

Department of Consumer Protection



At a Glance

MICHELLE H. SEAGULL, Commissioner

Vacant, Deputy Commissioner

Established – 1959

Statutory authority - CGS Chap. 416, Section 21a-1

Central office – 450 Columbus Boulevard, Suite 901, Hartford, CT 06103

Number of employees (All Funds) - 265

Recurring operating expenses - \$21,371,153

General Fund Revenue - \$44,816,452

Transportation Fund Revenue - \$ 1,928,160

Organizational structure -

Office of the Commissioner; Regulation of Food & Standards; Regulation of Drugs, Cosmetics & Medical Devices; Regulation of Alcoholic Liquor; Regulation of Occupational & Professional Licensing; Regulation of Trade Practices; Regulation of Public Charities; Regulation of Gaming; Investigations Division; License Services Division; Legal Services Office; Communications Office; Education and Outreach Office; Administrative Services Office;; Technical Systems Unit.

Mission

The mission of the Department of Consumer Protection is to protect the public health and safety and prevent significant economic harm to businesses and consumers through compliance and enforcement efforts.

Statutory Responsibility

The Department of Consumer Protection is a regulatory agency that protects citizens from physical injury and financial loss that may occur as the result of unsafe or fraudulent products and services marketed in Connecticut. The extent of the department's regulatory oversight is unique in that its jurisdiction dovetails frequently with that of other Connecticut state agencies. The Department is responsible for enforcing numerous significant consumer protection laws, including but not limited to the Connecticut Unfair Trade Practices Act (CUTPA), the Liquor Control Act, the Connecticut Pure Food, Drug & Cosmetic Act, the Connecticut Weights & Measures Act, and the Connecticut State Child Protection Act. The Department protects consumers from unexpected, as well as ongoing, health, safety and product-related issues. The Department of Consumer

Protection must be able to mobilize staff at any time in order to respond quickly and effectively to a food, drug, product safety, or economic crisis affecting Connecticut's marketplace or its residents.

In FYE 2017 the Department became responsible for supporting the State Board of Accountancy, which includes 5,938 credentialed individuals and 2,260 CPA firms.

FYE 2017 saw continued implementation of Connecticut General Statutes, Chapter 420f, Section 21a-408, The Palliative Use of Marijuana.

As safe, legal products expanded, the number of program participants increased in significantly in FY 2017. Between July 2016 and June 30, 2017, the number of physicians that certified patients for medical marijuana increased from 475 to 718. Similarly, while 11,079 patients had registered with the program as of July 2016, 19,109 patients were registered by the end of July 2017.

Public Service

The Department of Consumer Protection continues to fulfill its mandate to protect Connecticut consumers through numerous enforcement and education channels. Public service provided by the Department during Fiscal Year 2017 included the following activities:

Regulating Alcoholic Liquor

- Through its Liquor Control Division, the Department worked to protect the health and safety of Connecticut citizens by regulating all persons and firms involved in the distribution, sale, and dispensing of alcoholic liquor in order to prevent sales to minors and intoxicated persons, guarantee product integrity and ensure that licensed premises are safe and sanitary.
- Department staff conducted inspections and investigations to ensure compliance with the provisions of state laws and regulations pertaining to the manufacture, importation, sale, and dispensing of alcoholic liquor.
- The Department investigated alleged violations of the State Liquor Control Act and consumer complaints involving alcoholic liquor that included: the sale of alcohol to minors and intoxicated persons; improper pricing and labeling; violations of regulations regarding adult entertainment; and purchases of alcoholic liquor from prohibited entities.
- Department staff collaborated with state and municipal police officers to conduct joint actions to enhance enforcement of underage drinking laws. These included alcohol compliance operations that utilized minors trained by the Governor's Prevention Partnership and local police agencies. In FY 2016-2017, the Division conducted more than 275 such local liquor compliance checks throughout the state.
- The Department provided training and education to more than 200 law enforcement officers, liquor retailers and community members in strategies to deter access of alcoholic liquor to underage persons.

Regulating Drugs, Cosmetics & Medical Devices

- The Department's Drug Control Division worked to protect the health and safety of Connecticut residents by regulating all persons and firms involved in the distribution of drugs, cosmetics and medical devices.
- Through the Drug Control Division, the Department investigated alleged diversion of controlled substances by practitioners in both pharmacies and healthcare facilities, conducted pharmacy inspections and responded to consumer complaints regarding prescription errors. In collaboration with the federal Drug Enforcement Administration (DEA) and the Food and Drug Administration (FDA), the Drug Control Division investigated sales and distribution of controlled substances.
- Department staff assisted law enforcement, the FDA, the federal Department of Health and Human Services (HHS), the Federal Bureau of Investigation (FBI) and the DEA in investigating and adjudicating cases of drug fraud in the state.
- Staff performed compliance inspections of all Drug Control licensees and registrants -- either as opening inspections, routine inspections, special inspections, or closing inspections. The Department continued operating and upgrading the Prescription Monitoring Program (PMP), which protects public health and safety by requiring prescribers and pharmacists to access a patient's prescription history to help identify patterns of misuse, diversion and/or abuse. Law enforcement and regulatory personnel also have access to the program to assist with investigations related to doctor shopping, pharmacy shopping and fraudulent activity. The program conducted education and outreach to the general public on prescription drug abuse, safe storage and disposal of prescription medication and taking medications safely.
- Staff monitored compliance agreements of pharmacists in a probationary program due to drug addiction. The Department also oversaw the compliance of the various police departments' canine labs.
- In its regulatory and operational oversight of the Medical Marijuana Program, the Department implemented online registration procedures for patients, physicians and caregivers, and conducted all compliance and investigative functions of the program. The Medical Marijuana Program now has over 19,000 patients, four producers, and nine dispensaries. Over the last year, the number of patients in the Medical Marijuana program has nearly doubled.
- The Department posted on its website the answers to frequently asked questions from students, applicants, registrants and members of the pharmacy industry. Sample inspection reports and email addresses were also added online, to improve and simplify interactions with registrants and consumers.
- The Department conducted presentations to professional and community organizations and presented at state and national pharmacy conferences and seminars.
- The Department expanded the Controlled Substance Medication Drop Box Program, which it has operated for several years. Currently, 83 drop box programs are operating in municipalities across the state. To date, more than 60,000 lbs of medication have been destroyed through this program.
- Department staff continued to assist the Centers for Disease Control and Prevention (CDC) and Department of Public Health in managing the Chempak program for hospitals and first responders, and in the storage and dissemination of strategic medication. The Division also continued to assist the FDA in dissemination of drug recall notices to prescribers, pharmacists and pharmacies via an electronic list-serve.

- The Department continued to house the Board Administrator for the Commission of Pharmacy and the Board of Physicians.

Regulating Food and Standards

- Through the Food and Standards Division, the Department enforced the Connecticut Uniform Food and Drug Act mandate to protect public health in the commerce of food. The Division also enforces weights and measures law in Connecticut to ensure a fair, honest and open marketplace for the commerce of commodities.
- The Department administered the grant funded quality improvement program related to food safety inspections – “Manufactured Foods Regulatory Program Standards” in collaboration with the Food and Drug Administration (FDA), with a particular focus on ensuring that food safety inspections done by State inspectors are equivalent to those completed by FDA inspectors ensuring that consumers in Connecticut as well as those consumers of food products produced in Connecticut are protected from food borne illness. The program also prepares staff and the regulated public for the requirements under FSMA.
- Staff conducted inspections of food-processing plants, warehouses, retail food stores, bakeries, nonalcoholic beverage plants, frozen dessert plants, vending machine locations, apple juice and cider plants fulfilling the Department’s mandate under the State’s Uniform Food and Drug Act to protect the public health in the intra-state commerce of food.
- The Department responded to 33 traffic and highway accidents involving food and beverage products, one less than last year’s responses. The inspections are done in order to ensure that contaminated/adulterated foods were not distributed to the public. The Division responded to 1137 complaints from consumers related to food and weights and measures, a slight increase over last year.
- Staff inspected gasoline stations, heating oil dealers and all weighing and measuring devices used commercially, such as retail store scales, motor truck scales, petroleum meters and home delivery truck meters.
- The Department checked packaging, labeling, unit pricing, scanning and advertising of food products, produce sampling and non-food items, restaurant menus, advertisements and gasoline station price signs to ensure that the contents and their weights were represented correctly.
- Pursuant to a Memorandum of Understanding with the U. S. Department of Agriculture, the Department conducts effectiveness checks on meat and poultry recalls that affected Connecticut.
- Staff worked cooperatively with the Department of Motor Vehicles and the Department of Public Safety on the Commercial Vehicle Safety and Inspection program, ensuring the accuracy of portable scales used in the State’s highway safety programs, preventing overweight trucks from posing a threat to the driving public and damage to the State’s roadways.
- The Department regulated fuel retailers both home heating and motor fuel in the State and supervised inspection work performed by municipal sealers of weights and measures in Waterbury, Danbury, New Haven, Bridgeport, Norwalk and Stamford.
- The Department maintained unconditional recognition from the U.S. Department of Commerce, National Institute of Standards and Technology for the State Metrology Laboratory.

- Staff from Weights and Measures participates on presentation panels for credit card skimmers at motor fuel retailers.

Performing Investigations, Protecting Against Fraud and Resolving Complaints

- Through the work of the Investigations Division, the Department investigated a variety of cases that resulted in criminal, civil and administrative actions, primarily under the Connecticut Unfair Trade Practices Act, the Home Improvement Act, the Solicitation of Charitable Funds Act, occupational and professional licensing among many others. This includes 41 referrals made through a specialized program with the Office of the Attorney General for criminal violations of the Home Improvement Act.
- Other matters referred for legal action included those relating to door to door sales, Health Club Guaranty Fund claims, restitution claims against home improvement contractors, and violations by licensed contractors, home improvement contractors, charitable paid solicitors, and a homemaker companion agency.
- The Department's Complaint Center responded to 19,549 calls and staffed the Hotline for 5,122 man hours as well as responded to 3,508 written consumer complaints during the year. The most common complaints were with home improvement contractors; licensed tradesmen and professionals; telecommunications, cable and utility companies; general retail stores, both online and in-store; warranty providers; funeral homes; bills by medical providers; homemaker-companion agencies, health clubs; and broad scams of every type and delivery mechanism.

Regulating Gaming

- Through the Gaming Division, the Department regulated Connecticut's authorized forms of gambling, which include Tribal Casinos, Off-Track Betting, State Lottery and Charitable Games. Specifically, the Gaming Division completed 6,667 gambling regulation inspections and visits, managed 2,965 lottery drawings to ensure the integrity of the games, and conducted charitable games audits as required.
- Department staff inspected lottery agents and licensees, and Off-Track Betting ("OTB") facilities on an unannounced and random basis to ensure compliance with all State statutes and regulations related to gaming, and to educate agents on State statutes and regulations related to Lottery.
- The Department assured that only suitable individuals worked in Connecticut's gaming industry by coordinating and conducting appropriate background checks before licensing, registering, or issuing permits to individuals, organizations, and vendors to be employed by, or contracted with, gaming licensees or permittees within the State, including those businesses authorized to sell lottery tickets. Through these efforts, the Department processed 11,168 active licenses in Connecticut's gaming industry. These included 4,859 Foxwoods Casino and 6,309 Mohegan Sun Casino active licenses.
- The Department conducted a total of 285 investigations, including personal background investigations, and monitored gaming operations to assure that all gambling activities were consistently conducted in a fair and honest manner, and to detect and prevent fraudulent gaming activity. Staff also participated in 19 arrests.
- The Department approved changes or modifications to wagering systems and related equipment to ensure the integrity of lottery games and operation of Off-Track Betting.

- The Department supported treatment and rehabilitation for chronic gamblers through public awareness activities and by ensuring that funding for such programs is provided pursuant to Section 17a-713(b) of the Connecticut General Statutes.

Issuing Licenses, Permits and Registrations

- In FY 17, the Licensing Division efficiently and accurately processed more than 283,000 licenses, permits and registrations in 235 different categories, resulting in over 52 million dollars in revenue.
- In July 2016, the Department implemented a plan for e-mailing of certain license certificates. In addition, the licensees were allowed to print their own license certificates. This new plan saved the Department over \$20,000 in printing and mailing costs thus far. This plan will be expanded to additional license types.
- Continuing an effort begun in 2014, the Department is making it possible for persons to apply online for many of its license types. The Department made 30 new online applications available and now offers more than 85 different license types the ability to apply online, resulting in over 7,670 new online applications for FY 2017. The online application process yields significant savings in staff time that was previously spent on data entry and payment processing. By requiring payments via credit card, license application funds are secure, overpayments and underpayments do not occur, and bad checks are eliminated. In turn, applicants benefit from round-the clock access to their application status, and quicker application processing time.
- In May 2017, the Department implemented the Fast Track Renewal, a quicker more efficient path to renewing a license. This implementation coupled with other significant changes in the line of communication with licensees such as automated email reminders, phone tree and website improvements has resulted in a significant decrease in telephone calls and walk in customers, allowing staff to be more efficient and productive. The overall percentage of online renewals received has increased from 42% to 55%.
- Certified Public Accountant (CPA) credentials were integrated into the DCP licensing system, taking over the duties from the Secretary of the State. Following a thorough business analysis and the increased utilization of existing technology, DCP has reduced the average time for approval of an application from 43 days to 8 days.

Regulating Occupational & Professional Licensing

- Through the Occupational & Professional Licensing Division, the Department administered professional licensing procedures that ensured that only qualified, competent individuals were licensed in the occupational trades and in several professional licensing categories.
- The Division enabled online application ability for 18 credential types.
- The Department enforced laws governing approximately 95,000 licensees in 146 credential types and administered nationally standardized examinations.

Regulating Trade Practices

- Federal Appraisal Subcommittee completed an audit of the Connecticut Appraisal Program and determined the program to be in compliance with Title XI of the Financial Institutions Reform, Recovery and Enforcement Act.

- One hundred percent audit of continuing education requirements for 5769 real estate brokers.
- Developed a list of toxic substances that should not exist in children's products in cooperation with the Department of Public Health, the Department of Energy and Environmental Protection and Trinity College. The list is published on the DCP website.
- Two hundred and thirty five second hand bedding and upholstered furniture retail sanitation inspections.
- Fifty two recall effectiveness checks in cooperation with the United States Consumer Product Safety Commission. Ensuring that recalled items are removed from store shelves.
- Fifteen thrift store educational inspections. Informing retailers about recall effectiveness and removing unsafe products from store shelves.
- Two hundred and sixty two retail store toy inspections.

Legal, information technology, communications and outreach/education functions likewise supported the mission of the Department during FY 2017:

- Through its Legal Division, the Department enhanced enforcement of consumer protection laws by effectively resolving issues of concern with persons and establishments it regulates. These initiatives included 206 compliance meetings, 105 formal hearings/administrative complaints, 130 formal hearing decisions, 119 Settlement Agreements, Consent Decrees and Stipulations, 91 Assurances of Voluntary Compliance, 4 subpoenas/civil investigative demands, and no Declaratory Ruling were issued.
- The Department's Education and Outreach unit developed and hosted the State's third symposium on Cross-Cultural Communication with almost 200 attendees, representing the state's business, nonprofit and direct service communities, in addition to members of law enforcement and of other state agencies. This symposium is intended to provide skills and knowledge to those in state agencies and nonprofits who are charged with reaching out to underserved communities, in order to assure that every resident of Connecticut has the knowledge of and access to nonprofit and state services.
- Staff continued to write a bi-monthly consumer column for the state's only newspaper translated into both Spanish and Portuguese. In addition, we now contribute a monthly consumer awareness column in the state's largest Polish language newspaper. In addition, we represent the Department on several commissioner and boards that address services to underserved audiences.
- Staff also represents the Department on the DESPP Emergency Communications Task Force and the Trafficking in Persons Council.
- The Department continued to inform and educate the public by developing print and web materials on numerous consumer-related issues, including advice on hiring contractors, avoiding scams, shopping safely online, accessing the State's medical marijuana program, signing a contract for home heating fuel, unlawful sales of alcohol to minors, and product recalls.
- The Department developed a Solar Panel Buying Guide, two brochures for families with deteriorating foundations in their homes and updated their Rights and Responsibilities information booklet for those living in mobile home communities.
- The Department processed and provided monetary restitution to consumers who were financially damaged in the areas of home improvement, new home construction, real estate and health club closings. Specifically: 152 consumer claims were processed from the Home

Improvement Guaranty Fund resulting in \$1,355,867 paid; 9 claims processed from the New Home Contractor Guaranty Fund with \$195,321 ordered paid; 1 consumer claims were processed from the Real Estate Guaranty Fund and \$3,626 was ordered paid; and no consumer claims were processed from the Health Club Guaranty Fund. In addition, in FY 2017, the Guaranty Funds collectively contributed a total of \$2,850,325 to the State's General Fund.

- The Department news releases and announcements about its initiatives, investigations, recall and scam alerts, and other consumer issues resulted in more than 500 unique print and broadcast news stories in local, statewide and national publications. Most of the news stories simultaneously appeared online, on local, state or national news media websites, thus remaining accessible to the public. More than 100 Commissioner and staff interviews with local, state and national media added to the dissemination of Department news and perspectives.
- The Department continued to enhance its ability to provide important consumer information via social media and increased public Facebook reviews, maintaining more than 4,000 fans; Twitter usage grew even more significantly, garnering more than 1,000 followers. The Department also joined Instagram.
- The Department presented at several meetings of the statewide immigrant coalition to address specific consumer scams directed at immigrants and refugees in the state. In addition, the department worked on a regular basis with the FTC to bring federal programs to the state level. We expanded our work to include other governmental organizations in our efforts to communicate to all underserved audiences.
- Department staff presented and distributed print information at conferences, seminars, and professional and community programs, and engaged in speaking engagements to educate the public on issues relating to privacy, identity theft, fraud, food safety, home improvement, homemaker companion aides, real estate, and financial literacy. Audiences reached included food sanitarians, home builders, home improvement professionals, homeowners, home buyers, professional trades groups, business leaders, senior citizens and students.
- As a member of the Coalition for Elder Justice in Connecticut, the Department collaborated with other public and private stakeholders to address issues of financial fraud and other abuses affecting older residents in the State.
- The department is now a member of the Trafficking in Persons Council, working with other state agencies, law enforcement and nonprofits to develop laws and policy that protect vulnerable populations that may be targeted by traffickers. Our casino agents have been trained in how to spot suspicious behavior and respond in the proper manner.
- A representative from the DMV was brought in to train CDP's Liquor Control agents on the new driver's licenses. The licenses will have discrete physical features that will make it easier for agents to spot fake licenses.
- The Department continues to sit on the Governor's Emergency Communications Task Force, and heads a sub-committee that seeks to understand and addresses the needs of underserved residents.
- The Technical Systems (IT) Division focused on building capacity within the Department by offering an ongoing series of trainings on basic and advanced features within the eLicense system, which is used for licensing and enforcement throughout the Department. This was coupled with implementing an MOU with the Connecticut Education Academy (CEA) to

allow online registration for the courses.

- The IT Division developed and has been implementing a performance improvement plan to further enhance its services to and support of the Department. This included a system to measure the rate at which support requests were completed within the anticipated time.
- An intranet site was developed that provides critical and useful information to Department staff, assisting them to be more productive and efficient.
- IT implemented a remote support system, to enable technical assistance of agents working in the field.

Improvements/Achievements 2016 - 2017

During Fiscal Year 2017, the Department of Consumer Protection realized numerous improvements and achievements.

- The Department continued to implement Lean principles and practices in daily work and planning. Three formal events improved customer experiences around the “Lemon Law” new automobile warranty program, the Retail Gasoline Distributor (RGD) license, and the Complaints Call Center. In addition, many smaller efforts resulted in incremental improvements throughout the Agency.
- The Department coordinated a smooth transition to its new offices at 450 Columbus Boulevard, ensuring no interruption of services to the state.
- The Department implemented a new branding initiative, including a new department logo and tag line, to create greater public awareness and understanding of the Department’s mission.
- The Department continues to hosts interns from colleges and universities all over the country in its intern program, bringing in students to learn from and contribute to the Department’s mission and goals.

Equal Employment Opportunity Reporting Requirement

The Department of Consumer Protection is firmly committed to the principles and objectives of equal employment opportunity for all individuals. The Department's full-time Equal Employment Opportunity Specialist, Dorian Lord, coordinates and monitors the Department's programs and ensures compliance with the Americans with Disabilities Act, Title II and Title VII of the Civil Rights Act, the Fair Employment Practices Act, state Affirmative Action regulations and Contract Compliance laws, and other applicable laws. The Department is an Affirmative Action/Equal Employment Opportunity employer, and has undertaken numerous steps this past year to effectuate equal opportunity in its hiring, promotions, trainings and other employment-related duties, as well as in the provision of the programs and services that fall under the Department’s authority. Information concerning these activities would be too voluminous to relate here, but are detailed in the Department’s recent Affirmative Action Plan, approved by the Commission on Human Rights and Opportunities. The Department did not knowingly do business with any bidder, contractor, sub-contractor, supplier of materials, or licensee who discriminates against members of any class protected under C.G.S. Sec. 4a-60 or 4a-60a.

The DCP Equal Employment Opportunity Unit partners with our participating client agencies to assure that agency programs are fair and equitable, provide equal employment opportunity, and comply with state and federal laws and guidelines. These assurances are fulfilled by: Preparing and implementing affirmative action plans; collaborating in the selection and hiring process; providing a process for complaints of discrimination, and educating staff of their rights

and obligations in affirmative action laws.

The Equal Employment Opportunity Specialist is responsible for DCP's State Affirmative Action Plan and serves as the DCP Equal Employment Officer, reporting directly to the DCP Commissioner, Michelle H. Seagull for this function. He directs and administers all aspects of the DCP EEO/AA program including developing strategic affirmative action programs; interpret and administer pertinent laws and regulations; investigate complaints of discrimination made against the agency and report findings to the Commissioner and or designee; offers remedies on any discriminatory conduct that occurs; and counsels staff on equal employment opportunity matters.

The unit prepares materials and conducts training to heighten knowledge of equal employment opportunity laws and affirmative action goals. The Equal Employment Opportunity Specialist also serves as the agency's ADA coordinator.

- In Fiscal Year 2016-2017, 55.7 percent of the Department's employees were female and 44.3 percent were male, with the following composition: 73.8 percent white, 14.5 percent black, 7.7percent Hispanic, and 4.1 percent Asian.