2007 Regular Legislative Session FISCAL ANALYSIS OF PROPOSED LEGISLATION Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: SB 415 STATUS: A-Engrossed

SUBJECT: Creates ombudsman for families and caregiver of children who are subject to the

jurisdiction of juvenile court

GOVERNMENT UNIT AFFECTED: Governor's Office and the Department of Human Services

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REVIEWED BY: Dallas Weyand and Sheila Baker

DATE: February 27, 2007

	2007-2009	2009-2011
EXPENDITURES:		
Governor's Office		
Personal Services – General Fund	\$ 412,081	\$ 548,098
Services and Supplies – General Fund	\$ 41,726	\$ 58,461
Facilities Rental –General Fund	\$ 42,385	\$ 42,385
Systems Furniture – General Fund	\$ 18,696	\$
Total – General Fund	\$ 514,888	\$ 648,944
POSITIONS / FTE:		
Ombudsman	1/0.75 FTE	1/1.00
Program Analyst 1	2/1.50	2/2.00
Executive Support Specialist 2	1/0.75 FTE	<u>1/1.00</u>
Total – Positions and FTE	4/3.00 FTE	4/4.00

EFFECTIVE DATE: January 1, 2008

GOVERNOR'S BUDGET: This bill is anticipated by the Governor's recommended budget.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

COMMENTS: This measure directs the Governor to appoint an ombudsman for families and caregivers of children who are subject to, or alleged to be subject to, the jurisdiction of the juvenile court as defined by current law. The ombudsman is to review complaints of the treatment of parents, grandparents, or other relatives of a child and then make a report annually to the Governor and biennially to the Legislature. The measure requires that the ombudsman be a member of the Oregon State Bar Association and be paid a salary based on a comparable Department of Justice attorney. The Governor's Office is to provide "suitable and sufficient resources, including but not limited to support staff, office space and office equipment necessary to carry out the duties of the office."

The Governor's Office estimates General Fund expenditures for this measure as the following:

Personal Services: Add four new permanent full-time positions: (a) one ombudsman who would oversee the office, develop policies, review complaints, and make the required formal reports; (b) two Program Analyst 1 positions who would assist with investigating complaints; and (c) one Executive Support Specialist 2 to provide support staff for the other three positions and the office.

The Personal Services cost of these positions for 18-months of the 2007-09 biennium would be \$412,081 (3.00 FTE) and then \$548,098 (4.00 FTE) for 24-months of the 2009-11 biennium.

- <u>Services and Supplies</u>: Associated services and supplies costs for the aforementioned positions would be \$41,726 for the 2007-09 biennium and \$58,461 for the 2009-11 biennium. These costs include travel, training, and office related expenses. Some of these costs, such as computer purchase for the 2007-09 biennium, may be one-time expenses.
- Facilities Rental: A question remains, which affects the fiscal impact, as to where the positions would be located. The Governor's Office currently does not have office space available for the positions. The Department of Human Services (DHS) may have office space available in the current Governor's Advocacy Office for up to four positions. If the positions were located at DHS, the estimated cost to the Governor's Office would be approximately \$42,385 per biennium in facility rental charges. This fiscal impact assumes this rental arrangement. If, however, the positions were located elsewhere, then DHS has stated it may need to hire an additional staff position to facilitate supplying records to the ombudsman and his/her staff. DHS estimates a Program Analyst 1 position would be needed to coordinate collecting and transmitting the records, at an 18-month cost of \$107,110 for the 2007-09 biennium and \$129,380 for 24-months of the 2009-11 biennium, including associated service and supplies. The DHS position cost would be eligible for 50% matching Federal Funds. The Governor' Office has not provide a cost estimate for alternative office space.
- <u>Systems Furniture</u>: One-time systems furniture costs could be approximately \$18,696, unless furniture costs are included in whatever facility rental contract that would be negotiated.

The cumulative cost of this fiscal impact includes: the four positions, associated services and supplies, the one-time cost of systems furniture, and on-going rental expense. For 18-months of the 2007-09 biennium these costs total \$514,888 and \$648,944 for the 24-months of the 2009-11 biennium. The Governor's Office assumes these expenditures to be entirely General Fund. This cumulative fiscal impact does not include the cost associated with a DHS position.

The Legislative Fiscal Office (LFO) notes that matching Federal Funds may be available for these expenditures as pass-through funding to the Governor's Office from DHS. The availability of federal matching funds would reduce the measure's General Fund cost perhaps as much as 50%.

LFO believes this measure warrants a subsequent referral to the Joint Committee on Ways and Means Committee for consideration of this measure's budgetary impact on the Governor's Office and possibly DHS.