaction with current level of service, establish service standards and measurements, survey employees for customer service ideas, make information and services easily accessible, and provide a means to address customer complaints.
- ▶ Required departments and agencies to report its customer surveys to the President and to publish a customer service plan within the year.

Three years after the directive was implemented, a Roper poll found that the public’s confidence in the federal government had increased by 9 percent.³

Currently in Florida, there is no statutory scheme requiring all state departments and agencies to set customer service standards and to measure customer satisfaction. Many state entities, however, have established customer service policies, complaint procedures, and ombudsmen offices.⁴ Moreover, access to Florida government services has been greatly expanded and improved in recent years thanks to the growing number of state agencies creating web pages which detail services available, provide contact information and access to public records, and allow applications and fees for permits to be submitted.⁵

III. Effect of Proposed Changes:

Section 1. This section creates an act that may be cited as the “Florida Customer Service Standards Act.” It states that the act’s purpose is to direct state departments to practice and employ all the measures set forth in the act.

“Customer” is defined as any member of the public who: (1) uses or requests services or information provided by a state department; or (2) is required by statutory directive to interact with the department. Excepted from the definition of customer are those persons currently under criminal prosecution or subject to administrative action, or in lawful state or local government custody. Pursuant to the latter portion of this exception, no one who is lawfully detained, arrested, incarcerated, or civilly confined may qualify as a customer.

³ Examples of federal agency customer service improvements include: (1) the Social Security Administration reported answering all telephone calls during its busiest month within five minutes; (2) the U.S. Mint reported answering calls within 10 seconds; (3) the Office of Personnel Management set up a web page which lists all federal jobs available and provides the forms necessary to apply for the positions; and (4) the Occupational Health and Safety Administration created a web page which answers frequently asked questions regarding workplace safety and health rules.

⁴ See Section V, c., *infra*.

⁵ See s. 288.109, F.S., providing for the creation of a “One-Stop Permitting System” on the Internet.

“Department” is defined as a principal administrative unit within the executive branch of state government, as defined in ch. 20, F.S.⁶ In other words, “department” means the: (1) Department of State; (2) Department of Legal Affairs; (3) Department of Banking and Finance; (4) Department of Insurance; (5) Department of Agriculture and Consumer Services; (6) Department of Education; (7) Department of Business and Professional Regulation; (8) Department of Labor and Employment Security; (9) Department of Community Affairs; (10) Department of Children and Family Services; (11) Department of Law Enforcement; (12) Department of Revenue; (13) Department of Management Services; (14) Department of Transportation; (15) Department of Highway Safety and Motor Vehicles; (16) Department of Environmental Protection; (17) Department of Citrus; (18) Department of Corrections; (19) Department of Juvenile Justice; (20) Department of Lottery; (21) Department of Veterans’ Affairs; (22) Department of Elderly Affairs; (23) Department of Health; and (24) Department of Military Affairs.

The section requires all state departments to:

- ▶ designate an employee or employees in the department to be responsible for facilitating the resolution of customer complaints, including any customer complaints regarding unsatisfactory treatment by department employees;
- ▶ provide available information and accurate responses to questions and requests for assistance in a prompt manner;
- ▶ acknowledge receipt of a telephone or electronic inquiry by the end of the next business day, when practicable;
- ▶ provide direct local or toll-free telephonic or direct electronic access to the employee(s) responsible for customer complaints;
- ▶ develop a process for review by upper level management of any customer complaints not resolved by the employee(s) responsible for customer complaints;
- ▶ develop customer satisfaction measures as part of the department’s performance measurement system;
- ▶ employ a system to track customer complaints and resolutions of those complaints;
- ▶ report statistical data on customer complaints and resolutions, and on customer satisfaction measures in annual reports or performance publications, and use this data when conducting management and budget planning activities;
- ▶ provide customer service training to employees;
- ▶ include a program outline or goal regarding customer service in the department’s strategic plan; and
- ▶ conduct interdepartmental discussion on methods of providing and improving customer service.

The act’s requirements must be satisfied by using the department’s available resources. The act states that a department’s failure to comply with the act does not give rise to any cause of action.

Section 2. This section provides that the act shall take effect October 1, 2000.

⁶ The term “department” is defined in ch. 20, F.S., as the principal administrative unit within the executive branch of state government, and each department must be a title beginning with the words, “Department of _____”. Sections 20.03 and 20.04, F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The act would provide the public with more efficient and effective access to state departments, and with defined processes for resolving any complaints.

C. Government Sector Impact:

It is unlikely the bill will generate any significant fiscal impact. The bill does require state departments to: (1) appoint an employee(s) to resolve customer complaints; (2) provide direct local or toll-free telephonic or direct electronic access to the department; and (3) track customer complaints and resolutions. Most state departments, however, currently have such customer service processes in place, and therefore should not incur any additional expense as a result of the bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
