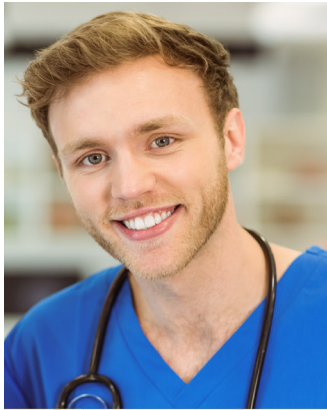


Florida Department of Health Quarterly Performance Report **Q3**



Ron DeSantis
GOVERNOR

Joseph A. Ladapo, MD, PhD
STATE SURGEON GENERAL

January 1 - March 31, **2024**

VISION

TO BE THE **HEALTHIEST STATE** IN THE **NATION**

MISSION

To protect, promote, and improve the health of all people in Florida through integrated state, county, and community efforts.

TABLE OF CONTENTS

- 2 | EXECUTIVE SUMMARY
- 3 | AROUND MQA
- 6 | PERFORMANCE STATISTICS
- 10 | ENFORCEMENT AT A GLANCE
- 12 | UNLICENSED ACTIVITY
INVESTIGATIVE SPOTLIGHT
- 16 | FINANCIAL SUMMARY
- 17 | GLOSSARY
- 18 | CONTACT US

VALUES

INNOVATION

We search for creative solutions and manage resources wisely.

COLLABORATION

We use teamwork to achieve common goals and solve problems.

ACCOUNTABILITY

We perform with integrity and respect.

RESPONSIVENESS

We achieve our mission by serving our customers.

EXCELLENCE

We promote quality outcomes through learning and continuous performance improvement.

How We Work



LICENSE



ENFORCE



INFORM



EXECUTIVE SUMMARY

In the vast tapestry of Florida's regulatory landscape, there exists a mandate that illuminates a path of excellence for the Division of Medical Quality Assurance (MQA); Section 456.025(9), Florida Statutes, stands as that beacon, requiring MQA to report quarterly on its performance and financial status and assess its effectiveness in regulating health care professions and practitioners. Join MQA to review its successful third quarter of FY 2023-24, marked by significant enhancements for Florida's health care workforce.

ENFORCEMENT



2,095
Online
Complaints
Received



431
Unlicensed
Activity
Complaints
Received



133
Cease
and Desist
Orders Issued

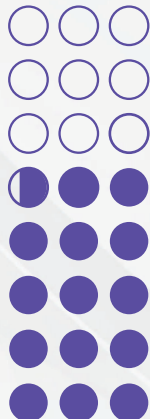
MQA conducted inspections for pharmacies and massage establishments, optical establishments, dental laboratories, and electrolysis facilities (M.O.D.E.) within 5.2 days, which showcases a 7.4% decrease from last quarter. Nearly 330 new M.O.D.E. inspections were completed this quarter.

LICENSING

● = 2,000



37,997
Initial Applications
Received



29,713
New Licenses
Issued

LETTER FROM THE DIRECTOR



I'm honored to illuminate MQA's journey through the third quarter of FY 2023-24 by presenting another incredible progress report. Within these pages lie not just a recounting of performance statistics but our relentless quest for distinction, innovative strides forward, and steadfast commitment to our mission.

This quarter, MQA led national discussions on technology trends, welcomed nearly 30,000 new practitioners into Florida's health care workforce, and collaborated with partners to advance health outcomes and regulatory goals while winding down from its busiest legislative session yet, where over 2,000 bills were introduced and over 300 enrolled. Driven by a dedication to excellence and innovation, MQA has forged a path that guarantees dependable, ethical, and accessible health care services.

As we reflect on the progress made this fiscal year, I am inspired by our achievements and excited about the opportunities that lie ahead. This report is an invitation to witness the milestones we have achieved together and to contribute your valuable insights. The commitment to Florida's 1.5 million health care practitioners is crucial as we advance in shaping a future where health care regulation is synonymous with trust, quality, and integrity.

Jennifer L. Wenhold
MSW, CPM

FINANCES



**Overall Cash
Balance at
the End of
Quarter Three**

AROUND MQA

ACCOMPLISHMENTS

Guided by the core values of innovation, collaboration, accountability, responsiveness, and excellence, this section highlights some of MQA's quarterly accomplishments by dedicated teams who tirelessly contribute to public protection and regulatory efficiency in Florida.



INNOVATION - We search for creative solutions and manage resources wisely.

Enhancing Licensure Efforts with MQA's Virtual Agent, ELI



In March, MQA expanded its Virtual Agent, ELI, to answer phone calls from customers interacting with the Boards of Opticianry and Athletic Trainers. ELI is now the first agent holding voice conversations with customers in 19 profession offices. As such, ELI fielded over 185,000 voice calls and nearly 60,000 web chats from health care practitioners, applicants, and consumers. By expanding ELI's impact to other offices, MQA is supporting the licensure efforts of more health care practitioners and applicants from additional professions with an artificial intelligence solution producing accurate, faster, and tailored information at times most convenient for them. These enhancements have not only improved overall satisfaction but also strengthened trust in MQA's commitment to meeting practitioners evolving needs effectively.

To learn more or access ELI, visit FLHealthSource.gov/eli or find ELI at the bottom of any respective board website.

COLLABORATION - We use teamwork to achieve common goals and solve problems.

Advancing Nursing Education Outcomes



In February, the Board of Nursing (Board) hosted a Nursing Educator Workshop that provided consistent information to nursing program facilities, proactively addressing the complexity of the licensure application process to ensure clarity and accuracy for all applicants. The Board remains committed to enhancing the educational framework for nursing graduates, boosting their readiness and success in meeting the National Council Licensure Examination (NCLEX) requirements. As a result of this workshop, more than 90 participating nursing program facilities exchanged best practices to improve NCLEX pass rate outcomes and interacted with the Board's streamlined licensure application process to enhance clarity and ease of understanding for prospective graduates.

Reviewing New Pharmacy Compounding Rules and Inspection Process



In February, the Florida Board of Pharmacy's Special Sterile Compounding Subcommittee (the Subcommittee) reviewed amendments to rule 64B16-27.797, Florida Administrative Code, effective November 2023. The amendments comply with the revised Standards of Practice for Compounding Sterile Products and Chapters of the United States Pharmacopeia. The updated regulation enhances the safety and effectiveness of these compounds by setting strict preparation and dispensation standards. During the meeting, executive staff explained the inspection process and responded to questions from meeting participants. Overall, the meeting highlighted MQA's comprehensive effort to ensure that sterile compounding practices meet the highest standards of safety and efficacy, benefiting all stakeholders and consumers involved in the compounding process.

ACCOUNTABILITY - We perform with integrity.

Streamlining Health Care Background Checks through Partnerships



In Quarter Three, MQA collaborated to integrate the Department's background screening processes within the Agency for Health Care Administration (AHCA) background screening system, the Clearinghouse. Through increased access to the Clearinghouse, MQA will soon offer a faster, more user-friendly way to retain fingerprints to health care practitioners who require background screening services by centralizing the fingerprint retention and background checks into the Clearinghouse. As a result, health care practitioners can spend less time completing administrative tasks needed to retain their license and more time delivering quality customer care.

RESPONSIVENESS - We achieve our mission by serving our customers and engaging our partners.

System Success: MQA's Enhanced Online Complaint Portal Boosts Consumer Engagement and Efficiency



More than 2,000 complaints have been received through MQA's Online Complaint Portal this quarter, which is four times more than were received prior to the improvements made in September 2023. Through system success like this, MQA is streamlining the complaint intake process. The change accommodates a shift in communication preference by customers from phone to online submissions through a more accessible digital platform that significantly increases the ease with which consumers can file complaints to the Department of Health.

To learn more about the complaint process, visit FloridaHealth.gov/licensing-and-regulation/enforcement/index.html.

MQA Leads National Discussion on Technology Trends in Continuing Education at AASCB Conference

In January, leadership from the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling, represented Florida by contributing to a national presentation on technology trends in continuing education at the American Association of State Counseling Boards (AASCB) Annual Conference. Aimed at enhancing public protection through advocacy and educational initiatives, the AASCB invited Florida to showcase how technology has transformed MQA's processes and improved customer service. MQA leadership explained how its use of an electronic tracking system helps practitioners achieve compliance with continuing education requirements at renewal, as Florida remains one of the few states maintaining this renewal requirement. In doing so, MQA not only upheld its commitment to protect the public by ensuring that health care practitioners are up to date on the latest health care skills and practices but also learned about the significant impact that advanced technologies have had on the counseling profession.



LEGISLATIVE ROUND-UP

MQA is committed to keeping health care practitioners informed about bills that may impact their professions, as nearly 2,000 bills were introduced and over 300 bills were enrolled during the 2024 legislative session.

To view all 2024 bills impacting health care professions, including brief summaries and effective dates, visit FLHealthSource.gov/2024-bills.



PERFORMANCE STATISTICS

MQA consistently tracks four key performance metrics that indicate its success in meeting its mission to improve the health and well-being of Floridians through critical health care licensure and enforcement activities. This strategic focus includes the timely approval of both initial and renewal licensure applications, along with diligent inspections of pharmacies and M.O.D.E. establishments.

1. INITIAL APPLICATIONS

MQA's commitment of verifying practitioner credentials and issuing licenses is a cornerstone of its success to ensure quality health care services and safeguard the public. In Quarter Three, MQA received 37,997 applications from prospective practitioners seeking initial licensure and issued 29,713 licenses to new practitioners. This swift handling of applications is pivotal, as it enables qualified applicants to begin serving as Florida's new cohort of qualified health care practitioners promptly, thereby contributing to the health care system's efficiency and reliability.



Measure: The average time taken to issue an initial license to qualified applicants.



Definition: The average duration from when an application is deemed qualified to the issuance of the license.



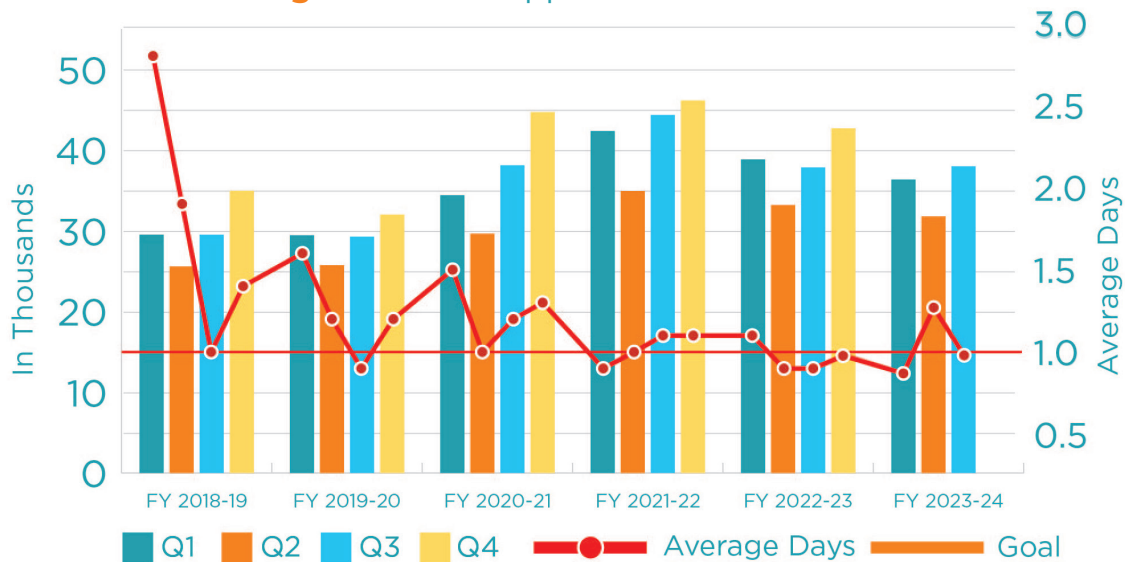
Goal: One day.



DID YOU KNOW?

There are two key periods to consider in the licensure processing timeline. For approved applicants, the clock starts ticking from the day MQA receives the application until the day the license is officially issued. This process typically spans around 60 days or so, depending on various factors, including waiting on additional required documents to complete the file. However, applicants who are deemed qualified experience a much faster turnaround time of usually one day. For qualified individuals, MQA measures the period from when applicants are recognized as qualified to when their license is issued. This distinction provides insight into how MQA analyzes data, tracking both the initial application receipt to license issuance and the time frame from receiving the last necessary document to the final license issuance.

Figure 1: Initial Applications Received



2. LICENSE RENEWALS

The swift and efficient processing of license renewals is a key indicator of MQA's success in facilitating the continuation of work for licensed practitioners. MQA processed nearly 150,000 renewal applications in Quarter Three. The majority of renewal applications processed were completed online (98.99%) and MQA processed completed applications for qualified applicants in 0.1 days on average, reflecting a 75% decrease in processing time overall from Quarter One (0.4 days on average).



Measure: The average number of days to process a renewal application for a qualified applicant.

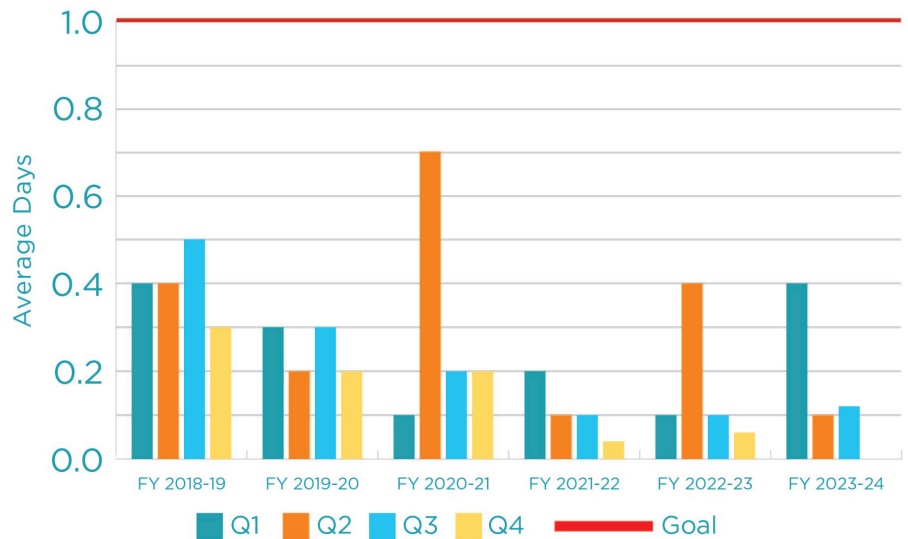


Definition: The average number of days to renew a license for health care practitioners and facilities from receipt of the completed application through approval.



Goal: One day.

Figure 2: Average Time to Process a Renewal Application for a Qualified Applicant



DID YOU KNOW?

As the renewal time approaches for many licensed practitioners, it's crucial to be aware of common pitfalls that could delay or even result in the rejection of a license renewal application. Health care practitioners must typically submit a completed renewal application, pay the associated fees, and provide proof of having completed continuing education requirements. Some professions are also required to take additional steps, such as completing a Financial Responsibility form or the Physician Workforce Survey and verifying their account information is correct. Not only does ensuring all application requirements are met and properly documented to streamline the time to receive an approved application, but it also upholds Florida's reputation of offering quality health care services for health care consumers.

MQA's Virtual Agent, ELI, is still the best way to learn about licensing requirements or to record address changes for licensure applications. To learn more or access ELI, visit FLHealthSource.gov/eli or find ELI at the bottom of any respective board website.

3. M.O.D.E. INSPECTIONS

This quarter, MQA completed M.O.D.E. inspections in 5.2 days, which is slightly faster compared to last quarter and well under the target goal of 10 days, revealing a steadfast commitment to regulatory efficiency. Facility owners are encouraged to contact MQA’s Virtual Agent, ELI, with questions or information on facility permitting or inspections, which can be found at FLHealthSource.gov/eli or at the bottom of any board webpage.



Measure: Average number of days to complete a M.O.D.E. inspection.



Definition: The average number of days from the date the facility requests inspection to the date the inspection is completed. This measure does not include those facilities that request a delay in inspections.

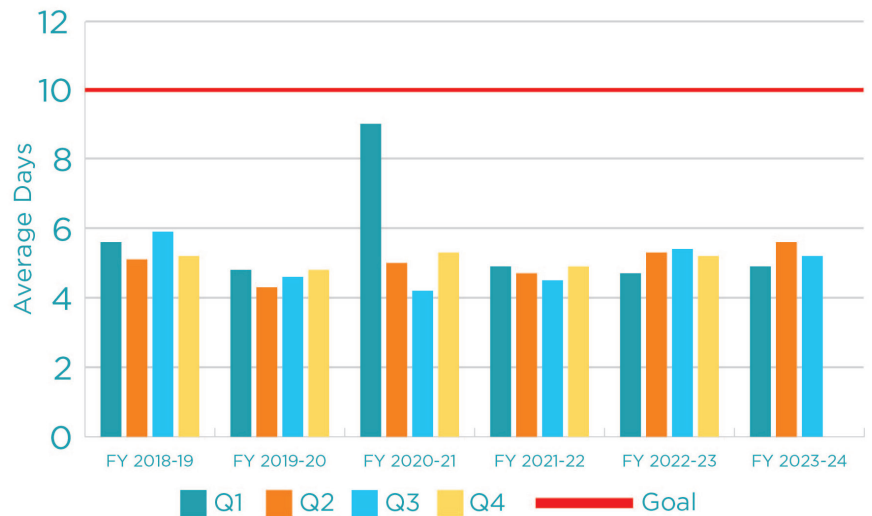


Goal: 10 days.



Inspection Average

Figure 3: Average Days to Complete a M.O.D.E. Inspection



DID YOU KNOW?

Facility inspections are essential to maintaining the highest standards of safety and sterility for health care consumers. Not only do inspections foster compliance and uphold professional standards but also promote the well-being of both practitioners and consumers. MQA conducts M.O.D.E. inspections for a variety of purposes to ensure public protection:

- Massage establishments must follow sanitation standards and proper client documentation.
- Optical establishments are subject to periodic inspections to ensure compliance with health and safety regulations.
- Dental laboratories are inspected for compliance with infection control protocols and proper waste disposal practices.
- Electrolysis facilities are inspected to ensure adherence to hygiene standards and proper equipment sterilization.

4. PHARMACY INSPECTIONS

Pharmacy inspections are designed to ensure that pharmacies adhere to established operational and practice standards, particularly in areas such as record-keeping, inventory management, and the control of substances. During Quarter Three, these inspections were completed in an average of 8.9 days, staying comfortably under the 14-day goal.



Measure: Average days to complete a pharmacy inspection.



Definition: The average number of days from the date an applicant is ready for opening inspection to the date the inspection is completed.



Goal: 14 days.

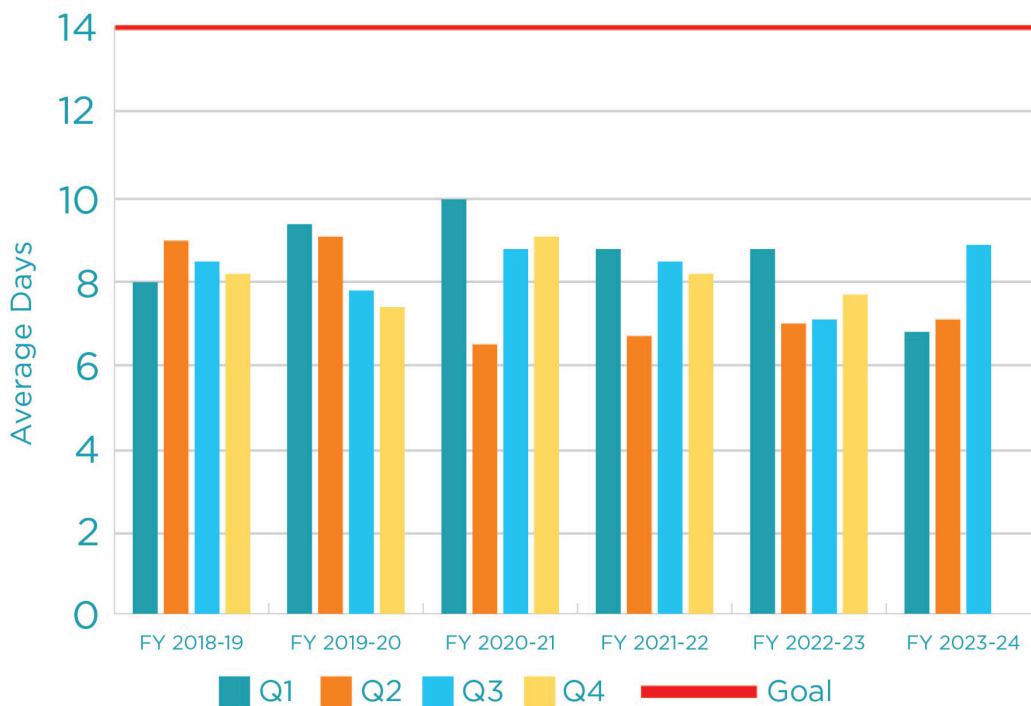
Inspection Average



DID YOU KNOW?

As a result of the 2024 legislative session, HB 159 HIV Infection Prevention Drugs passed, which authorizes certified pharmacists to screen adults for HIV exposure and to order and dispense HIV postexposure prophylaxis drugs under a written collaborative practice agreement with a licensed physician. The bill requires participating pharmacies to submit an annual access-to-care plan to the Board of Pharmacy and the Department of Health to ensure patients have access to primary care, specifies requirements for access-to-care plans, and authorizes penalties for non-compliance. For more information pertaining to this bill, please visit FLHealthSource.gov/2024-bills.

Figure 4: Average Days to Complete a New Pharmacy Inspection



ENFORCEMENT AT A GLANCE

Per section 20.43 and Chapter 456, Florida Statutes, MQA ensures regulations that govern health care professions under the Department of Health’s purview, emphasizing public health, safety, and welfare. To meet this obligation, MQA established the Bureau of Enforcement, comprising the Consumer Services Unit (CSU), Investigative Services Unit (ISU), and Compliance Management Unit (CMU). These units work together to receive, investigate, and resolve complaints filed against health care practitioners and facility owners.

In Quarter Three, MQA received a total of 16,848 complaints (Figure 5: Complaints Received), completed 1,347 investigations, and inspected 4,925 health care facilities. MQA also identified 1,506 cases deemed legally sufficient for potential prosecution, and referred 284 cases for board review.

The count of ongoing enforcement cases increased 12.8%, from 31,318 cases in Quarter Two to 35,605 cases at the end of Quarter Three. CSU managed the majority of cases in the Bureau of Enforcement 67.8% compared to CMU which managed 15.5% active cases, Prosecution Services Unit (PSU) which managed 14.2%, and ISU which managed 2.6%.

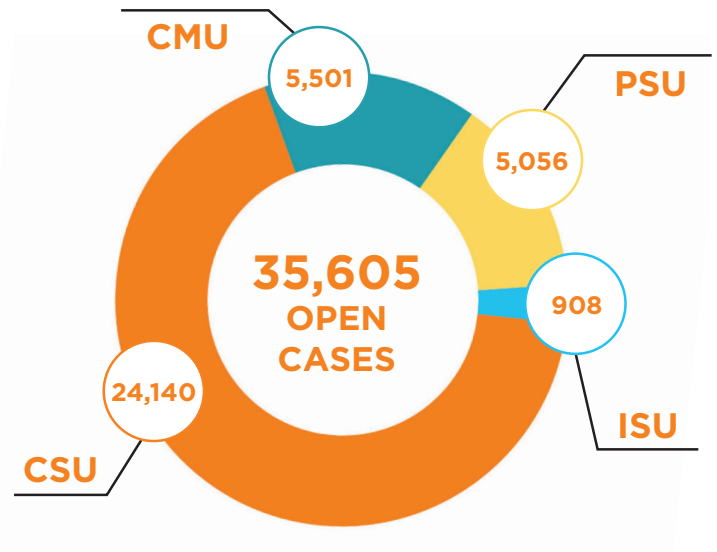
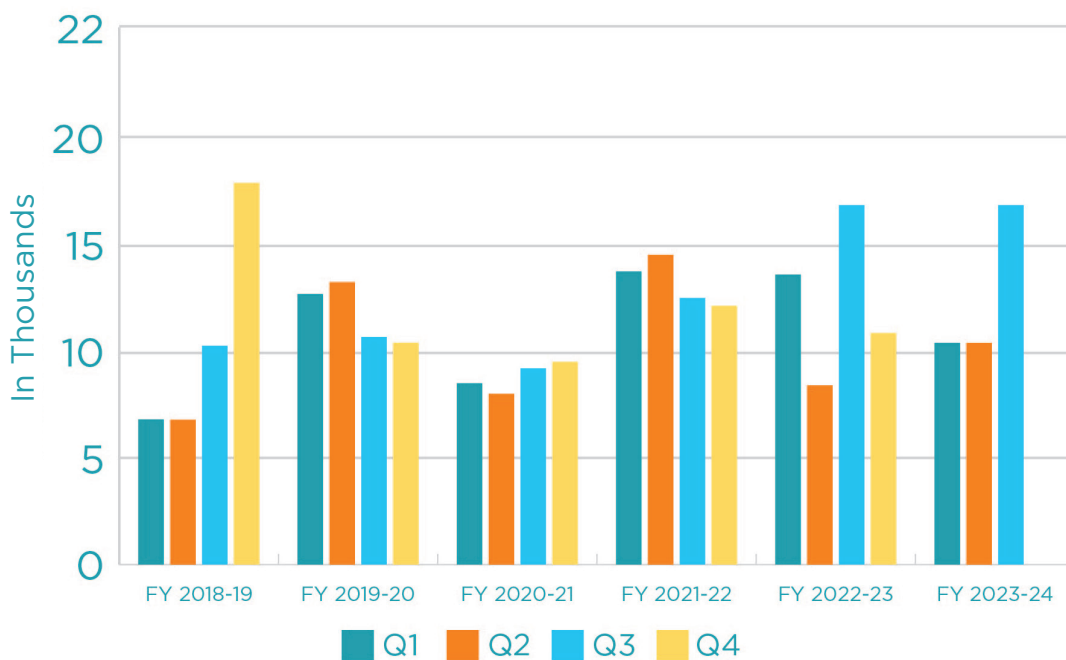
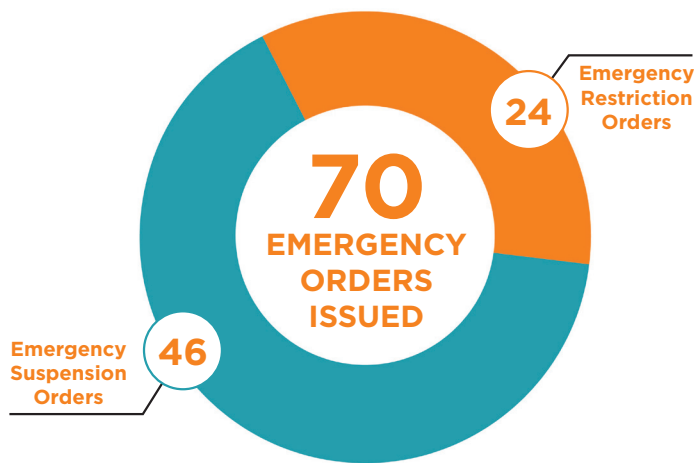


Figure 5: Complaints Received



Section 456.074, Florida Statutes, grants PSU the authority to order an immediate stop to activities deemed an imminent threat to the public. These directives, referred to as Emergency Orders, are issued by the State Surgeon General. Whereas Emergency Restriction Orders (EROs) establish limits on a practitioner's professional activities under suspicion, Emergency Suspension Orders (ESOs) temporarily revoke the practitioner's license according to the order's terms.

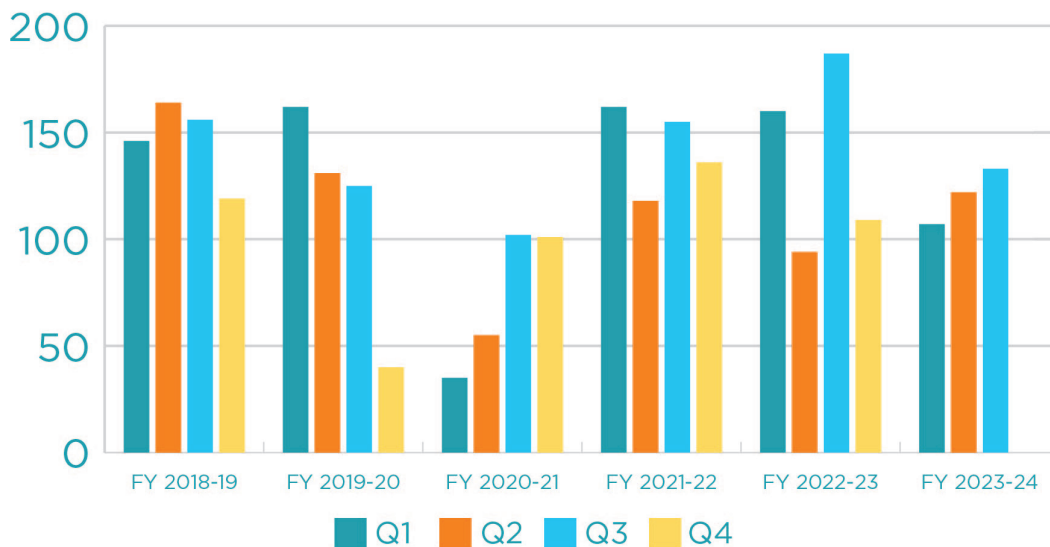
During Quarter Three, PSU issued 70 Emergency Orders, indicating a 22.2% rise compared to the previous quarter. Among these, 34.3% were Emergency Restriction Orders (24), while 65.7% were Emergency Suspension Orders (46).



THE PATH OF A COMPLAINT



Figure 6: Orders to Cease and Desist



UNLICENSED ACTIVITY INVESTIGATIVE SPOTLIGHT

MQA's Unlicensed Activity (ULA) Program informs the public about the risks associated with receiving health care services from unlicensed practitioners. Per section 456.065, Florida Statutes, delivering medical care without a license may lead to fines, civil penalties, and potential imprisonment. Through collaboration with law enforcement agencies and state attorneys, the ULA Program actively investigates and pursues legal action against unlicensed practitioners, which is critical in safeguarding public interest and maintaining the integrity of professional standards.



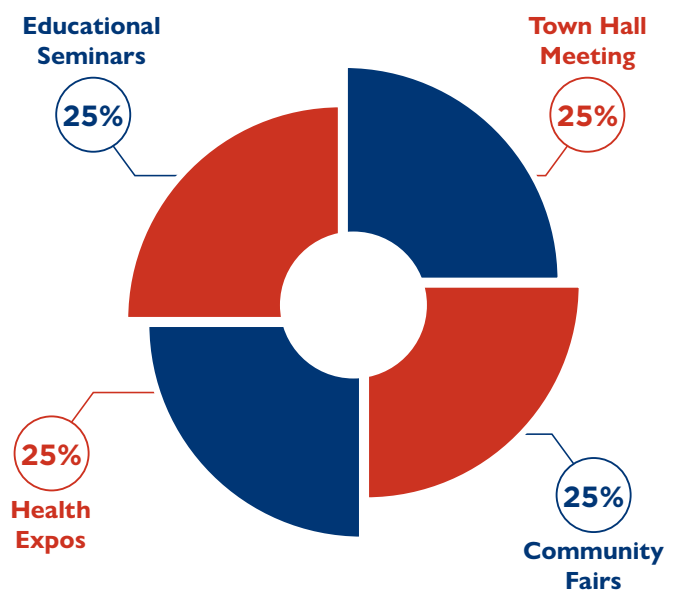
ULA OUTREACH

Outreach serves as a pivotal component of the ULA Program, providing the community information about the grave consequences of participating in unlicensed health care practices.

While typically focused on prioritizing large events to communicate the program's significance to residents and visitors and effectively gain community attention, the ULA Program's new goal to establish meaningful relationships with local community leaders, advisors, and public health sectors will mean concentrating on smaller, localized events across Florida's communities (Figure 7: ULA Outreach).

Through these outreach endeavors, MQA investigators highlight not only the physical outcomes but also the mental and financial toll of unlicensed health care activities. They cover penalty fines for infringements, potential criminal charges, and protocols for reporting unlicensed health care practices.

Figure 7: ULA Outreach



Tips to Avoid Unlicensed Health Care Activity:

- Verify a license at [FLHealthSource.gov](https://www.flhealthsource.gov).
- Beware of missing supplies or equipment.
- Ensure licenses and certificates are posted in health care establishment.
- Check online reviews.

ULA TRENDS

During Quarter Three, MQA received 431 complaints of unlicensed activity, and 404 complaints total were referred for investigation.

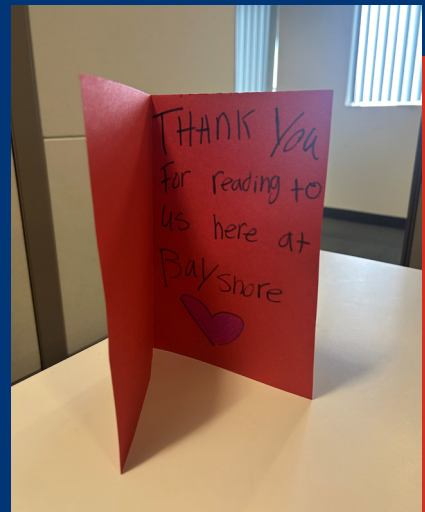
A noticeable surge in calls to the ULA hotline typically happens during the spring and summer seasons compared to the autumn and winter seasons. In 2023, the hotline received 546 calls in spring and 536 calls in summer, while it received 375 calls in autumn and 405 calls in winter.

ULA OUTREACH ACROSS THE STATE

SAFETY STARTS AT YOUTH

MQA is committed to engaging with young students and nurturing future leaders. Building connections with children early on can have a significant impact on their aspirations and career paths. Knowing this, the Jupiter field office engaged with students of Bay Shore Elementary in March through storytelling and offering ULA promotional items. MQA enjoyed creating such a memorable experience that can influence students' perceptions and goals.

In February, Tampa ISU met with Tampa Bay Regional Operations Center. This organization works with a variety of criminal investigations focusing on violent crime, economic crime, organized crime, targeted violence, intelligence, and domestic security. During the meeting, ULA Investigators provided an insightful overview of MQA regulatory investigations and the ULA program. They delved into the various types of licenses, including those for individual practitioners and establishments, and outlined the inspection procedures for these facilities. Furthermore, they shared compelling examples of collaborative cases and operations conducted with external agencies.



"With outreach, our investigators can make connections within law enforcement and schools. This proactive approach not only aids in immediate enforcement efforts but also contributes to the long-term prevention of ULA by educating future consumers and practitioners." - ULA Marketing Specialist

WELCOMING CUSTOMERS AS MQA'S NEWEST CHAMPIONS

The Tallahassee field office took an innovative approach to address unlicensed health care activity this quarter by connecting with licensed health care practitioners in addition to partnering with local law enforcement agencies. In January, they visited establishments like community pharmacies and hospitals to raise awareness about the investigative services MQA conducts beyond licensure renewals. Since licensed practitioners often have interactions with health care providers and could encounter instances of unlicensed practice, MQA is ensuring that practitioners are not only aware of MQA's role to investigate health care crimes related to unlicensed practice but also equipped with information on how to report suspicions or instances of unlicensed activity.

4K NEW CHAMPIONS OF PUBLIC PROTECTION

Ft. Lauderdale's Publix Health Expo and Marathon event proved to be an exceptional opportunity for the ULA Program to attend this February. The ULA Program paired well with the range of fitness activities, health screenings, and free food tastings featured by other organizations, since the ULA Program promotes public health through public protection. During the event, MQA successfully engaged 4,000 individuals while also establishing new connections with local colleges.

FORGING PARTNERSHIPS FOR A HEALTHIER FUTURE

In January, the Orlando field office had a fruitful experience participating in the Orlando Family Festival at Dezerland Park, which displayed dozens of helpful resources and services from a variety of organizations to promote healthy parenting. This event provided an opportunity for MQA to engage families and youth in valuable discussions about the connections between the type of work conducted by MQA investigators and the shared goals of other tabling organizations to promote community health. This outreach effort not only strengthened community relations but also opened doors for future partnerships.





INSIDE THE WORLD OF ULA INVESTIGATIONS: AN EXCLUSIVE LOOK

The health care landscape is important to monitor continuously, as understanding the trends of how health care services are being delivered is essential in effectively combating unlicensed activity. Common indicators of unlicensed activity may include advertising services without mentioning a license, unusually low pricing, and conducting business in non-commercial settings.

As one MQA investigator explains, web search engines and social media are helpful digital tools in identifying unlicensed activity: "Sometimes it is as simple as putting a profession into Google and researching the different businesses or practitioners that populate." Social media platforms also serve as rich resources, offering clues about how unlicensed individuals are marketing health services activities through advertisements, customer reviews, and photographic evidence of services rendered.

Even disordered advertisements for health care services are important to pay attention to: "One of the biggest physical indicators of unlicensed activity can be grammatical and spelling errors through business cards or advertisements. If someone is legitimately practicing, they're not going to have grammatical errors through advertisement as their

professionalism is dependent on their advertising," states an MQA investigator.

While it can be challenging to conduct field investigations and gather evidence discreetly, MQA investigators employ creative solutions to avoid detection and collect information without compromising the investigation. "I've been investigating for a long time, and I've become innovative in methods to protect my identity, especially since I may be recognized in certain places," shared an MQA investigator.

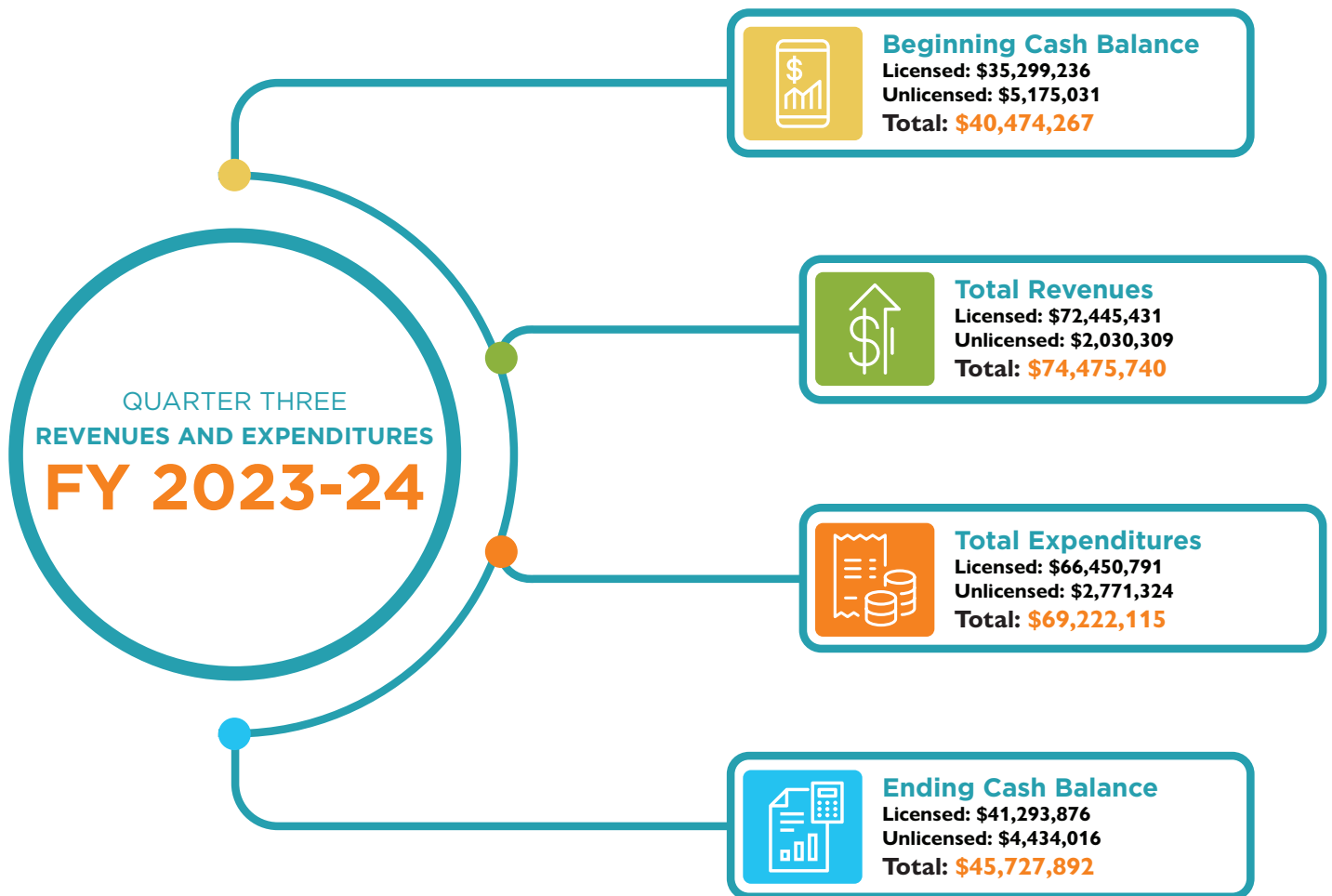
By combining experienced talent with digital tools and effective resources, MQA is ensuring that the public is both aware of and protected from the hazards of unlicensed medical practices. Through sharing MQA investigators' experiences, presenting the dangers and indicators of unlicensed activity at FLHealthSource.gov/ULA/What-to-Look-For, and participating in unlicensed activity educational campaigns, MQA remains committed to informing consumers about the risks involved and the importance of verifying professional credentials.

FINANCIAL SUMMARY

Under the guidelines of section 456.025(9), Florida Statutes, MQA funds its operations through the collection of licensing fees and fines from health care practitioners, as well as enforcement actions. These revenues are allocated across the 22 regulatory boards and four councils responsible for overseeing daily licensing and enforcement tasks. By the end of Quarter Three, regulatory fines and fees totaled \$669,834.61, with \$309,516.46 successfully collected within the quarter.

Each practitioner's application fee includes a dedicated \$5 contribution towards enforcement efforts, with disciplinary action fines also augmenting this fund. These contributions are deposited into the MQA Trust Fund, which supports the regulation of practitioners and facilities. Regular quarterly financial reports on the fund's revenues and expenditures serve as a gauge of MQA's regulatory efficiency.

For Quarter Three, MQA reported an overall total cash balance of \$45 million, earmarked for licensing processes, program management, and marketing initiatives. This figure encompasses the fiscal year's beginning balance for 2023-24, detailing all revenues, expenses, and the closing balance at the end of the quarter.



GLOSSARY



EMERGENCY ACTION

An action taken by the State Surgeon General to suspend or restrict the ability to practice when a licensed health care practitioner poses an immediate and serious threat to the health, safety, and welfare of the public.

EMERGENCY SUSPENSION ORDER (ESO)

An order issued by the Department suspending the license of a practitioner. A practitioner may not practice in the state of Florida while under an emergency suspension order.

EMERGENCY RESTRICTION ORDER (ERO)

An order issued by the Department restricting the practice of a practitioner in the state of Florida under conditions specified by the Department.

FINAL ORDER

An order of a regulatory board or the Department outlining the finding of facts, and penalties in a disciplinary case against a licensee. The administrative complaint outlining the charges against the licensee is attached and becomes part of the final order when filed with the agency clerk.

INVESTIGATIONS COMPLETED

Investigations are initiated when a complaint is considered legally sufficient. All completed investigations are presented to the PSU with an Investigative Report and all documents related to the complaint.

LEGALLY SUFFICIENT

A complaint that contains ultimate facts that show that a violation of section 456.073(1), Florida Statutes, of any of the practice acts relating to the professions regulated by the Department, or of any rule adopted by the Department or a regulatory board in the Department has occurred.

MQA TRUST FUND UNLICENSED ACTIVITY FEE

A \$5 fee collected at initial and renewal licensing that funds the investigation and enforcement of unlicensed activities, according to Florida law.

PROBABLE CAUSE

A determination that there is a reasonable basis to suspect that a person has violated or is violating the law.

QUALIFIED APPLICANT

A qualified applicant has met all requirements to become licensed and may be licensed on the day an application has concluded processing. This is different from an approved applicant who may still have to pass an examination or meet an additional requirement outside of having an application approved.

UNLICENSED ACTIVITY (ULA)

Unauthorized practice of a health care profession or delivery of health care or medical services by an individual not in possession of a valid or active license to practice that could cause injury, disease, or death.

CONTACT US



For more information or to contact us, please visit MQA's Virtual Agent, ELI, on the board and council websites. ELI uses artificial intelligence to improve the experience for health care applicants and practitioners by providing immediate information and suggestions and fielding inquiries outside of normal business through voice and online chat options.

[CHAT NOW](#)

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