

## Board of Nursing

	2019-21 Actual	2021-23 Legislatively Adopted	2021-23 Legislatively Approved *	2023-25 Current Service Level	2023-25 Governor's Budget
Other Funds	19,049,038	20,961,185	22,620,331	23,236,846	24,010,376
<b>Total Funds</b>	<b>19,049,038</b>	<b>20,961,185</b>	<b>22,620,331</b>	<b>23,236,846</b>	<b>24,010,376</b>
Positions	54	54	56	54	56
FTE	53.90	53.90	54.98	53.90	55.90

\* Includes Emergency Board and administrative actions through December 2022.

### Program Description

The Oregon State Board of Nursing (OSBN) protects the public by regulating nursing education, licensure, and practice. With the assistance of their staff, OSBN develops administrative rules, evaluates, and approves nursing education and nursing assistant training programs, issues licenses and renewals, investigates complaints and when necessary takes disciplinary action, maintains the nursing assistant registry and administers competency evaluations for nursing assistants. The Board is comprised of nine members, two public members four registered nurses, one licensed practical nurse, one certified nursing assistant and one nurse practitioner. The four registered nurses represent various areas of nursing practice-education, administration, and direct-care, they also represent a variety of geographic regions.

OSBN is funded through Other Funds, supported primarily by revenues generated from examination, licensing and renewal application fees charged to licensees. Additionally, the Board receives revenue from the sale of documents, employer subscription fees and civil penalty fees. The Department of Human Services, Aging and People with Disabilities program, transfers Federal Funds for the certified nursing assistant (CNA) program, when Federal Funds are transferred between agencies they become Other Funds; these Federal Funds consist of an unmatched Medicare grant and a Medicaid grant which does require a match.

### CSL Summary

The 2023-25 current service level (CSL) budget is \$23,236,846 Other Funds and includes 54 positions (53.90 FTE). The CSL is \$616,515 (or 2.7%) more than the 2021-23 legislatively approved budget. The CSL inflation increase is partially offset due to the elimination of two limited duration Public Services Representative 4 positions included in the 2021-23 legislatively approved budget.

### Policy Issues

The major policy issue for OSBN for the 2023-25 session will be the decision regarding the enactment of the Nurse Licensure Compact (HB 2408 and HB 2708). The Nurse Licensure Compact is essentially a multi-state license that allows nurses to practice nursing either in person or through tele-medicine in any of the member states. Currently, 39 states and territories have fully or partially implemented the Nurse

Licensure Compact and eight states have pending legislation, including Washington State (California is not a Compact state and does not have pending legislation).

Hospital and healthcare staffing have been a priority legislative topic for 2023-25. OSBN has clarified to its members that staffing is at the discretion of the employer and cannot be regulated by the Board. However, OSBN expects all nurses, regardless of their field of care to build risk mitigation into their plans of care and failing to do so or failing to complete their risk mitigation can put their license at risk. OSBN has recently held meetings to clarify the role of the Oregon Nurse Practice Act in regards to staffing concerns and emphasized all nurses are responsible for creating and implementing their plan of care, failing to do so is a violation of statute, pressure to do otherwise warrants investigation by the Board. The only time staffing is reported to the board is when hospitals or long term care facilities hire nurses due to a temporary staffing shortage; these facilities must submit in writing, the number of nurses they have employed, employment period, nature of staffing shortage and confirm there are no labor disputes with current nurses at the employer.

### Governor's Budget Summary

The Governor's budget for OSBN is \$24,010,376 Other Funds, which is \$1,390,045 (or 6.15%) over the legislatively approved budget and includes 56 positions (55.90 FTE). The Governor approved the following packages:

- Package 100 New Positions \$319,084 Other Funds
  - This package makes permanent the two limited duration Public Services Representative 4 positions granted at the June 2022 Emergency Board meeting.
- Package 101 Position Reclasses \$61,584 Other Funds
  - This package reclassifies two positions in the Licensing Department from an Administrative Specialist 1 to an Administrative Specialist 2 and a Permitting Supervisor 2 to a Permitting Manager 1 to reflect increased responsibilities and workload.

Additionally, the Governor has requested the Department of Administrative Services hire a third-party contractor to review OSBN's licensing process to improve efficiency and eliminate obstacles to nurse licensure.

### Background

The legislatively approved budget amount is slightly higher than the amount recorded in the Governor's budget because it is inclusive of two limited duration public representative 4 positions granted in the June 2022 Emergency Board (\$664,645 Other Funds).

### Key Performance Measures

A copy of the OSBN's Annual Performance Progress Report can be found on the LFO website:

[https://www.oregonlegislature.gov/lfo/APPR/APPR\\_OSBN\\_2022-08-03.pdf](https://www.oregonlegislature.gov/lfo/APPR/APPR_OSBN_2022-08-03.pdf)