

SB 5544 -1 STAFF MEASURE SUMMARY**Joint Committee On Ways and Means****Prepared By:** Michael Graham, Fiscal Analyst**Meeting Dates:** 2/20, 5/8**WHAT THE MEASURE DOES:**

SB 5544 relates to state financial administration.

ISSUES DISCUSSED:**EFFECT OF AMENDMENT:**

-1 The -1 amendment is a fee ratification bill for the Oregon Board of Chiropractic Examiners (OBCE), which approves certain new or increased fees adopted by OBCE through the administrative rulemaking process.

OBCE established or increased the following fees during the 2023-25 biennium:

License and Fee Type: Chiropractic Physicians (CP) and Chiropractic Assistants (CA)	Prior Fee	New Fee	% Change
CP applicants and licensees: Initial application and background check fee	\$166.25	\$495	197%
CP applicants and licensees: Initial application and background check fee for reciprocity candidates	\$166.25	\$495	197%
CP applicants and licensees: Initial license fee	\$180	\$234	30%
CP applicants and licensees: Active annual registration fee	\$510	\$663	30%
CP applicants and licensees: Senior active annual registration fee	\$378	\$491.40	30%
CP applicants and licensees: Inactive annual registration fee	\$270	\$351	30%
CP applicants and licensees: Delinquent fee for late renewal	\$125 per week, not to exceed \$500	\$150 per week	20%
CA applicants and certificate holders: Initial application, certification, and background check fee* (*combined previously separate fees)	\$146.25*	\$175	20%
CA applicants and certificate holders: Annual renewal fee	\$90	\$117	30%
Criminal background check fee for applicants, CP, and CA	\$46.25	\$45	-3%

License and Fee Type: Chiropractic Physicians (CP) and Chiropractic Assistants (CA)	Prior Fee	New Fee	% Change
Civil penalty: Failing to notify OBCE within 30 days of changes to email, business, and mailing address	\$50	\$50	0%
Civil penalty: Failing to pay fines or fees owed to OBCE	\$50 per month, not to exceed \$500	\$50 per month of nonpayment	0%
Civil penalty: Failing to comply with continuing education requirements for CAs	\$15 per credit not completed, not to exceed \$90	\$15 per credit not completed	0%
Civil penalty: Failing to notify OBCE within 10 days that a licensee is convicted of a misdemeanor or felony, or arrested for a felony	\$125 per week, not to exceed \$500	\$125 per week	0%
Civil penalty: Failing to notify OBCE designated records custodian	N/A	\$500	N/A

BACKGROUND:

ORS 291.055(1)(e) stipulates that all new state agency fees or fee increases adopted between the date of adjournment sine die of a regular session of the Legislative Assembly, and the date of adjournment sine die of the next regular session of the Legislative Assembly, are rescinded upon adjournment sine die of the next regular session of the Legislative Assembly, unless the fee is authorized by enabling legislation.

Several sections in ORS Chapter 684 establish OBCE's authority to impose and collect certain fees related to the licensing and regulation of chiropractic physicians and chiropractic assistants. OBCE establishes and increases fees through the administrative rulemaking process. OBCE's 2023-25 legislatively adopted budget included a 20% fee increase to all license types. However, that fee increase did not provide sufficient revenues to sustain agency operations. As a result, OBCE established new fees and increased most fees by 30%, which went into effect in November 2024. The 30% fee increase is projected to generate \$636,898 in additional Other Funds fee revenue in the 2025-27 biennium. However, without an overall increase in licensees, OBCE will likely need another fee increase in the 2027-29 biennium.