

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 99 - 9

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

Only Impacts on Original or Engrossed Versions are Considered Official

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Date: May 2, 2023

Measure Description:

Replaces the measure. Establishes the Commission on LGBTQIA2S+ Older Adults.

Government Unit(s) Affected:

Department of Human Services, Long Term Care Ombudsman, Office of the Governor, Task Force/Committee/Workgroup, Housing and Community Services Department

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Summary of Expenditure Impact:

	2023-25 Biennium	2025-27 Biennium
Department of Human Services		
General Fund		
Personal Services	\$465,331	\$626,028
Services and Supplies	\$57,845	\$70,290
Special Payments	\$26,000	\$51,572
Total General Fund	\$549,176	\$747,890
Other Funds*		
Personal Services	\$38,625	\$77,249
Services and Supplies	\$4,100	\$7,356
Special Payments	\$1,216	\$2,412
Total Other Funds	\$43,941	\$87,017
Federal Funds		
Services and Supplies	\$2,198	\$2,580
Special Payments	\$15,335	\$30,416
Total Federal Funds	\$17,533	\$32,996
Total Fiscal Impact	\$610,650	\$867,903
<i>Total Positions</i>	4	4
<i>Total FTE</i>	2.50	3.50

**Represents General Fund expended as Other Funds*

Analysis:

SB 99-9 establishes the Commission on LGBTQIA2S+ Older Adults in the Department of Human Services (DHS). The Commission is tasked with improving state agency interactions with and support of the LGBTQIA2S+ community, as well as creating advocacy opportunities for LGBTQIA2S+ older adults throughout state government. Additionally, the measure requires the Commission to review policies, procedures, and strategies and make recommendations to improve access and quality of support services for LGBTQIA2S+ older adults. By June 30th of every even year, the commission must submit a report on its activities and recommendations to the Governor, DHS, the Chief Clerk of the House of Representatives, the Secretary of the Senate, and the interim

legislative committees on human services. The measure is effective January 1, 2024.

The Commission is comprised of 11 members: one nonvoting member appointed by the President of the Senate, one nonvoting member appointed by the Speaker of the House of Representatives, and nine members appointed by the Governor who must meet specific requirements. The Commission is required to meet at least once every three months, or 12 times per biennium. As the measure is effective January 1, 2024, 2023-25 biennial cost estimates assume six meetings will occur.

The two legislative members are entitled to per diem and travel reimbursement. Assuming the Commission meets six times during the biennium, the per diem and travel reimbursement for these members would be \$3,228. This amount includes the Federal Insurance Contribution Act (FICA) tax, assumes the per diem remains at \$157 per day, and estimates an average mileage of 171 miles per meeting at the current rate of \$0.655 per mile. For the 2025-27 biennium, costs are projected to be \$6,456. This estimate could change based on the number of meetings held. The 2023–25 Legislative Assembly budget contains funds allocated for interim committees and task forces. If the work required by this task force or the cumulative enactment of other legislation with interim committees and task forces exceeds expenditure levels beyond those assumed in the 2023–25 budget, additional General Fund resources may be required.

The nine Commission members appointed by the Governor are eligible for compensation and reimbursement. Estimated costs for the nine members to attend six meetings is \$8,370 General Fund for 2023–25. For 2025-27, assuming 12 meetings are held, the costs are projected to be \$16,740 General Fund.

The Commission may appoint technical or advisory committees and, at its discretion, provide reimbursement for travel or related expenses. The estimated reimbursement cost for one committee with 10 members attending 24 meetings is \$1,572 per biennium. At this time, the actual costs associated with reimbursements to committee members are unknown and will depend on the number of technical or advisory committees established, the number of members and meetings, and whether the Commission chooses to reimburse the committee members. As costs for potential technical and/or advisory committees are indeterminate, they have been excluded from the chart above.

The measure establishes a bill of rights for LGBTQIA2S+ older adult residents of long-term and community-based care facilities. Included in the bill of rights is a requirement that DHS establish rules for care facilities to request approval of trainings and the minimum requirements of the training approval request, as well as rules to implement the LGBTQIA2S+ bill of rights.

The Long-Term Care Ombudsman, the deputy ombudsmen, and designees are required to complete training within 12 months of appointment and every two years thereafter. Trainings specified in the measure must occur by December 31, 2024.

The following full-time permanent positions are projected to be needed to support the Commission:

- One Operations and Policy Analyst 3 (0.75 FTE) position to assist with evaluating long-term services and support, staff the Commission and coordinate outreach on behalf of the Commission.
- One Research Analyst 4 position (0.75 FTE) to provide research, reports, and data analysis for the Commission
- One Administrative Specialist 1 (0.75 FTE) to manage the administrative needs of the Commission.
- One Accounting Technician (0.25 FTE) to manage compensation and reimbursement of Commission members.

The total 2023-25 cost for these four positions (2.50 FTE) is \$540,806 General Fund, \$43,941 Other Funds, and \$17,533 Federal Funds. For the 2025-27 biennium, FTE increases to 1.00 for all but the Accounting Technician position, which will increase to 0.50 FTE. Total costs are projected to be \$731,150 General Fund, \$87,017 Other Funds, and \$32,996 Federal Funds.

The Accounting Technician position is part of the Office of Financial Services, a Shared Service of DHS and the Oregon Health Authority. Funds for this position include General Fund, Other Funds and Federal Funds. Other Funds limitation is established to account for expenses paid through the Shared Services budget structure and does not represent additional spending. The expenditures for the Shared Services budget are included in the General Fund and Federal Fund amounts listed above and in the table.

The measure has no fiscal impact on the Governor's Office, the Long-Term Care Ombudsman, or the Housing and Community Services Department.