

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

MEASURE NUMBER: SB 25 **STATUS:** A–Engrossed
SUBJECT: Establishes Oregon State Hospital Advisory Board
GOVERNMENT UNIT AFFECTED: Department of Human Services Addictions and Mental Health Division, Legislative Assembly
PREPARED BY: Kim To
REVIEWED BY: John Britton, Daron Hill
DATE: February 16, 2009

	<u>2009-2011</u>	<u>2011-2013</u>
EXPENDITURES:		
Department of Human Services – Services & Supplies	\$30,313	\$32,344
Total General Fund	\$30,313	\$30,313

Legislative Assembly
See Analysis

EFFECTIVE DATE: On Passage

GOVERNOR’S BUDGET: This bill is not 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 bill establishes in the Department of Human Services a 13-member Oregon State Hospital Advisory Board, consisting of 11 voting members serving four-year terms appointed by the Governor and subject to confirmation by the Senate, and 2 nonvoting members from the Legislative Assembly serving two-year terms, one appointed by the President of the Senate and one appointed by the Speaker of the House.

The Advisory Board is charged with improving the safety, security and care of patients of the hospital by periodically conducting a comprehensive review of performance measures, federal and state laws, administrative rules, policies, procedures and protocols of the Oregon State Hospital concerning the safety, security and care of patients. The Advisory Board may establish ad hoc committees to aid and advise the board in the performance of its functions.

The Department of Human Services (DHS) is directed to provide staff support for the Advisory Board. DHS states that if this bill passes, the agency will not ask for additional staffing and will absorb a portion of the administrative costs by abolishing the existing non-statutory Oregon State Hospital ad hoc committee and the position that currently supports this ad hoc committee will staff this new Oregon State Hospital Advisory Board. The current ad hoc committee does not have out-of-town members and therefore no budget for out-of-town expenses and travel reimbursement.

Senate Bill 25 A-Engrossed requires three members of the Advisory Board to be of a public employee bargaining unit who are employed by the Oregon State Hospital – one member representing board

certified physicians; one member representing board certified nursing staff; and one member representing direct care services staff.

The bill also limits reimbursement to travel related expenses. The Members of ad hoc committees and members of the Advisory Board who are not employed by the Oregon State Hospital and who are not members of the Legislative Assembly are entitled only to reimbursement for actual and necessary travel as outlined in Oregon Revised Statute 292.495(2). DHS calculates travel reimbursement costs for out-of-town members to be \$29,849 per biennium and the cost of printed material and postage at \$464 per biennium. This incremental cost of postage and travel reimbursement reflects the fact that the current ad hoc committee does not have out-of-town members who require reimbursement for travel expenses.

The two members of the Advisory Board who are members of the Legislative Assembly shall be paid compensation and expense reimbursement as outlined in Oregon Revised Statute 171.072. Per diem payments and mileage reimbursement for two legislators to attend meetings once a month is estimated to be approximately \$7,492 per biennium. The Legislative Fiscal Office notes that although the Legislative Assembly budget contains funds allocated for per diem and expense costs associated with legislators' participation in interim committee and task force, the cumulative impact of all legislation that passes with legislators' participation on interim committees and task forces might require resources beyond the levels assumed in the Assembly's budget.