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# MEMORANDUM

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**To:** *Human Services Subcommittee*

**From:** *Linda Ames, Legislative Fiscal Office*  
*(503) 986-1816*

**Date:** *May 23, 2013*

**Subject:** *Psychiatric Security Review Board*  
*Work Session Recommendations*

## ***Psychiatric Security Review Board – Agency Totals***

	<b>2009-11 Actual</b>	<b>2011-13 Legislatively Approved</b>	<b>2013-15 Current Service Level</b>	<b>2013-15 LFO Recommended</b>
General Fund	1,214,966	2,105,264	2,598,306	2,348,448
Other Funds	85,133	176,056	2,105	103,725
<b>Total Funds</b>	<b>\$1,300,099</b>	<b>\$2,281,320</b>	<b>\$2,600,411</b>	<b>\$2,452,173</b>
Positions	8	12	12	11
FTE	6.89	11.76	12.00	11.00

Attached are the recommendations from the Legislative Fiscal Office for the *Psychiatric Security Review Board*. It contains the following:

- Uses available federal grant revenues in lieu of General Fund for a portion of the budget;
- Eliminates one vacant position;
- Adds \$41,200 Other Funds expenditure limitation for the 2011-13 biennium.

### **Adjustments to Current Service Level:**

See attached "Work Session Presentation Report" dated 5/11/13.

### ***Accept LFO Recommendation***

*Move the LFO recommendation to HB 5040.*

**OR**

### ***Change LFO recommendation***

*Move the LFO recommendation to HB 5040, with modifications.*

## **Performance Measures**

See attached “Legislatively Proposed 2013-15 Key Performance Measures” form.

### **Accept LFO Recommendation**

*Move the LFO recommendation on Key Performance Measures*

**OR**

### **Change LFO recommendation**

*Move the LFO recommendation on Key Performance Measures, with modifications.*

## **Recommended Changes to Appropriation Bill:**

The Legislative Fiscal Office recommends a budget of \$2,348,448 *General Fund*, \$103,725 *Other Funds*, and 11 positions (11.00 FTE) and that House Bill 5040 be amended accordingly. LFO also recommends that the agency’s 2011-13 Other Funds expenditure limitation be increased by \$41,200.

*Move to amend HB 5040 with the following changes:*

### **Section 1 General Fund**

***Line 6 – Delete [\$2,558,862] and insert \$2,348,448.***

### **Section 2 Other Funds**

***Line 7 – Delete [\$2,105] and insert \$103,725.***

### **Section 3 Other Funds 2011-13**

***After Line 12 – Insert new Section 3 as follows:***

***Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 585, Oregon Laws 2011, for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, and including federal grant funds received from the Oregon State Police for the gun relief program, but excluding lottery funds and federal funds not described in this section, collected or received by the Psychiatric Security Review Board, is increased by \$41,200.***

***Line 13 – Delete [SECTION 3] and insert SECTION 4***

## **HB5040 Final Subcommittee Action:**

### ***Final Motion:***

*Move HB 5040 to the full committee with a “do pass” recommendation, as amended.*

	<b>General Fund</b>	<b>Lottery Funds</b>	<b>Other Funds</b>	<b>Federal Funds</b>	<b>Nonlimited Other Funds</b>	<b>Nonlimited Federal Funds</b>	<b>Total Funds</b>	<b>Positions</b>	<b>Full-Time Equivalent (FTE)</b>
<b>2011-13 Agy. Leg. Adopted</b>	<b>2,105,264</b>	-	<b>176,056</b>	-	-	-	<b>2,281,320</b>	<b>12</b>	<b>11.76</b>
2011-13 Ebds, SS & Admin Act	-	-	-	-	-	-	-	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
<b>2011-13 Leg Approved Budget</b>	<b>2,105,264</b>	-	<b>176,056</b>	-	-	-	<b>2,281,320</b>	<b>12</b>	<b>11.76</b>
<b>2011-13 Leg Approved Budget (Base)</b>	<b>2,105,264</b>	-	<b>176,056</b>	-	-	-	<b>2,281,320</b>	<b>12</b>	<b>11.76</b>
Summary of Base Adjustments	166,990	-	49,384	-	-	-	216,374	-	0.24
<b>2013-15 Base Budget</b>	<b>2,272,254</b>	-	<b>225,440</b>	-	-	-	<b>2,497,694</b>	<b>12</b>	<b>12.00</b>
010: Non-PICS Pers Svc/Vacancy Factor	17,881	-	7,805	-	-	-	25,686	-	-
020: Phase In / Out Pgm & One-time Cost	11,888	-	-	-	-	-	11,888	-	-
030: Inflation & Price List Adjustments	62,396	-	2,747	-	-	-	65,143	-	-
050: Fundshifts and Revenue Reductions	233,887	-	(233,887)	-	-	-	-	-	-
<b>2013-15 Current Service Level</b>	<b>2,598,306</b>	-	<b>2,105</b>	-	-	-	<b>2,600,411</b>	<b>12</b>	<b>12.00</b>
<b>Adjusted 2013-15 Current Service Level</b>	<b>2,598,306</b>	-	<b>2,105</b>	-	-	-	<b>2,600,411</b>	<b>12</b>	<b>12.00</b>
<b>Total LFO Recommended Packages</b>	<b>(249,858)</b>	-	<b>101,620</b>	-	-	-	<b>(148,238)</b>	<b>(1)</b>	<b>(1.00)</b>
<b>2013-15 Legislative Actions</b>	<b>2,348,448</b>	-	<b>103,725</b>	-	-	-	<b>2,452,173</b>	<b>11</b>	<b>11.00</b>
Net change from 2011-13 Leg Approved Budget	243,184	-	(72,331)	-	-	-	170,853	(1)	(0.76)
Percent change from 2011-13 Leg Approved Budget	11.6%	0.0%	(41.1%)	0.0%	0.0%	0.0%	7.5%	(8.3%)	(6.5%)
Net change from 2013-15 Current Service Level	(249,858)	-	101,620	-	-	-	(148,238)	(1)	(1.00)
Percent change from 2013-15 Current Service Level	(9.6%)	0.0%	4827.6%	0.0%	0.0%	0.0%	(5.7%)	(8.3%)	(8.3%)

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
<b>2011-13 Agy. Leg. Adopted</b>	<b>1,767,210</b>	-	<b>2,056</b>	-	-	-	<b>1,769,266</b>	<b>9</b>	<b>8.76</b>
2011-13 Ebds, SS & Admin Act	-	-	-	-	-	-	-	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
<b>2011-13 Leg Approved Budget</b>	<b>1,767,210</b>	-	<b>2,056</b>	-	-	-	<b>1,769,266</b>	<b>9</b>	<b>8.76</b>
<b>2011-13 Leg Approved Budget (Base)</b>	<b>1,767,210</b>	-	<b>2,056</b>	-	-	-	<b>1,769,266</b>	<b>9</b>	<b>8.76</b>
Summary of Base Adjustments	146,546	-	-	-	-	-	146,546	-	0.24
<b>2013-15 Base Budget</b>	<b>1,913,756</b>	-	<b>2,056</b>	-	-	-	<b>1,915,812</b>	<b>9</b>	<b>9.00</b>
010: Non-PICS Pers Svc/Vacancy Factor	30,232	-	-	-	-	-	30,232	-	-
020: Phase In / Out Pgm & One-time Cost	9,275	-	-	-	-	-	9,275	-	-
030: Inflation & Price List Adjustments	59,199	-	49	-	-	-	59,248	-	-
<b>2013-15 Current Service Level</b>	<b>2,012,462</b>	-	<b>2,105</b>	-	-	-	<b>2,014,567</b>	<b>9</b>	<b>9.00</b>
<b>Adjusted 2013-15 Current Service Level</b>	<b>2,012,462</b>	-	<b>2,105</b>	-	-	-	<b>2,014,567</b>	<b>9</b>	<b>9.00</b>
<b>Total LFO Recommended Packages</b>	<b>(138,578)</b>	-	-	-	-	-	<b>(138,578)</b>	<b>(1)</b>	<b>(1.00)</b>
<b>2013-15 Legislative Actions</b>	<b>1,873,884</b>	-	<b>2,105</b>	-	-	-	<b>1,875,989</b>	<b>8</b>	<b>8.00</b>
Net change from 2011-13 Leg Approved Budget	106,674	-	49	-	-	-	106,723	(1)	(0.76)
Percent change from 2011-13 Leg Approved Budget	6.0%	0.0%	2.4%	0.0%	0.0%	0.0%	6.0%	(11.1%)	(8.7%)
Net change from 2013-15 Current Service Level	(138,578)	-	-	-	-	-	(138,578)	(1)	(1.00)
Percent change from 2013-15 Current Service Level	(6.9%)	0.0%	0.0%	0.0%	0.0%	0.0%	(6.9%)	(11.1%)	(11.1%)

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 092 PERS Taxation Policy**

Package Description This package reflects the policy change in SB 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30%.

LFO Recommendation Approve the package.

<b>LFO Recommended</b>	<b>(3,309)</b>	-	-	-	-	-	<b>(3,309)</b>	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 093 Other PERS Adjustments**

Package Description This package reflects the policy change in SB 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2%.

An administrative action by the PERS Board, as directed by a budget note in the SB 822 budget report, will reduce state employer contribution rates by up to an additional 1.9%. However, no employer rate is reduced below its 2011-13 biennium rate.

LFO Recommendation Approve the package.

<b>LFO Recommended</b>	<b>(26,475)</b>	-	-	-	-	-	<b>(26,475)</b>	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 810 LFO Analyst Adjustments**

Package Description This package eliminates one vacant position that is not needed.

LFO Recommendation Approve the package.

<b>LFO Recommended</b>	<b>(108,794)</b>	-	-	-	-	-	<b>(108,794)</b>	<b>(1)</b>	<b>(1.00)</b>
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
<b>2011-13 Agy. Leg. Adopted</b>	<b>338,054</b>	-	<b>174,000</b>	-	-	-	<b>512,054</b>	<b>3</b>	<b>3.00</b>
2011-13 Ebds, SS & Admin Act	-	-	-	-	-	-	-	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
<b>2011-13 Leg Approved Budget</b>	<b>338,054</b>	-	<b>174,000</b>	-	-	-	<b>512,054</b>	<b>3</b>	<b>3.00</b>
<b>2011-13 Leg Approved Budget (Base)</b>	<b>338,054</b>	-	<b>174,000</b>	-	-	-	<b>512,054</b>	<b>3</b>	<b>3.00</b>
Summary of Base Adjustments	20,444	-	49,384	-	-	-	69,828	-	-
<b>2013-15 Base Budget</b>	<b>358,498</b>	-	<b>223,384</b>	-	-	-	<b>581,882</b>	<b>3</b>	<b>3.00</b>
010: Non-PICS Pers Svc/Vacancy Factor	(12,351)	-	7,805	-	-	-	(4,546)	-	-
020: Phase In / Out Pgm & One-time Cost	2,613	-	-	-	-	-	2,613	-	-
030: Inflation & Price List Adjustments	3,197	-	2,698	-	-	-	5,895	-	-
050: Fundshifts and Revenue Reductions	233,887	-	(233,887)	-	-	-	-	-	-
<b>2013-15 Current Service Level</b>	<b>585,844</b>	-	-	-	-	-	<b>585,844</b>	<b>3</b>	<b>3.00</b>
<b>Adjusted 2013-15 Current Service Level</b>	<b>585,844</b>	-	-	-	-	-	<b>585,844</b>	<b>3</b>	<b>3.00</b>
<b>Total LFO Recommended Packages</b>	<b>(111,280)</b>	-	<b>101,620</b>	-	-	-	<b>(9,660)</b>	-	-
<b>2013-15 Legislative Actions</b>	<b>474,564</b>	-	<b>101,620</b>	-	-	-	<b>576,184</b>	<b>3</b>	<b>3.00</b>
Net change from 2011-13 Leg Approved Budget	136,510	-	(72,380)	-	-	-	64,130	-	-
Percent change from 2011-13 Leg Approved Budget	40.4%	0.0%	(41.6%)	0.0%	0.0%	0.0%	12.5%	0.0%	0.0%
Net change from 2013-15 Current Service Level	(111,280)	-	101,620	-	-	-	(9,660)	-	-
Percent change from 2013-15 Current Service Level	(19.0%)	0.0%	100.0%	0.0%	0.0%	0.0%	(1.6%)	0.0%	0.0%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 092 PERS Taxation Policy**

Package Description This package reflects the policy change in SB 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30%.

LFO Recommendation Approve the package.

<b>LFO Recommended</b>	<b>(1,073)</b>	-	-	-	-	-	<b>(1,073)</b>	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 093 Other PERS Adjustments**

Package Description This package reflects the policy change in SB 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2%.

An administrative action by the PERS Board, as directed by a budget note in the SB 822 budget report, will reduce state employer contribution rates by up to an additional 1.9%. However, no employer rate is reduced below its 2011-13 biennium rate.

LFO Recommendation Approve the package.

<b>LFO Recommended</b>	<b>(8,587)</b>	-	-	-	-	-	<b>(8,587)</b>	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 810 LFO Analyst Adjustments**

Package Description This package recognizes the federal grant revenues that the agency expects to carryover from the current biennium in order to support the Gun Relief program. These revenues are received through the Oregon State Police. The General Fund budget has been reduced by a corresponding amount.

LFO Recommendation Approve the package.

LFO Recommended	(101,620)	-	101,620	-	-	-	-	-	-
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## Legislatively Proposed 2013-2015 Key Performance Measures

### Agency: **PSYCHIATRIC SECURITY REVIEW BOARD**

Mission: The Psychiatric Security Review Board's mission is to protect the public through the ongoing review of the progress of guilty except for insanity; adults and responsible except for insanity; youth and a determination of their appropriate placement as well as through the conduct of hearings to decide whether persons with mental health determinations should have their firearm privileges restored.

Legislatively Proposed KPMs	Customer Service Category	Agency Request	Most Current Result	Target 2014	Target 2015
1 a - RECIDIVISM RATE - Percent of revocations of conditional release based on commission of felony - Adults.		Approved KPM	2.30	3.00	3.00
1 b - RECIDIVISM RATE - Percent of revocations of conditional release based on commission of felony- Juveniles.		Approved KPM	0.00	2.00	2.00
2 a - TIMELINESS OF HEARINGS - Percentage of hearings scheduled within statutory timeframes - Adults.		Approved KPM	94.00	95.00	95.00
2 b - TIMELINESS OF HEARINGS - Percentage of hearings scheduled within statutory timeframes- Juveniles.		Approved KPM	100.00	95.00	95.00
3 a - MAINTENANCE OF RELEASED CLIENTS - Percentage of conditional releases maintained in community per month - Adults.		Approved KPM	99.00	99.00	99.00
3 b - MAINTENANCE OF RELEASED CLIENTS - Percentage of conditional releases maintained in community per month - Juveniles.		Approved KPM	97.22	99.00	99.00
4 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Accuracy	Approved KPM	70.00	90.00	90.00
4 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Availability of Information	Approved KPM	65.00	85.00	85.00
4 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Expertise	Approved KPM	83.00	95.00	95.00

**Agency: PSYCHIATRIC SECURITY REVIEW BOARD**

Mission: The Psychiatric Security Review Board's mission is to protect the public through the ongoing review of the progress of guilty except for insanity; adults and responsible except for insanity; youth and a determination of their appropriate placement as well as through the conduct of hearings to decide whether persons with mental health determinations should have their firearm privileges restored.

<b>Legislatively Proposed KPMs</b>	<b>Customer Service Category</b>	<b>Agency Request</b>	<b>Most Current Result</b>	<b>Target 2014</b>	<b>Target 2015</b>
4 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Helpfulness	Approved KPM	74.00	95.00	95.00
4 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Overall	Approved KPM	65.00	95.00	95.00
4 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Timeliness	Approved KPM	53.00	85.00	85.00
5 - BEST PRACTICES - Percent of total best practices met by the Board.		Approved KPM	91.00	90.00	

**LFO Recommendation:**

Approve the KPMs as proposed. Approve targets for 2014 and 2015 as shown.

**Sub-Committee Action:**

# House Bill 5040

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Oregon Department of Administrative Services)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Appropriates moneys from General Fund to Psychiatric Security Review Board for biennial expenses.

Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts and certain federal grant funds, but excluding lottery funds and other federal funds, collected or received by board.

Declares emergency, effective July 1, 2013.

## A BILL FOR AN ACT

1  
2 Relating to the financial administration of the Psychiatric Security Review Board; appropriating  
3 money; limiting expenditures; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. There is appropriated to the Psychiatric Security Review Board, for the**  
6 **biennium beginning July 1, 2013, out of the General Fund, the amount of \$2,558,862.**

7 **SECTION 2. Notwithstanding any other law limiting expenditures, the amount of \$2,105**  
8 **is established for the biennium beginning July 1, 2013, as the maximum limit for payment of**  
9 **expenses from fees, moneys or other revenues, including Miscellaneous Receipts and includ-**  
10 **ing federal grant funds received from the Oregon State Police for the gun relief program,**  
11 **but excluding lottery funds and federal funds not described in this section, collected or re-**  
12 **ceived by the Psychiatric Security Review Board.**

13 **SECTION 3. This 2013 Act being necessary for the immediate preservation of the public**  
14 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**  
15 **July 1, 2013.**

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**Note: For budget, see 2013-2015 Biennial Budget**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.