

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 1079 - A

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

Only Impacts on Original or Engrossed Versions are Considered Official

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Measure Description:

Establishes the Joint Task Force on Hospital Discharge Challenges.

Government Unit(s) Affected:

Department of Human Services, Legislative Assembly, Legislative Policy and Research Office, Oregon Health Authority

Summary of Fiscal Impact:

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

Analysis:

SB 1079 - A creates the 22-member Joint Task Force on Hospital Discharge Challenges which is to provide recommendations to improve discharging patients to an appropriate post-acute care setting. The bill directs the Legislative Policy and Research Office (LPRO) to provide staff support for the task force, including reviewing strategies that have been useful in other states; reviewing data and studies related to the challenges faced by hospitals in discharging patients in post-acute care settings; reviewing state and federal requirements for licensed or certified providers who practice in post-acute care settings; reviewing the responsibilities and accountability of county and state agencies that conduct clinical and financial assessments of hospital patients ready for discharge to post-acute care settings; gathering and analyzing data on county and state employees working in this area; and, gathering and analyzing data on the main barriers to discharging patients to appropriate post-acute care settings. LPRO may contract with third parties with expertise in acute care discharges and post-acute care settings to support the work of the task force. The Oregon Health Authority (OHA) and Department of Human Services (DHS) are to provide data and policy analysis to the task force at the direction of the task force chairperson.

The Task Force is to report to the Governor and the interim committees of the Legislative Assembly related to health and human services by November 1, 2023, with recommendations for administrative changes that do not require legislative action; and by December 15, 2023, with recommendations for legislative changes. A final report is to be submitted by September 15, 2024. The measure appropriates \$800,000 General Fund to the Legislative Policy and Research Committee.

The bill declares an emergency and takes effect on passage, and the task force sunsets on January 2, 2025.

Legislative Policy and Research Office

The bill requires LPRO to provide staff support to the task force. LPRO assumes existing staff will provide support to this task force, though LPRO notes that the bill authorizes the task force to form subcommittees which could increase staff support needs.

LPRO assumes the task force will meet biweekly for the first three to four months after the task force is appointed, and then monthly until the final report is submitted in September 2024. This is anticipated to require one Senior Legislative Analyst assigned full-time to the task force (0.58 FTE), one Research Analyst assigned full-time to the task force (0.58 FTE), and one Committee Assistant assigned part-time to the task force (0.29 FTE), at

a total cost of \$545,840 using existing General Fund resources. LPRO's current service level budget supports interim committees and task forces; however, if the work required by this task force, or the cumulative enactment of other legislation with interim committees and task forces the 2023-25 budget, additional General Fund resources may be required.

While existing staff are anticipated to provide support to the task force, LPRO also anticipates a cost of \$250,000 to \$300,000 General Fund that is not included in the agency's existing budget. This funding will be used to contract for data collection, management, and analysis related to hospital and post-acute care reimbursement payment models and workforce analysis.

The Legislative Fiscal Office notes that it will be difficult to meet the reporting timelines outlined in the measure. Assuming passage of the measure in June 2023, the task force is unlikely to be appointed until September 2023, leaving minimal time to complete recommendations for administrative changes by November 2023. Additionally, LPRO would likely contract for recommendations around administrative changes, and will not have a contract in place for two to three months after passage of the measure.

Legislative Assembly

The bill is expected to have a minimal impact on the Legislative Assembly. Two members of the task force will be legislative members who are entitled to per diem and travel reimbursement. Meetings are set by the chairperson and it is unknown how often the task force would meet. However, assuming the task force meets 25 times during the approximate 12-month period until its report is due September 15, 2024, the estimated per diem and travel reimbursement costs will total \$14,000. 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 at the current rate of \$0.655 per mile. This estimate could change based on the number of meetings held. The task force would not incur additional costs to the Legislative Assembly budget if the meetings are held at the Capitol building during the Legislative Session, or Task Force or Legislative Days.

Although the 2023-25 Legislative Assembly budget contains funds allocated for interim committees and task forces, if the work required by this task force, or if 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.

Other agencies

OHA and DHS are to provide data and policy analysis to that task force at the direction of the task force chairperson. There is minimal fiscal impact to these agencies, assuming the data requested is from already available datasets; and that most policy analysis will be conducted by LPRO staff for the task force.