



NLPES News

National Legislative Program Evaluation Society

A Staff Section of the National Conference of State Legislatures
NOVEMBER 2007



Chair's Corner Tim Osterstock (Utah)



Another year, another strange face in the upper-left corner, and another call for member participation - you've got to wonder if we're ever going to get it right and be able to move on. The fact is that we have. While the call is a modification of the same message you see at

the start of each new year, it's appropriate, it's answered by NLPES members, and the level of volunteer help we get each year allows us to address new issues.

So, I want to start this year with a thank you to all of our NLPES members who participate as: Executive Committee members, fall conference host states, Annual Meeting and fall conference panelists and moderators, the newsletter editor (that's a big one to you, James), newsletter contributors, the Question of the Month [QOTM] coordinator (and one to you, Joel), QOTM participants, listserv users, and conference attendees. It truly is an honor to be a member of this organization and to be your Executive Committee chair this year.

There are two points I really want to drive home. First, I think that we can all take pride in the level of participation NLPES receives (and will continue to need) from its members and, second, I want to share with you the direction I see the organization going in the future. This second point is only possible if we are vigilant in maintaining the first.

Member Participation

To be honest, I think that NLPES is on a membership high. Over the last decade, our meetings have grown in size, strength, and quality. For the first time that I can recall, we have states volunteering to host the fall training conference for a number of years in the future. Mark your calendars because we're looking at Madison, Wisconsin in 2008; Honolulu, Hawai'i in 2009; and Baton Rouge, Louisiana in 2010. The groundwork is laid, now it's up to all of us to support these host states and participate in our conferences.

The Wisconsin Legislative Audit Bureau will be hosting next year's fall conference in Madison. It's a beautiful city and they are great people—please support them. If you have any thoughts as to session topics, share your ideas with an Executive Committee member or the Wisconsin staff. And, if you have an inkling or get a call to be a panelist, please step up.

Clearly the hardest sell in our future is the training conference in Hawai'i, but it is an important step for all of us to take. The Executive Committee could not turn down Hawai'i's offer to host simply because it's a nice place to visit. Hawai'i is not a lesser member of our organization and has been one of NLPES's strongest supporters; they have more than earned the right to share their hospitality. Attendance for most of us is not a question of cost. Airfares are more reasonable than you'd think, and our fall conference fees are considerably less than those for equivalent hours of Institute of Internal Auditors or Association of Certified

Inside the NEWS

Florida OPPAGA Receives NLPES Awards.....	2
Kirk Jonas Receives NLPES Outstanding Achievement	3
VanLandingham Elected as NCSL Staff Vice-Chair	3
Problem-Solving 101	4

State Profile: Louisiana Performance Audit Division	5
Program Policy and Evaluation—Italian Style.....	6
Office Happenings.....	7
From the Editor	8

Fraud Examiners training. I challenge you all to check it out for yourselves.

In 2010, the Louisiana Office of the Legislative Auditor will be hosting the meeting in Baton Rouge. Although the conference is still in the early planning stages, it looks like we have the makings for another outstanding meeting in a new location. I don't know of any other staff section planning out this far in advance and I can tell you that most staff section officers I've talked with are jealous of the level of support that we get from our members. Let's keep the momentum.

Future Plans

We are an organization with two primary charges-- to provide a mechanism for training and sharing of ideas and to advance the field of legislative program evaluation. The Executive Committee will support these goals by continuing its work and refinement of some key on going projects.

Last year, we started to address our awards program and its ability to recognize the wide variety of work performed by our member states.

The refining will continue this year. We are continuing to work either with or around NCSL to get the most current and important information on the NLPES webpage. Work will continue both with the Executive Committee and NLPES members in NCSL positions to further the use of technologies to get training out to those who can't make it to conferences. And we are making progress in conference partnering with other staff sections to further improve the quality of our meetings.

For me, the most exciting prospect for the coming year is the Executive Committee's work on establishing an NLPES-driven performance audit/evaluation peer review program. (Did I really just call peer review work exciting?) Nearly all similar organizations have peer review programs that we modify, tweak, or ignore to address our needs. An NLPES peer review program can go a long way in standardizing the reviews that are now being done and opens up the possibility of peer review for those offices not currently being reviewed. I think it's an important step for all of us as when it is done right it improves our offices and forms a strong basis for sharing of ideas. I'm hoping that in the next newsletter I can tell you how successfully the Executive Committee's work is progressing.



Florida OPPAGA Receives NLPES Awards

NLPES chose the Florida Office of Program Policy and Government Accountability (OPPAGA) as the winner of the 2007 Excellence in Evaluation Award. From 2003 through 2006, the office has published more than 300 reports. It has also developed innovative ways to communicate with Florida legislators, including weekly electronic newsletters and e-mail alerts announcing the pending release of reports. In addition, OPPAGA has supported the evaluation community through its participation in numerous activities at the national, state and local levels.

NLPES also chose Florida OPPAGA as the recipient of the 2007 Outstanding Evaluation Methodology Award. The award was issued for the

Office's work in conducting the audit entitled *The Nursing Home Diversion Program Has Successfully Delayed Nursing Home Entry*. The report analyzed the extent to which the Florida Nursing Home Diversion Program delayed entry into nursing homes, compared to other Medicaid long-term care waiver programs and non-waiver Medicaid. To accomplish these analyses with limited data, the report used two survival analysis techniques, which are advanced statistical methods originally used in the medical and biological sciences. The report also used ordinary least squares regression to compare costs among the programs.

Congratulations to Dr. Gary VanLandingham and his staff for a job well done!

Eighteen Offices Awarded Certificates of Impact

During the NCSL Annual Meeting in Boston, NLPES awarded Certificates of Impact to the evaluation/audit offices in the following states: Colorado, Florida, Georgia, Hawaii, Illinois, Idaho, Kansas, Louisiana, Michigan, Mississippi, Tennessee, Texas (Sunset), Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.



Kirk Jonas Receives NLPES Outstanding Achievement Award



NLPES presented the Outstanding Achievement Award for 2007 to R. Kirk Jonas, Ph.D. for his contributions and service to the field of legislative program evaluation and to NLPES. After more than twenty-seven years of exemplary service to the

Virginia Joint Legislative Audit and Review Commission (JLARC), Kirk retired on July 1, 2004. He participated in the development of Virginia's rainy day fund constitutional amendment and led a study that resulted in the elimination of more than sixty state boards and commissions. Kirk worked on scores of public policy research projects and studies that resulted in millions of dollars of savings and new revenues for the state. As JLARC's deputy director, Kirk provided outstanding leadership to administrative personnel, developed innovative recruitment practices, and improved administrative and research policies and procedures.

Prior to joining JLARC, Kirk served as a staff officer in the Third Infantry Division of the United State Army and later in the U.S. Army Reserve until his retirement as a Lieutenant Colonel.

In March 2004, Kirk was named director of the newly founded Richmond Research Institute at the University of Richmond, which facilitates collaborative interdisciplinary research on a variety of public policy issues. The projects undertaken by the Institute are designed to align faculty expertise across the university and include undergraduate students as active partners in the research. On July 1, 2007, Kirk became the interim associate provost at the University of Richmond.

Kirk was a very active participant in NLPES and NCSL, and has been staff chair of the Budgets and Revenue Committee, as well as an officer, editor and presenter for many years for NLPES. In 1999, he edited "Legislative Program Evaluation: Utilization-Driven Research for Decision Makers," a Jossey-Bass journal focusing on evaluation in state legislatures.



VanLandingham Elected as NCSL Staff Vice-Chair



During the Annual Meeting in Boston this past August, NCSL delegates elected Dr. Gary VanLandingham as staff vice-chair

of NCSL. Gary presently serves as director of the Florida Office of Program Policy Analysis and Government Accountability, a position he has held since 2005. Prior to being confirmed as director, Gary served as interim director for two years and deputy director for seven years. Before becoming deputy director, Gary served as lead analyst for OPPAGA's general government policy area. His areas of expertise include privatization, project

management, strategic planning, and performance management. His evaluation experience also includes work in the Governor's Office, the former Department of Health and Rehabilitative Services, and a school district.

In addition to currently serving as NCSL staff vice-chair, Gary has also served as chair of the National Legislative Program Evaluation Society, staff vice-chair of the NCSL Assembly on State Issues, and president of the Southeast Evaluation Society. Gary has a Ph.D. in Public Administration and Policy from Florida State University and is a certified internal auditor.

Gary will automatically become staff chair during NCSL's Annual Meeting in New Orleans in July 2008.



Problem-Solving 101

For the most part, the work of legislative program evaluators and auditors involves solving problems. Legislators (or their constituencies) perceive that a problem exists in an agency or program and request assistance of our offices in analyzing the problem and identifying possible solutions. In effect, legislative program evaluators and auditors are sleuths, solving problems by relentlessly tracking down the truth.

Problem solving is different than “exercise solving” in which you recall and apply routines or formulas that you have mastered and previously used to solve questions. In problem solving, you are unsure about how to proceed as well as about the connection between the given data and the goal (solution of the problem).

So, how do evaluators or auditors approach problem solving? Glad you asked! First, mentally prepare yourself to solve the problem. Overcome anxiety—believe in your abilities—“psyche yourself up.” Then, follow a disciplined approach such as the one below to arrive as a solution.

Problem-Solving Process

- *Understand the problem:* What are you asked to find or solve? You must interpret the problem in light of your own knowledge and experience. Identify the known and unknown information.
- *Devise a plan:* How should you attempt to find an answer? Decide on a strategy and map (write) out steps to be taken. Determine a method to monitor your progress.
- *Carry out the plan:* How will you do what you plan to do? Perform the steps listed in your plan.
- *Evaluate or Assess:* Did you do what you planned to do? Look back and decide what was done. Check to see if you have answered the question asked.

People generally use different techniques to solve problems. Listed below are some methods that might sound familiar to legislative program evaluators and auditors.

- *Sponge:* soak up all of the information that you can discover (and a lot of misinformation).
- *Shake:* shake out the facts and question the problem itself and start to imagine all sorts of things.
- *Squeeze:* wring out the sponge and scribble down the most promising splashes and dribbles.
- *Bounce:* along with another person toss embryonic ideas back and forth until only the fittest survive.
- *Scratch:* like the bounce, scratch brain against brain hoping to spark a new notion.
- *Once-again-please:* examine the survivors in the cold light of reason, abandon most, and incubate a few in the warm darkness of imagination.
- *Dry:* quit thinking about the problem and turn your mind to pleasure or routine. (You only think you’ve stopped thinking.)
- *Yahoo:* when things connect and an idea pops into your head that turns out to be the key to the solution. Often this happens when you least expect it and aren’t even thinking about the big problem.
- *Do:* use your particular talents and learned skills and those of others concerned to shape and form the raw idea into a proper solution.
- *Itch:* which may should come first instead of last. The drive to solve problems creatively—with a new and original solution—stems from some chronic itch; dissatisfaction with all existing solutions.

**NLPES Fall Training Conference
September 24-27, 2008
Madison, Wisconsin**



STATE PROFILE: Louisiana Office of the Legislative Auditor, Performance Audit Division

History: The first performance audit conducted by the Louisiana Legislative Auditor's Office was a study of the state's telecommunication system, which was conducted single-handedly in 1986 by our now-director, David Greer. As performance auditing became more prevalent across the country, the Legislature saw the need for a separate performance audit division. In 1991, the Legislature mandated that our office conduct performance audits and gave us funding to staff the Performance Audit Division within our office, which we now affectionately refer to as "PAD".

Governing Body: Legislative Audit Advisory Council comprised of five senators and five representatives. The chairmanship of the council rotates between the house and the senate.

Staff Size: We have 29 fulltime positions consisting of a director, 3 managers, and 25 senior and staff auditors. We also have 2 intern positions.

Educational Backgrounds of Staff: We require either a master's degree or a CPA. The educational backgrounds of our current staff include accounting, business administration, economics, elementary education, English, English literature, finance, history, journalism, law, management, marketing, mass communication, nursing, political science, psychology, public administration, and sociology.

Professional Certifications: CPA, CIA, JD, CFE, RN.

Most Predictable Agency Response: "We were going to (insert action), but then the hurricanes hit."

Unofficial Motto: "At the end of the day" made popular by our current legislative auditor.

Most Exciting Moment: Getting FEMA to provide us unprecedented access to its data, resulting in a finding that documented \$60 million in questionable billings FEMA had made to the state for the state's share of disaster related recovery expenses.

Scariest Moment During an Audit: Being met at the gates of a state prison by armed guards with instructions to shoot to kill. (Not really, but it sounded good. They were actually instructed to not let the auditors in. A quick call to the state police requesting a dispatch to escort us into the prison took care of the problem.)

Most Quotable Quote: After a post-hurricane FEMA training session, our office received the following e-mail message from the state Office of Emergency Preparedness: "With your help, this can be the greatest disaster ever."

Staff Leisure Activities: Tailgating before watching dem Tigers, traveling to da Mardi Gras, enjoying a good gumbo made with a nice roux, boiling mudbugs, hunting, fishing, wrestling alligators, taking the pirogue down the bayou, and watching cock fights until August 1, 2008.

Why We Work For PAD: It gives us an opportunity to make a difference in a state we love.

Interesting Facts About Louisiana

- Louisiana has the tallest state capitol building in the country.
- New Orleans was founded in 1718.
- Mardi Gras is an ancient custom that originated in Europe to celebrate food and fun before the 40-day Lenten season begins.
- Louisiana has four seasons: summer, summer, still summer, and Christmas.
- Louisiana is the only state in the country that does not have counties. Instead, we have parishes.
- Biting someone with your natural teeth in Louisiana is considered a simple assault, but biting someone with your false teeth is considered aggravated assault.
- The only known cemetery facing north-south is located in Louisiana.



Program Policy and Evaluation--Italian Style

Ken Levine (Texas)



In the spring of this year, in the middle of the Legislative Session, I received a phone call from NCSL asking if I was interested in speaking about program and policy evaluation to a group in Italy. I was tired. I was working long hours. Visions of the Italian countryside danced in my head. After about three seconds of arm-twisting, I agreed to take the assignment. Once approved by the NCSL hierarchy, the planning was underway.

The request came from CAPIRe, the Italian equivalent of NCSL. CAPIRe is composed of the 20 regions (states) of Italy, including the five that have semi-autonomous status. The organization was holding a conference in Matera, Italy to build support for institutionalizing the concept of evaluation within the regional governments.

From a cultural perspective, the performance or necessity of programs established by the Italian federal or regional governments are rarely questioned. While some financial audit functions are in place, no regions have a mechanism to ensure that taxpayer Euros are well spent. One of the main functions of CAPIRe is to address this issue by promoting legislative oversight through use of policy evaluation and performance appraisal.

The following quote from James Madison's *Federalist Papers* appears on the front page of the group's website: "In framing a government... the great difficulty lies in this: You must first enable the government to control the governed; and in the next place oblige it to control itself." While we evaluators

don't often think of our purpose as being a way for state government to control itself, in reality that is exactly what we do.

Alberto Martini, Scientific Director of CAPIRe and a professor at the University of Torino (Italy) organized the conference with the goal to "spread the culture of evaluation in Italy." Three foreign speakers were lined up: Steve Rauchenberger (former president of NCSL); Pieter Welp, who oversees evaluations for the House of Representatives in the Netherlands; and me. Senator Rauchenberger spoke on the necessity of program evaluation to provide legislatures information needed for budget and policy decisions. Mr. Welp and I spoke on how evaluation works, and the benefits of institutionalizing evaluation in our respective legislative bodies.

Professor Martini later indicated that one of the main benefits of our presentations was to show the Italian Legislative leaders that real human beings do policy analysis for a living in the United States and elsewhere in Europe, and that legislative bodies support and use this work. So, while I'd like to think that the brilliance of my presentation was my main contribution to the event, simply being there as a symbol of professional program evaluation was, in all honesty, at least as important.

In any case, my presentation first focused on the state of evaluation in the United States, based significantly on NCSL's *Ensuring the Public Trust*, and information from Gary VanLandingham's recent research on this subject. I also presented material showing how the Sunset process works in Texas, its successes, and the Legislative commitment to using the results of the evaluations. Hopefully, all this was translated well. I met with the translators before the presentation and they did have some difficulty translating certain terms, in particular "Sunset" as something other than the physical setting of the sun. However, the talk was a success, if for no other reason than my give-a-ways of several burnt orange University of Texas T-shirts.

The conference culminated in the signing of an agreement called the Carta de Matera. The agreement, signed by the legislative leadership of the regions in attendance, confirmed a commitment to establishing and funding program and policy evaluation within their regional legislatures.

Professor Martini recently e-mailed me that the Cara de Matera is becoming like “a second Constitution.”

So, what did I learn through presenting to a foreign audience?

- Graphical PowerPoint slides work well to help illustrate points for non-English speakers.
- Meet with your translators before the presentation if at all possible.
- Slow down your normal presentation pace and focus on your key points only.
- Arrive more than 24 hours before your presentation if jet lag is an issue.
- Expect the unexpected (110 degree heat, no air conditioning).

The experience was rewarding, strange, educational and fun. Matera, in southern Italy near the heel of the boot, is an extraordinary place. An ancient town, its original inhabitants lived in caves (the Sassi) carved out of a hillside. Later, structures were built at the front of the caves so the homes and business look like regular buildings, but after the front room, the rest of the dwelling is within a cave.

The caves were ordered abandoned in the 1950s due to unsanitary conditions and lack of utilities. Starting in the 1970s, the Sassi were slowly re-inhabited, and utilities provided. Some are still abandoned today, although most of the Sassi are now revitalized as private homes, restaurants hotels and small businesses.

We stayed in a wonderful hotel that is composed of a series of former residences, now converted into hotel suites. The bedroom portion was in a cave, as was the bathroom. Luckily, the suite was air-conditioned. Daytime temperatures were in the 110-degree range.

The Italians treated their guests like royalty. We attended a dinner for conference attendees the first night after we arrived—a dinner that started at 9 p.m.,

had eight courses and lasted until 1 a.m. After our presentations the next day, we were given a tour of the Sassi by an American who has lived in Matera for many years, and who also served as a translator at times. That evening about 30 of the regional legislative leaders and the foreign guests were treated to another eight-course dinner at a 16th century palace, now used for private functions.

I'll never view American Italian food the same again. The dinner featured seafood as the basis of most of the courses, including a squid-like inkfish, the only offering I did not try. But the food was fantastic, the wine flowed and a good time was had by all. The second dessert (sinful) was served in a parlor with after dinner drinks at about 1 a.m. As the foreign contingent and the guide walked back to the hotel, we were delayed by the allure of Limoncello, an Italian liqueur produced in Southern Italy. I won't go into the details, but trust me that the outdoor bars in Italy stay open as long as they have customers.

After Matera, I had the opportunity to spend a few days on Sicily (also an amazing place) followed by several days in Rome. Each is a story in its own right.

I'd like to thank Bob Boerner and Neal Osten of NCSL for offering me this experience, Alberto Martini of CAPIRe for including me in the conference, and Steve Rauchenberger for showing me the ways of foreign visits. Ciao.

Links related to this article:

- Spark! Podcasts about the conference: <http://www.ncsl.org/nlpes/spark.htm>
- CAPIRe: <http://www.capire.org/> (you can use BableFish <http://babelfish.altavista.com/> for translation of webpages)
- Photos of Matera and the Conference: <http://www.kodakgallery.com/Slideshow.jsp?mode=fromshare&Uc=6hsp84th.2g2coq9x&Uy=-5f18td&Ux=0>
- History of Matera: http://en.wikipedia.org/wiki/Matera,_Italy



Office Happenings

California

BusinessWeek magazine recently named the California State Auditor's Office as one of the Best Places to launch a career for college graduates. The Office was ranked 69th out of 95 employers that made the magazine's list. The Office was the only state agency recognized.

Minnesota

Jim Nobles, who has served as Minnesota's Legislative Auditor since 1983, was recently appointed by legislators to another six-year term.

Mississippi

The Joint Legislative PEER Committee recently welcomed Kevin Mayes and Brian Dickerson as evaluators and Ben Collins as a GIS operator.

North Carolina

The Program Evaluation Division recently welcomed the following staff: Barbara Baldwin, Michelle Beck, Chuck Hefren, Kiernan McCorty, Michele Nelson, Abby Parcell, Brian Reynolds, Carol Ripple, Yana Samberg, Carol Shaw, and Pam Taylor.

Tennessee

The Offices of Research and Education Accountability recently invited a panel of legislators to a box lunch session with all the staff. In addition to helping the legislators become more familiar with the office, the staff had an enlightening conversation about what the legislators liked and disliked about the office's reports ("We love the one-page summary."); how familiar they are with the office's website ("You have a website? I'd never even thought to

look there..."); and, what the legislators value most about the office's work ("We know your work is accurate and thorough.") Overall, the session gave office staff some great ideas for improving work products and communications with the office's primary customers.

OREA's Jessica Gibson and Erin Do recently traveled to Washington, D.C. to present their report *Mothers and Babies, The Health of Tennessee's Future*, at a Congressional briefing on infant mortality.

Utah

The Office of the Legislative Auditor General welcomed five new staff: Benn Buys, Ian Christensen, August Lehman, Rachel Lyon, and Jesse Martinson.

Wisconsin

The Legislative Audit Bureau has welcomed three Program Analysts in recent months: David Harkins, Theo Ohlgart, and Tim Steiner.

From the Editor

The month of November means that the Thanksgiving season is upon us and I am sure that we all have many things for which to be thankful. For those of us in Mississippi, we are thankful that the campaign season for statewide and legislative offices is over. We have a returning Governor, a new Lieutenant Governor, and thirty-three new members in the Legislature. So, things will prove to be interesting come January.

As we enter a holiday season and come to the close of another calendar year, I want to leave you with the words of Albert Schweitzer: "In everyone's life, at some time, our inner fire goes out. It is then burst into flame by an encounter with another human being. We should all be thankful for those people who rekindle the inner spirit."

James Barber

NLPES-NEWS is published three times a year by the National Legislative Program Evaluation Society, a staff section of the National Conference of State Legislatures. NLPES serves the professionals of state legislative agencies engaged in government program evaluation. The purposes of NLPES are:

- To promote the art and science of legislative program evaluation.
- To enhance professionalism and training in legislative program evaluation.
- To promote the exchange of ideas and information about legislative program evaluation.

NLPES News Editor: James Barber (MS)
601-359-1226

james.barber@peer.state.ms.us

www.ncsl.org/programs/nlpes/

