

**2009 Regular Legislative Session**  
**FISCAL ANALYSIS OF PROPOSED LEGISLATION**  
**Prepared by the Oregon Legislative Fiscal Office**

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**MEASURE NUMBER:** HB 2245

**STATUS:** A Engrossed

**SUBJECT:** Changes name of the Board, changes name of the Board’s account, defines terms related to “medical imaging”, increases number of board members, and modifies requirements for licenses and permits.

**GOVERNMENT UNIT AFFECTED:** Board of Radiologic Technology; Oregon State Police

**PREPARED BY:** John Terpening

**REVIEWED BY:** Robin LaMonte/Doug Wilson

**DATE:** March 30, 2009

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	<u>2009-2011</u>	<u>2011-2013</u>
<b>EXPENDITURES:</b>		
Personal Services – Other Funds	\$ 88,371	\$ 109,232
Services and Supplies – Other Funds	\$ 95,813	\$ 79,801
Fingerprint Background Checks – Other Funds	\$ 55,944	\$ 11,340
	\$ 240,128	\$ 210,822

**REVENUES:**

See Comments

**POSITIONS / FTE:**

Investigator 1	1/0.50	1/1.0
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**EFFECTIVE DATE:** January 1, 2010

**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.

**ANALYSIS:** This measure changes the name of the Board of Radiologic Technology to the Board of Medical Imaging and changes the name of the Board’s State Treasury account. The measure defines “medical imaging” and related terms, creates “medical imaging modality” categories (Diagnostic Medical Sonography, Magnetic Resonance Imaging, Nuclear Medicine Technology, Radiation Therapy, and Radiography), and modifies requirements for licenses, permits and certification. The measure increases the number of members on the Board to twelve and defines member requirements. Additionally, the measure establishes oversight of X-ray machine operator permit examinations, a corresponding fee for X-ray operator permits, and inspections of limited X-ray machine operator schools.

Currently the law allows the Board to administratively establish fees related to licensure or permit. The Board estimates 1,184 new licensees from the three new modalities established in the measure (Nuclear Medicine Technology, Diagnostic Medical Sonography, and Magnetic Resonance Imaging) in 2009-2011. The Board is proposing the administrative establishment of one-time \$75 application fee and a \$47.25 fee for a fingerprint background checks for new applicants. The fingerprint background fee would be directly paid to Oregon State Police.

The Legislative Fiscal Office (LFO) assumes that fee revenue generated as a result of the measure creating medical modalities will be sufficient to cover expenditures associated with the creation of the medical modalities.

The Board states that revenue generated from the fee increase would be used to fund costs related to oversight of the created medical modalities as defined in the measure as well as funding current operation of the Board relating to the new modalities. According to the Board, the establishment of defined medical modalities allows for regulatory standards to be in place for three modalities currently unregulated or unlicensed. As a function of oversight of the creation of medical modalities, the Board is requesting a part-time Investigator 1 position with associated services and supplies cost for a total estimate of \$111,020 for the 2009-2011 biennium. The Board is requesting that this Investigator 1 position become full-time in the 2011-2013 biennium due to the expected workload created by the medical modalities. The Board is also requesting services and supplies expenditure for increased investigations and administrative hearings, as well as Attorney General charges for a total of \$38,000 of services and supplies as a function of oversight of the new medical modalities. The Board requests expenditure limitation for the \$55,944 payable to Oregon State Police for the fingerprint background checks of new applicants.

The measure increases the number of board members from nine to twelve. The Board's expenditure estimate for the new board members is based on a salary per diem of \$30 per day with associated services and supplies cost for a total of \$13,164. The Board's estimate of services and supplies costs is \$4,000 per board member.

The Board is requesting \$22,000 in 2009-2011 services and supplies expenditure related to the name change defined in the measure and the Board's projected increase in costs relating to Information Technology upgrades to accommodate the new medical modalities.

The total fiscal impact of this measure is estimated to be \$240,128 in the 2009-2011 biennium and \$210,822 in the 2011-2013 biennium. LFO assumes that the Board's current license and permit revenues are sufficient to cover costs associated with the increase in board members and costs associated with the name change and the increase in investigator staffing.

The Board's policy option packages in the Governor's recommended budget have been calculated incorrectly. The Board estimated the salary per diem for new board members at \$100 per day and not the current law rate of \$30. Additionally, the Board's estimate for the Investigator 1 position was based on 12 months and not 18 months.

Oregon State Police (OSP) anticipates a minimal fiscal impact with the additional fingerprint background checks to new licensees provided the result of other similar legislation allowing for fingerprint background checks does not exceed current resources.