

Legislative Fiscal Office

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Joint Committee on Ways and Means

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Representative Tawna Sanchez, House Co-Chair

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To: Human Services Subcommittee

From: MaryMichelle Sosne, Legislative Fiscal Office

Date: April 10, 2023

Subject: SB 5523 – Board of Nursing
Work Session Recommendations

Board of Nursing – Agency Totals

| | 2019-21 Actual | 2021-23 Legislatively Approved | 2023-25 Current Service Level | 2023-25 LFO Recommended |
|--------------------|-------------------|--------------------------------------|-------------------------------------|-------------------------------|
| Other Funds | 19,049,038 | 22,620,331 | 23,236,846 | 24,452,168 |
| Total Funds | 19,049,038 | 22,620,331 | 23,236,846 | 24,452,168 |
| Positions | 54 | 56 | 54 | 58 |
| FTE | 53.90 | 54.98 | 53.90 | 57.90 |

The Oregon State Board of Nursing (OSBN) protects the public by regulating nursing education, licensure, and practice. With the assistance of its staff, OSBN develops administrative rules, evaluates, and approves nursing education and nursing assistant training programs, issues licenses, endorsements, and renewals, investigates complaints and, when necessary, takes disciplinary action. Currently, OSBN is the largest licensing board in Oregon with 114,598 active licenses.

LFO is recommending a budget for the Oregon State Board of Nursing of \$24,452,168 Other Funds and 58 positions (57.90 FTE), which is a 8.1% increase over the 2021-23 legislatively approved budget and a 5.2% increase over the 2023-25 Current Service Level. The recommended budget is projected to leave the Board with an ending balance equivalent to 5.3 months of operating funds.

The LFO recommended budget includes the following Policy Option Packages:

- **Policy Option Package 100 - New Positions:** This package continues and makes permanent two full-time Public Service Representative 4 positions granted during the June 2022 Emergency Board to reduce the nursing license and endorsement backlog.
- **Policy Option Package 101 - Reclassification of Positions:** To manage the growth in licenses and licensing staff, this policy option package reclasses upward Principal Executive/Manager A position to a Principal Executive/Manager D position and an Administrative Specialist 1 position to an Administrative Specialist 2 position.
- **Policy Option Package 801 - LFO Analyst Adjustments:** This package includes two full-time limited duration Public Service Representative 4 positions to answer phones for the

board after two years of phones being turned off. Additionally, the package includes a technical adjustment for an existing position that was entered incorrectly, increasing Other Funds limitation to continue to pay the position at its previous rate.

Adjustments to Current Service Level

See attached “Work Session Presentation Report.”

Note: Statewide adjustments and six-year capital construction expenditures are not included in these recommendations. Any needed adjustments will be made in end of session bills.

Accept LFO Recommendation:

MOTION: I move the LFO recommendation to SB 5523. (VOTE)

OR

Change LFO Recommendation:

MOTION: I move the LFO recommendation to SB 5523, with modifications. (VOTE)

Performance Measures

See attached “Legislatively Proposed 2023-25 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 a budget of \$24,452,168 Other Funds, and 58 positions 57.90 FTE, which is reflected in the –1 amendment.

MOTION: I move adoption of the –1 amendment to SB 5523. (VOTE)

Final Subcommittee Action

LFO recommends that SB 5523, as amended by the –1 amendment, be moved to the Ways and Means Full Committee.

MOTION: I move SB 5523, as amended, to the Full Committee with a do pass recommendation. (VOTE)

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____

| | General Fund | Lottery Funds | Other Funds | Federal Funds | Nonlimited Other Funds | Nonlimited Federal Funds | Total Funds | Positions | Full-Time Equivalent (FTE) |
|---|--------------|---------------|-------------------|---------------|------------------------|--------------------------|-------------------|-----------|----------------------------|
| 2021-23 Agy. Leg. Adopted | - | - | 20,961,185 | - | - | - | 20,961,185 | 54 | 53.90 |
| 2021-23 Ebds, SS & Admin Act | - | - | 1,659,146 | - | - | - | 1,659,146 | 2 | 1.08 |
| Ways & Means Actions | - | - | - | - | - | - | - | - | - |
| 2021-23 Leg Approved Budget | - | - | 22,620,331 | - | - | - | 22,620,331 | 56 | 54.98 |
| 2021-23 Leg Approved Budget (Base) | - | - | 21,955,686 | - | - | - | 21,955,686 | 54 | 53.90 |
| Summary of Base Adjustments | - | - | 478,783 | - | - | - | 478,783 | - | - |
| 2023-25 Base Budget | - | - | 22,434,469 | - | - | - | 22,434,469 | 54 | 53.90 |
| 010: Non-PICS Pers Svc/Vacancy Factor | - | - | 90,618 | - | - | - | 90,618 | - | - |
| 030: Inflation & Price List Adjustments | - | - | 711,759 | - | - | - | 711,759 | - | - |
| 2023-25 Current Service Level | - | - | 23,236,846 | - | - | - | 23,236,846 | 54 | 53.90 |
| 080: E-Boards | - | - | 500,000 | - | - | - | 500,000 | - | - |
| Adjusted 2023-25 Current Service Level | - | - | 23,736,846 | - | - | - | 23,736,846 | 54 | 53.90 |
| Total LFO Recommended Packages | - | - | 715,322 | - | - | - | 715,322 | 4 | 4.00 |
| 2023-25 Legislative Actions | - | - | 24,452,168 | - | - | - | 24,452,168 | 58 | 57.90 |
| Net change from 2021-23 Leg Approved Budget | - | - | 1,831,837 | - | - | - | 1,831,837 | 2 | 2.92 |
| Percent change from 2021-23 Leg Approved Budget | 0.0% | 0.0% | 8.1% | 0.0% | 0.0% | 0.0% | 8.1% | 3.6% | 5.3% |
| Net change from 2023-25 Adj Current Service Level | - | - | 715,322 | - | - | - | 715,322 | 4 | 4.00 |
| Percent change from 2023-25 Adj Current Service Level | 0.0% | 0.0% | 3.0% | 0.0% | 0.0% | 0.0% | 3.0% | 7.4% | 7.4% |

| | General Fund | Lottery Funds | Other Funds | Federal Funds | Nonlimited Other Funds | Nonlimited Federal Funds | Total Funds | Positions | Full-Time Equivalent (FTE) |
|---|--------------|---------------|-------------------|---------------|------------------------|--------------------------|-------------------|-----------|----------------------------|
| 2021-23 Agy. Leg. Adopted | - | - | 20,961,185 | - | - | - | 20,961,185 | 54 | 53.90 |
| 2021-23 Ebds, SS & Admin Act | - | - | 1,659,146 | - | - | - | 1,659,146 | 2 | 1.08 |
| Ways & Means Actions | - | - | - | - | - | - | - | - | - |
| 2021-23 Leg Approved Budget | - | - | 22,620,331 | - | - | - | 22,620,331 | 56 | 54.98 |
| 2021-23 Leg Approved Budget (Base) | - | - | 21,955,686 | - | - | - | 21,955,686 | 54 | 53.90 |
| Summary of Base Adjustments | - | - | 478,783 | - | - | - | 478,783 | - | - |
| 2023-25 Base Budget | - | - | 22,434,469 | - | - | - | 22,434,469 | 54 | 53.90 |
| 010: Non-PICS Pers Svc/Vacancy Factor | - | - | 90,618 | - | - | - | 90,618 | - | - |
| 030: Inflation & Price List Adjustments | - | - | 711,759 | - | - | - | 711,759 | - | - |
| 2023-25 Current Service Level | - | - | 23,236,846 | - | - | - | 23,236,846 | 54 | 53.90 |
| 080: E-Boards | - | - | 500,000 | - | - | - | 500,000 | - | - |
| Adjusted 2023-25 Current Service Level | - | - | 23,736,846 | - | - | - | 23,736,846 | 54 | 53.90 |
| Total LFO Recommended Packages | - | - | 715,322 | - | - | - | 715,322 | 4 | 4.00 |
| 2023-25 Legislative Actions | - | - | 24,452,168 | - | - | - | 24,452,168 | 58 | 57.90 |
| Net change from 2021-23 Leg Approved Budget | - | - | 1,831,837 | - | - | - | 1,831,837 | 2 | 2.92 |
| Percent change from 2021-23 Leg Approved Budget | 0.0% | 0.0% | 8.1% | 0.0% | 0.0% | 0.0% | 8.1% | 3.6% | 5.3% |
| Net change from 2023-25 Adj Current Service Level | - | - | 715,322 | - | - | - | 715,322 | 4 | 4.00 |
| Percent change from 2023-25 Adj Current Service Level | 0.0% | 0.0% | 3.0% | 0.0% | 0.0% | 0.0% | 3.0% | 7.4% | 7.4% |

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

Package 081 June 2022 Emergency Board

Package Description This package reflects the June 2022 meeting of the Emergency Board and grants the agency Other Funds expenditure limitation in the amount of \$500,000 for additional fingerprinting expenses.

LFO Recommendation LFO recommends approval.

| | | | | | | | | | |
|------------------------|---|---|---------|---|---|---|---------|---|---|
| LFO Recommended | - | - | 500,000 | - | - | - | 500,000 | - | - |
|------------------------|---|---|---------|---|---|---|---------|---|---|

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

Package 100 New Positions

Package Description This package continues and makes permanent two Public Service Representative 4 positions, granted through the June 2022 Emergency Board.

LFO Recommendation LFO recommends approval.

| | | | | | | | | | |
|------------------------|---|---|---------|---|---|---|---------|---|------|
| LFO Recommended | - | - | 319,084 | - | - | - | 319,084 | 2 | 2.00 |
|------------------------|---|---|---------|---|---|---|---------|---|------|

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

Package 101 Position Reclasses

Package Description This package reclassifies upward a Principal Executive/Manager A position to a Principal Executive/Manager D position and an Administrative Specialist 1 position to an Administrative Specialist 2 position to reflect the increased responsibility and staff in the Licensing Department.

LFO Recommendation LFO recommends approval.

| | | | | | | | | | |
|------------------------|---|---|--------|---|---|---|--------|---|---|
| LFO Recommended | - | - | 61,584 | - | - | - | 61,584 | - | - |
|------------------------|---|---|--------|---|---|---|--------|---|---|

| | 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 includes two limited duration full-time Public Service Representative 4 positions to answer phones after being turned off during the COVID-19 pandemic. Additionally, this package includes a technical adjustment of \$15,570 Other Funds for an existing position that was entered incorrectly as a Payroll Analyst but should be a Fiscal Analyst 1.

LFO Recommendation LFO recommends approval.

| | | | | | | | | | |
|------------------------|---|---|---------|---|---|---|---------|---|------|
| LFO Recommended | - | - | 334,654 | - | - | - | 334,654 | 2 | 2.00 |
|------------------------|---|---|---------|---|---|---|---------|---|------|

Legislatively Proposed 2023 - 2025 Key Performance Measures

Published: 4/7/2023 1:46:29 PM

Agency: Board of Nursing

Mission Statement:

The Oregon State Board of Nursing protects the public by regulating nursing education, licensure, and practice.

| Legislatively Proposed KPMs | Metrics | Agency Request | Last Reported Result | Target 2024 | Target 2025 |
|---|--------------------------------|----------------|----------------------|-------------|-------------|
| 1. TIMELY RESOLUTION OF COMPLAINTS - Percent of cases investigated and referred to Board within 120 days of receipt of complaint. | | Approved | 50.08% | 75% | 75% |
| 2. REDUCTION OF RECIDIVISM - Percent of disciplined licensees with a new complaint within three years of Board closing original case with a disciplinary action. | | Approved | 0.90% | 1% | 1% |
| 3. 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. | 1) Accuracy | Approved | 83% | 95% | 95% |
| | 2) Availability of Information | | 75% | 95% | 95% |
| | 3) Expertise | | 81% | 95% | 95% |
| | 4) Helpfulness | | 73% | 95% | 95% |
| | 5) Timeliness | | 75% | 95% | 95% |
| | 6) Overall | | 77% | 95% | 95% |
| 4. TIMELY LICENSING - Percent of licensing applications processed within target. | | Approved | 98% | 100% | 100% |
| 5. EFFECTIVE GOVERNANCE - Percent of total best practices met by the Board. | | Approved | 93% | 100% | 100% |

LFO Recommendation:

The Legislative Fiscal Office recommends approval of the proposed Key Performance Measures and targets.

SubCommittee Action: