

**Legislative
Fiscal Office**

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**Joint Committee on
Ways and Means**

Sen. Peter Courtney, Senate Co-Chair
Rep. Nancy Nathanson, House Co-Chair

Sen. Betsy Johnson, Senate Co-Vice Chair
Sen. Jackie Winters, Senate Co-Vice Chair
Rep. Dan Rayfield, House Co-Vice Chair
Rep. Greg Smith, House Co-Vice Chair

To: Education Subcommittee

From: Kim To, Legislative Fiscal Office

Date: February 7, 2018

Subject: HB 5012 – Mental Health Regulatory Agency
Work Session Recommendations

Mental Health Regulatory Agency (MHRA) – Agency Totals

| | 2015-17 Actual | 2017-19 Legislatively Approved | 2019-21 Current Service Level | 2019-21 LFO Recommended |
|--------------------|---------------------------|---|--|--|
| Other Funds | 2,558,922 | 3,509,699 | 3,656,573 | 3,984,411 |
| Total Funds | \$2,558,922 | \$3,509,699 | \$3,626,573 | \$3,984,411 |
| Positions | 12 | 11 | 11 | 12 |
| FTE | 9 | 11.00 | 11.00 | 12.00 |

The 2019-21 LFO recommended budget for the Mental Health Regulatory Agency is 12 positions (12.00 FTE), and \$3,984,411 Other Funds. This is a 13.5% increase from 2017-19 Legislatively Approved Budget. The attached recommendations from the Legislative Fiscal Office for the Oregon Mental Health Regulatory Agency contains the following:

Adjustments to Current Service Level

See attached “Work Session Presentation Report” dated 2/4/2019.

Note: Statewide adjustments are not included in these recommendations. Any needed adjustments will be made in end of session bills.

- Package 101: This package increases the Other Funds limitation by \$240,034 to make permanent one Compliance Specialist 2 position (1.00 FTE) to assist the both boards with their growing investigation backlog. This position will oversee compliance case and management duties, allowing investigators to focus on timely, thorough, and procedurally sound investigations.
- Package 801: This package increases Other Funds limitation by \$87,804 to cover the ongoing costs of desktop support, ETS hosting, and database monthly maintenance

fees associated with the implementation of an IT project to integrate and upgrade the two boards' online database and desktop support needs.

Board of Licensed Professional Counselors and Therapists – Board Totals

| | 2015-17 Actual | 2017-19 Legislatively Approved | 2019-21 Current Service Level | 2019-21 LFO Recommended |
|--------------------|--------------------|--------------------------------------|-------------------------------------|-------------------------------|
| Other Funds | 1,295,574 | 2,079,741 | 2,195,531 | 2,408,626 |
| Total Funds | \$1,295,574 | \$2,079,741 | \$2,195,531 | \$2,408,626 |
| Positions | 6 | 7 | 11 | 12 |
| FTE | 4.50 | 7.00 | 7.00 | 7.65 |

The 2019-21 LFO recommended budget for the Board of Licensed Professional Counselors and Therapists is 12 positions (7.65 FTE), and \$2,408,626 Other Funds. This is 15.8% increase from 2017-19 Legislatively Approved Budget. The attached recommendations from the Legislative Fiscal Office for the Board of Licensed Professional Counselors and Therapists contains the following:

Adjustments to Current Service Level

See attached “Work Session Presentation Report” dated 2/4/2019.

Note: Statewide adjustments are not included in these recommendations. Any needed adjustments will be made in end of session bills.

- Package 101: This package increases the Other Funds limitation by \$156,022 to fund the Board of Licensed Counselors and Therapists portion of a Compliance Specialist 2 position (0.65 FTE) to assist the Board with its growing investigation backlog. This package makes permanent a limited duration Compliance Specialist 2 position to oversee compliance case and management duties, allowing investigators to focus on timely, thorough, and procedurally sound investigations.
- Analyst Adjustment: This package increases Other Funds limitation by \$57,073 to cover the Board of Licensed Counselors and Therapists' portion of ongoing costs of desktop support, ETS hosting, and database monthly maintenance fees associated with the implementation of an IT project to integrate and upgrade the two boards' online database and desktop support needs.

Board of Psychology – Board Totals

| | 2015-17 Actual | 2017-19 Legislatively Approved | 2019-21 Current Service Level | 2019-21 LFO Recommended |
|--------------------|--------------------|--------------------------------------|-------------------------------------|-------------------------------|
| Other Funds | 1,263,348 | 1,429,958 | 1,461,042 | 1,575,785 |
| Total Funds | \$1,263,348 | \$1,429,958 | \$1,461,042 | \$1,575,785 |
| Positions | 6 | 4 | 0 | 0 |
| FTE | 4.50 | 4.00 | 4.00 | 4.35 |

The 2019-21 LFO recommended budget for the Board of Psychology is (4.35 FTE) and \$1,575,785 Other Funds. This is a 10.2% increase from 2017-19 Legislatively Approved Budget. The attached recommendations from the Legislative Fiscal Office for the Board of Psychology contains the following:

Adjustments to Current Service Level

See attached "Work Session Presentation Report" dated 2/4/2019.

Note: Statewide adjustments are not included in these recommendations. Any needed adjustments will be made in end of session bills.

- Package 101: This package increases the Other Funds limitation by \$84,012 to fund the Board of Psychology's portion of a Compliance Specialist 2 position (0.35 FTE) to assist the Board with its growing investigation backlog. This package makes permanent a limited duration Compliance Specialist 2 position to oversee compliance case and management duties, allowing investigators to focus on timely, thorough, and procedurally sound investigations.
- Analyst Adjustment: This package increases Other Funds limitation by \$30,731 to cover the Board of Psychology's portion of ongoing costs of desktop support, ETS hosting, and database monthly maintenance fees associated with the implementation of an IT project to integrate and upgrade the two boards' online database and desktop support needs.

Accept LFO Recommendation:

MOTION: I move the LFO recommendation to HB 5012. (VOTE)

OR

Change LFO Recommendation:

MOTION: I move the LFO recommendation to HB 5012, with modifications. (VOTE)

Performance Measures

See attached "Legislatively Proposed 2019-21 Key Performance Measures."

Accept LFO Recommendation:

MOTION: I move the LFO recommendation on Key Performance Measures. (VOTE)

OR

Change LFO Recommendation:

MOTION: I move the LFO recommendation on Key Performance Measures, with modifications. (VOTE)

Recommended Changes

LFO recommends amending HB 5012 by the following changes as reflected in the -1 amendment:

- Section 1, Line 5 Delete {\$2,421,983} and insert "\$2,408,626".
- Section 2. Line 10 Delete [\$1,574,379] and insert "\$1,575,785".

MOTION: I move adoption of the -1 amendment to HB 5012. (VOTE)

Final Subcommittee Action

LFO recommends that HB 5012, as amended by the -1 amendment, to be moved to the Ways and Means Full Committee.

MOTION: I move HB 5012, as amended, to the Full Committee with a do pass recommendation. (VOTE)

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____

LFO102 - Work Session Presentation Report
2019-21 BienniumVersion: L - 01 - LFO Analyst Recommended
Cross Reference: 10800-000-00-00-00000
Mental Health Regulatory Agency

| | General Fund | Lottery Funds | Other Funds | Federal Funds | Nonlimited Other Funds | Nonlimited Federal Funds | Total Funds | Positions | Full-Time Equivalent (FTE) |
|---|--------------|---------------|-------------|---------------|------------------------|--------------------------|-------------|-----------|----------------------------|
| 2017-19 Agy. Leg. Adopted | - | - | 3,462,553 | - | - | - | 3,462,553 | 11 | 11.00 |
| 2017-19 Ebds, SS & Admin Act | - | - | 47,146 | - | - | - | 47,146 | - | - |
| Ways & Means Actions | - | - | - | - | - | - | - | - | - |
| 2017-19 Leg Approved Budget | - | - | 3,509,699 | - | - | - | 3,509,699 | 11 | 11.00 |
| 2017-19 Leg Approved Budget (Base) | - | - | 3,509,699 | - | - | - | 3,509,699 | 11 | 11.00 |
| Summary of Base Adjustments | - | - | 112,238 | - | - | - | 112,238 | - | - |
| 2019-21 Base Budget | - | - | 3,621,937 | - | - | - | 3,621,937 | 11 | 11.00 |
| 010: Non-PICS Pers Svc/Vacancy Factor | - | - | (11,444) | - | - | - | (11,444) | - | - |
| 020: Phase In / Out Pgm & One-time Cost | - | - | (101,351) | - | - | - | (101,351) | - | - |
| 030: Inflation & Price List Adjustments | - | - | 147,431 | - | - | - | 147,431 | - | - |
| 2019-21 Current Service Level | - | - | 3,656,573 | - | - | - | 3,656,573 | 11 | 11.00 |
| Adjusted 2019-21 Current Service Level | - | - | 3,656,573 | - | - | - | 3,656,573 | 11 | 11.00 |
| Total LFO Recommended Packages | - | - | 327,838 | - | - | - | 327,838 | 1 | 1.00 |
| 2019-21 Legislative Actions | - | - | 3,984,411 | - | - | - | 3,984,411 | 12 | 12.00 |
| Net change from 2017-19 Leg Approved Budget | - | - | 474,712 | - | - | - | 474,712 | 1 | 1.00 |
| Percent change from 2017-19 Leg Approved Budget | 0.0% | 0.0% | 13.5% | 0.0% | 0.0% | 0.0% | 13.5% | 9.1% | 9.1% |
| Net change from 2019-21 Adj Current Service Level | - | - | 327,838 | - | - | - | 327,838 | 1 | 1.00 |
| Percent change from 2019-21 Adj Current Service Level | 0.0% | 0.0% | 9.0% | 0.0% | 0.0% | 0.0% | 9.0% | 9.1% | 9.1% |

LFO102 - Work Session Presentation Report
2019-21 Biennium

Version: L - 01 - LFO Analyst Recommended

Cross Reference: 10800-001-00-00-00000

Board of Counselors & Therapists

| | General Fund | Lottery Funds | Other Funds | Federal Funds | Nonlimited Other Funds | Nonlimited Federal Funds | Total Funds | Positions | Full-Time Equivalent (FTE) |
|---|--------------|---------------|------------------|---------------|------------------------|--------------------------|------------------|-----------|----------------------------|
| 2017-19 Agy. Leg. Adopted | - | - | 2,039,137 | - | - | - | 2,039,137 | 7 | 7.00 |
| 2017-19 Ebds, SS & Admin Act | - | - | 40,604 | - | - | - | 40,604 | - | - |
| Ways & Means Actions | - | - | - | - | - | - | - | - | - |
| 2017-19 Leg Approved Budget | - | - | 2,079,741 | - | - | - | 2,079,741 | 7 | 7.00 |
| 2017-19 Leg Approved Budget (Base) | - | - | 2,079,741 | - | - | - | 2,079,741 | 7 | 7.00 |
| Summary of Base Adjustments | - | - | 60,136 | - | - | - | 60,136 | 4 | - |
| 2019-21 Base Budget | - | - | 2,139,877 | - | - | - | 2,139,877 | 11 | 7.00 |
| 010: Non-PICS Pers Svc/Vacancy Factor | - | - | (14,184) | - | - | - | (14,184) | - | - |
| 020: Phase In / Out Pgm & One-time Cost | - | - | (46,000) | - | - | - | (46,000) | - | - |
| 030: Inflation & Price List Adjustments | - | - | 88,110 | - | - | - | 88,110 | - | - |
| 060: Technical Adjustments | - | - | 27,728 | - | - | - | 27,728 | - | - |
| 2019-21 Current Service Level | - | - | 2,195,531 | - | - | - | 2,195,531 | 11 | 7.00 |
| Adjusted 2019-21 Current Service Level | - | - | 2,195,531 | - | - | - | 2,195,531 | 11 | 7.00 |
| Total LFO Recommended Packages | - | - | 213,095 | - | - | - | 213,095 | 1 | 0.65 |
| 2019-21 Legislative Actions | - | - | 2,408,626 | - | - | - | 2,408,626 | 12 | 7.65 |
| Net change from 2017-19 Leg Approved Budget | - | - | 328,885 | - | - | - | 328,885 | 5 | 0.65 |
| Percent change from 2017-19 Leg Approved Budget | 0.0% | 0.0% | 15.8% | 0.0% | 0.0% | 0.0% | 15.8% | 71.4% | 9.3% |
| Net change from 2019-21 Adj Current Service Level | - | - | 213,095 | - | - | - | 213,095 | 1 | 0.65 |
| Percent change from 2019-21 Adj Current Service Level | 0.0% | 0.0% | 9.7% | 0.0% | 0.0% | 0.0% | 9.7% | 9.1% | 9.3% |

| | General Fund | Lottery Funds | Other Funds | Federal Funds | Nonlimited Other Funds | Nonlimited Federal Funds | Total Funds | Positions | Full-Time Equivalent (FTE) |
|--|--------------|---------------|-------------|---------------|------------------------|--------------------------|-------------|-----------|----------------------------|
|--|--------------|---------------|-------------|---------------|------------------------|--------------------------|-------------|-----------|----------------------------|

Package 101 Create A Compliance Specialist-2 position

Package Description This package increases the Other Funds limitation by \$156,022 to fund the Board of Licensed Counselors & Therapists' portion of a Compliance Specialist 2 position (0.65 FTE) to assist the Board with its growing investigation backlog. This package makes permanent a limited duration Compliance Specialist 2 position to oversee compliance case and management duties, allowing investigators to focus on timely, thorough, and procedurally sound investigations.

LFO Recommendation LFO Recommended.

| | | | | | | | | | |
|-----------------|---|---|---------|---|---|---|---------|---|------|
| LFO Recommended | - | - | 156,022 | - | - | - | 156,022 | 1 | 0.65 |
|-----------------|---|---|---------|---|---|---|---------|---|------|

| | General Fund | Lottery Funds | Other Funds | Federal Funds | Nonlimited Other Funds | Nonlimited Federal Funds | Total Funds | Positions | Full-Time Equivalent (FTE) |
|--|--------------|---------------|-------------|---------------|------------------------|--------------------------|-------------|-----------|----------------------------|
|--|--------------|---------------|-------------|---------------|------------------------|--------------------------|-------------|-----------|----------------------------|

Package 801 LFO Analyst Adjustments

Package Description This package increases Other Funds limitation by \$57,073 to cover the ongoing costs of desktop support, ETS hosting, and database monthly maintenance fees associated with the implementation of an IT project to integrate and upgrade the two boards' online database and desktop support needs.

LFO Recommendation LFO Recommended

| | | | | | | | | | |
|------------------------|---|---|--------|---|---|---|--------|---|---|
| LFO Recommended | - | - | 57,073 | - | - | - | 57,073 | - | - |
|------------------------|---|---|--------|---|---|---|--------|---|---|

| | General Fund | Lottery Funds | Other Funds | Federal Funds | Nonlimited Other Funds | Nonlimited Federal Funds | Total Funds | Positions | Full-Time Equivalent (FTE) |
|---|--------------|---------------|-------------|---------------|------------------------|--------------------------|-------------|-----------|----------------------------|
| 2017-19 Agy. Leg. Adopted | - | - | 1,423,416 | - | - | - | 1,423,416 | 4 | 4.00 |
| 2017-19 Ebds, SS & Admin Act | - | - | 6,542 | - | - | - | 6,542 | - | - |
| Ways & Means Actions | - | - | - | - | - | - | - | - | - |
| 2017-19 Leg Approved Budget | - | - | 1,429,958 | - | - | - | 1,429,958 | 4 | 4.00 |
| 2017-19 Leg Approved Budget (Base) | - | - | 1,429,958 | - | - | - | 1,429,958 | 4 | 4.00 |
| Summary of Base Adjustments | - | - | 52,102 | - | - | - | 52,102 | (4) | - |
| 2019-21 Base Budget | - | - | 1,482,060 | - | - | - | 1,482,060 | - | 4.00 |
| 010: Non-PICS Pers Svc/Vacancy Factor | - | - | 2,740 | - | - | - | 2,740 | - | - |
| 020: Phase In / Out Pgm & One-time Cost | - | - | (55,351) | - | - | - | (55,351) | - | - |
| 030: Inflation & Price List Adjustments | - | - | 59,321 | - | - | - | 59,321 | - | - |
| 060: Technical Adjustments | - | - | (27,728) | - | - | - | (27,728) | - | - |
| 2019-21 Current Service Level | - | - | 1,461,042 | - | - | - | 1,461,042 | - | 4.00 |
| Adjusted 2019-21 Current Service Level | - | - | 1,461,042 | - | - | - | 1,461,042 | - | 4.00 |
| Total LFO Recommended Packages | - | - | 114,743 | - | - | - | 114,743 | - | 0.35 |
| 2019-21 Legislative Actions | - | - | 1,575,785 | - | - | - | 1,575,785 | - | 4.35 |
| Net change from 2017-19 Leg Approved Budget | - | - | 145,827 | - | - | - | 145,827 | (4) | 0.35 |
| Percent change from 2017-19 Leg Approved Budget | 0.0% | 0.0% | 10.2% | 0.0% | 0.0% | 0.0% | 10.2% | (100.0%) | 8.8% |
| Net change from 2019-21 Adj Current Service Level | - | - | 114,743 | - | - | - | 114,743 | - | 0.35 |
| Percent change from 2019-21 Adj Current Service Level | 0.0% | 0.0% | 7.9% | 0.0% | 0.0% | 0.0% | 7.9% | 0.0% | 8.8% |

| | General Fund | Lottery Funds | Other Funds | Federal Funds | Nonlimited Other Funds | Nonlimited Federal Funds | Total Funds | Positions | Full-Time Equivalent (FTE) |
|--|--------------|---------------|-------------|---------------|------------------------|--------------------------|-------------|-----------|----------------------------|
|--|--------------|---------------|-------------|---------------|------------------------|--------------------------|-------------|-----------|----------------------------|

Package 101 Create A Compliance Specialist-2 position

Package Description This package increases the Other Funds limitation by \$84,012 to fund the Board of Psychology's portion of a Compliance Specialist 2 position (0.35 FTE) to assist the Board with its growing investigation backlog. This package makes permanent a limited duration Compliance Specialist 2 position to oversee compliance case and management duties, allowing investigators to focus on timely, thorough, and procedurally sound investigations.

LFO Recommendation

| | | | | | | | | | |
|-----------------|---|---|--------|---|---|---|--------|---|------|
| LFO Recommended | - | - | 84,012 | - | - | - | 84,012 | - | 0.35 |
|-----------------|---|---|--------|---|---|---|--------|---|------|

| | General Fund | Lottery Funds | Other Funds | Federal Funds | Nonlimited Other Funds | Nonlimited Federal Funds | Total Funds | Positions | Full-Time Equivalent (FTE) |
|--|--------------|---------------|-------------|---------------|------------------------|--------------------------|-------------|-----------|----------------------------|
|--|--------------|---------------|-------------|---------------|------------------------|--------------------------|-------------|-----------|----------------------------|

Package 801 LFO Analyst Adjustments

Package Description This package increases Other Funds limitation by \$30,731 to cover the ongoing costs of desktop support, ETS hosting, and database monthly maintenance fees associated with the implementation of an IT project to integrate and upgrade the two boards' online database and desktop support needs.

LFO Recommendation LFO Recommended

| | | | | | | | | | |
|------------------------|---|---|--------|---|---|---|--------|---|---|
| LFO Recommended | - | - | 30,731 | - | - | - | 30,731 | - | - |
|------------------------|---|---|--------|---|---|---|--------|---|---|

Legislatively Proposed 2019 - 2021 Key Performance Measures

Published: 1/31/2019 2:32:31 PM

Agency: Licensed Professional Counselors and Therapists, Board of

Mission Statement:

To protect and benefit the public by setting strong licensing standards for professional counselors and marriage and family therapists. Standards include education, experience, and examinations. Licensees must abide by a Code of Ethics, complete continuing education, and provide clients with licensee background information and how to contact the Board.

| Legislatively Proposed KPMs | Metrics | Agency Request | Last Reported Result | Target 2020 | Target 2021 |
|---|-----------------------------|-----------------|----------------------|-------------|-------------|
| 1. CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information. | Expertise | Approved | 87% | 90% | 90% |
| | Overall | | 83% | 85% | 85% |
| | Availability of Information | | 75% | 85% | 85% |
| | Timeliness | | 79% | 85% | 85% |
| | Helpfulness | | 86% | 90% | 90% |
| | Accuracy | | 84% | 90% | 90% |
| 2. Board Best Practices - Percent of total best practices met by the Board. | | Approved | 98% | 100% | 100% |
| 3. Timely Investigations - Percent of complaints presented to the Board within 120 days of receipt of complaint. | | Proposed New | No Data | 75% | 75% |
| 4. Efficient Application Processing - Average number of calendar days from completed license application file to application approval. | | Proposed New | No Data | 15 | 15 |
| 3. Percent of complaints presented to the Board within 90 days of receipt of complaint. | | Proposed Delete | 10% | N/A | N/A |

LFO Recommendation:

LFO recommends approval of KPMs and targets as presented. These proposed changes are the result of the Board following the 2017 Legislative recommendation that the Board of Licensed Professional Counselors and Therapists spend the interim working with the Board of Psychology, DAS, and LFO to improve and align the two boards' KPMs as part of the merging of the two boards under the Mental Health Regulatory Agency.

SubCommittee Action:

Legislatively Proposed 2019 - 2021 Key Performance Measures

Published: 1/31/2019 2:22:10 PM

Agency: Oregon Board of Psychology

Mission Statement:

Our mission is to protect and benefit public health and safety; and promote quality in the psychology profession.

| Legislatively Proposed KPMs | Metrics | Agency Request | Last Reported Result | Target 2020 | Target 2021 |
|---|-----------------------------|-----------------|----------------------|-------------|-------------|
| 1. CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": Overall, Timeliness, Accuracy, Helpfulness, Expertise, Availability of Information. | Availability of Information | Approved | 80% | 85% | 85% |
| | Accuracy | | 82% | 90% | 90% |
| | Expertise | | 84% | 90% | 90% |
| | Helpfulness | | 82% | 90% | 90% |
| | Overall | | 79% | 85% | 85% |
| | Timeliness | | 76% | 85% | 85% |
| 2. BOARD BEST PRACTICES - Percent of total best practices met by the Board. | | Approved | 99% | 100% | 100% |
| 3. Timely Investigations - Percent of complaints presented to the Board within 120 days of receipt. | | Proposed New | No Data | 75% | 75% |
| 4. Efficient Application Processing - Average number of calendar days from completed license application file to application approval. | | Proposed New | No Data | 15 | 15 |
| 3. COMPLAINT INVESTIGATIONS - Percent of uncontested case consumer complaint investigations completed within six months. | | Proposed Delete | 17% | N/A | NA |
| 4. CONTINUING EDUCATION - Percent of continuing education reports that meet requirements at first review. | | Proposed Delete | 51% | N/A | N/A |
| 5. EXAMINATION - Percent of examiners and examinees who rate the board-administered exam as "good" or "excellent" as an effective screen for competent and ethical professionals. | | Proposed Delete | 80% | N/A | N/A |
| 6. RESIDENCY SUPERVISION - Percent of supervisors and residents who rate supervision process as "good" or "excellent" as effective preparation for competent and ethical professionals. | | Proposed Delete | 96% | N/A | N/A |

LFO Recommendation:

LFO recommends approval of KPMs and targets as presented. These proposed changes are the result of the Board of Psychology following the 2017 Legislative recommendation that the Board of Psychology spend the interim working with the Board of Licensed Professional Counselors and Therapists, DAS, and LFO to improve and align the two boards' KPMs as part of the merging of the two boards under the Mental Health Regulatory Agency.

SubCommittee Action:

HB 5012-1
(LC 9012)
2/4/19 (DFY/ps)

Requested by JOINT COMMITTEE ON WAYS AND MEANS

**PROPOSED AMENDMENTS TO
HOUSE BILL 5012**

1 In line 5 of the printed bill, delete "\$2,421,983" and insert "\$2,408,626".

2 In line 10, delete "\$1,574,379" and insert "\$1,575,785".

3
