

**76<sup>th</sup> OREGON LEGISLATIVE ASSEMBLY – 2011 Regular Session  
BUDGET REPORT AND MEASURE SUMMARY**

**MEASURE: SB 5539-A**

**JOINT COMMITTEE ON WAYS AND MEANS**

**Carrier – House: Rep. Kotek  
Carrier – Senate: Sen. Winters**

---

**Action:** Do Pass as Amended and as Printed A-Engrossed

**Vote:** 22 – 2 – 1

House – Yeas: Beyer, Buckley, Cowan, Freeman, Garrard, Komp, Kotek, McLane, Nathanson, Nolan, G. Smith, Whisnant  
– Nays: Thatcher  
– Exc: Richardson

Senate – Yeas: Bates, Devlin, Edwards, Johnson, Monroe, Nelson, Thomsen, Verger, Whitsett, Winters  
– Nays: Girod  
– Exc:

**Prepared By:** D.J. Vogt, Department of Administrative Services

**Reviewed By:** Linda Ames, Legislative Fiscal Office

**Meeting Date:** June 3, 2011

---

**Agency**

Psychiatric Security Review Board

**Budget Page**

C-20

**LFO Analysis Page**

75

**Biennium**

2011-13

**Budget Summary\***

	2009-11 Legislatively Approved Budget (1)	2011-13 Current Service Level	2011-13 Governor's Budget	2011-13 Committee Recommendation	Committee Change from 2009-11 Leg Approved	
					\$ change	% change
General Fund	\$ 1,263,622	\$ 1,801,106	\$ 1,705,611	\$ 1,723,594	\$ 459,972	36.4%
Other Funds	146,818	2,105	2,056	176,056	29,238	19.9%
<b>Total</b>	<b>\$ 1,410,440</b>	<b>\$ 1,803,211</b>	<b>\$ 1,707,667</b>	<b>\$ 1,899,650</b>	<b>\$ 489,210</b>	<b>34.7%</b>

**Position Summary**

Authorized positions	8	8	8	10	2
Full-time equivalent positions (FTE)	6.89	8.00	8.00	10.00	3.11

(1) Includes adjustments through March 2011

\* Excludes Capital Construction expenditures

**Summary of Revenue Changes**

The Psychiatric Security Review Board is funded with General Fund, and also with a federal grant through the Oregon State Police that is budgeted as Other Funds.

**Summary of Human Services Subcommittee Action**

The Psychiatric Security Review Board (PSRB) has jurisdiction over about 750 adults found guilty of crimes except for insanity, as well as juveniles found “responsible except for insanity” who have a serious mental condition or who present a danger to themselves or others. PSRB also has responsibility to process relief petitions and hearings for persons barred from possessing a firearm due to a mental health determination. The Board’s primary purpose is to protect the public through the on-going review of the progress of those placed under its jurisdiction and a determination of their appropriate placement. The Subcommittee approved a budget for PSRB of \$1.4 million General Fund, \$1.9 million total funds and 10 positions (10.00 FTE). The approved budget is a 36.4 percent General Fund increase from the 2009-11 Legislatively Approved Budget, and adds two positions to address agency workload issues.

The approved budget for PSRB also includes a General Fund reduction to support a state General Fund supplemental ending balance. The Subcommittee approved General Fund reductions totaling \$62,514 in package 819 for this purpose. The reduction is intended to be applied against spending levels in the second year of the biennium and not to affect program delivery in the first year. To reinforce that intent, the

agency's budget bill includes specific language allowing the agency to expend up to 54 percent of its total biennial General Fund appropriation in the first year of the biennium.

The amount of the reduction for the supplemental ending balance may be restored to the agency during the February 2012 session for the second year of the biennium depending on economic conditions. Therefore, the Co-Chairs of the Joint Committee on Ways and Means expect the director to closely monitor the quarterly revenue forecast and other economic indicators to gauge adequacy of funding in the second year and manage the budget accordingly.

The Subcommittee discussed the need to move patients out of the Oregon State Hospital to community settings when appropriate, and approved the following budget note:

**Budget Note:**

The Oregon Health Authority (OHA) is directed to work with the Psychiatric Security Review Board (PSRB) to determine the need for community placements for PSRB patients at the Oregon State Hospital for whom a hospital level of care is not necessary on an on-going basis, and recommendations for meeting this need. The recommendations should address the potential need for additional 16-bed residential treatment facilities as well as other types of facilities. This report should be prepared for consideration in the February 2012 legislative session.

**General Program**

The General Program conducts administrative law hearings to determine appropriate placement of persons, both juvenile and adult, guilty of a crime except for insanity. The unit oversees treatment outcomes for PSRB clients who are committed to the Oregon State Hospital, coordinates treatment and case management for persons under conditional release, revokes conditional release and orders return to the Oregon State Hospital if appropriate, and discharges persons from the Board's jurisdiction. The Subcommittee approved a total funds budget of \$1,387,596 and 7.00 FTE.

The Subcommittee approved packages 086 and 087, which eliminate inflation and decrease projected Personal Services costs by 5.5 percent.

Package 101, Staffing for Increased Workload was approved at a cost of \$268,982 General Fund. This package adds two positions to help the Board meet current workload demands. The workload at PSRB has increased significantly over the last several years. The Board is currently unable to meet its statutory timeline requirements for many cases. These positions will help to alleviate the backlog in hearings.

The Subcommittee approved package 801, Targeted Statewide Adjustments, which reduces General Fund by \$13,757. This package implements a statewide reduction action included in the Co-Chairs' budget, a 6.5 percent reduction from total General Fund Services and Supplies expenditures included in the Governor's budget.

### Gun Relief Program

The Gun Relief Program conducts hearings for those with mental health determinations to determine if their right to possess a firearm should be restored. The Subcommittee approved a total funds budget of \$512,054 and 3.00 FTE.

Packages 086 and 087 were approved, eliminating inflation and decreasing projected Personal Services costs by 5.5 percent.

The Subcommittee approved package 801, Targeted Statewide Adjustments, which reduces General Fund by \$7,190. This package implements a statewide reduction action included in the Co-Chairs' budget, a 6.5 percent reduction from total General Fund Services and Supplies expenditures included in the Governor's budget.

The Subcommittee approved package 810, LFO Analyst Adjustments. This package recognizes the federal grant revenues the agency expects to receive through the Oregon State Police in order to help support the Gun Relief Program and increases Other Funds expenditure limitation by \$174,000. The General Fund budget has been reduced by a corresponding amount.

### **Summary of Performance Measure Action**

See attached Legislatively Adopted 2011-13 Key Performance Measures form.

**DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION**

**SB 5539-A**

**Psychiatric Security Review Board  
D.J. Vogt -- (503) 378-3117**

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2009-11 Legislatively Approved Budget at March 2011*	\$1,263,622	\$0	\$146,818	\$0	\$0	\$0	\$1,410,440	8	6.89
2011-13 ORBITS printed Current Service Level (CSL)*	\$1,801,106	\$0	\$2,105	\$0	\$0	\$0	\$1,803,211	8	8.00
2011-13 Governor's Recommended Budget*	\$1,705,611	\$0	\$2,056	\$0	\$0	\$0	\$1,707,667	8	8.00
<u>SUBCOMMITTEE ADJUSTMENTS (from GRB)</u>									
General Program -- 010									
Package 086: Eliminate Inflation Services and Supplies	6,462	0	0	0	0	0	6,462		
Package 101: Staffing for Increased Workload									
Personal Services	236,182	0	0	0	0	0	236,182	2	2.00
Services and Supplies	32,800	0	0	0	0	0	32,800		
Package 801: Targeted Statewide Adjustments									
Services and Supplies	(13,757)	0	0	0	0	0	(13,757)		
Package 819: Supplemental Statewide Ending Balance									
Personal Services	(41,195)	0	0	0	0	0	(41,195)		
Services and Supplies	(9,058)	0	0	0	0	0	(9,058)		
Gun Relief Program -- 030									
Package 801: Targeted Statewide Adjustments									
Services and Supplies	(7,190)	0	0	0	0	0	(7,190)		
Package 810: LFO Analyst Adjustments									
Personal Services	(136,000)	0	136,000	0	0	0	0		
Services and Supplies	(38,000)	0	38,000	0	0	0	0		
Package 819: Supplemental Statewide Ending Balance									
Personal Services	(9,709)	0	0	0	0	0	(9,709)		
Services and Supplies	(2,552)	0	0	0	0	0	(2,552)		
<b>TOTAL ADJUSTMENTS</b>	<b>\$17,983</b>	<b>\$0</b>	<b>\$174,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$191,983</b>	<b>2</b>	<b>2.00</b>
<b>SUBCOMMITTEE RECOMMENDATION*</b>	<b>\$1,723,594</b>	<b>\$0</b>	<b>\$176,056</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,899,650</b>	<b>10</b>	<b>10.00</b>
% Change from 2009-11 Leg Approved Budget	36.4%	0.0%	19.9%	0.0%	0.0%	0.0%	34.7%	25.0%	45.1%
% Change from 2011-13 Current Service Level	-4.3%	0.0%	8263.7%	0.0%	0.0%	0.0%	5.3%	25.0%	25.0%
% Change from 2011-13 Governor's Recommended Budget	1.1%	0.0%	8463.0%	0.0%	0.0%	0.0%	11.2%	25.0%	25.0%

\*Excludes Capital Construction Expenditures

## Legislatively Approved 2011-2013 Key Performance Measures

**Agency: PSYCHIATRIC SECURITY REVIEW BOARD**

Mission: <p>The Psychiatric Security Review Board's mission is to protect the public through the ongoing review of the progress of &ldquo;guilty except for insanity&rdquo; adults and &ldquo;responsible except for insanity&rdquo; youth and a determination of their appropriate placement as well as through the conduct of hearings to decide whether persons with mental health determinations should have their firearm privileges restored.</p>

Legislatively Proposed KPMs	Customer Service Category	Agency Request	Most Current Result	Target 2012	Target 2013
1 - RECIDIVISM RATE - Percent of revocations of conditional release based on commission of felony.		Approved KPM	0.00	3.20	3.20
2 - TIMELINESS OF HEARINGS - Percentage of hearings scheduled within statutory timeframes		Approved KPM	63.00	75.00	85.00
3 - MAINTENANCE OF RELEASED CLIENTS - Percentage of conditional releases maintained in community per month.		Approved KPM	99.00	98.00	98.00
4 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Accuracy	Approved KPM	83.00	95.00	95.00
4 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Availability of Information	Approved KPM	78.00	95.00	95.00
4 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Expertise	Approved KPM	100.00	95.00	95.00
4 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Helpfulness	Approved KPM	94.00	95.00	95.00
4 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Overall	Approved KPM	97.00	95.00	95.00

**Agency: PSYCHIATRIC SECURITY REVIEW BOARD**

Mission: <p>The Psychiatric Security Review Board's mission is to protect the public through the ongoing review of the progress of &ldquo;guilty except for insanity&rdquo; adults and &ldquo;responsible except for insanity&rdquo; youth and a determination of their appropriate placement as well as through the conduct of hearings to decide whether persons with mental health determinations should have their firearm privileges restored.</p>

<b>Legislatively Proposed KPMs</b>	<b>Customer Service Category</b>	<b>Agency Request</b>	<b>Most Current Result</b>	<b>Target 2012</b>	<b>Target 2013</b>
4 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Timeliness	Approved KPM	73.00	95.00	95.00
5 - BEST PRACTICES - Percent of total best practices met by the Board.		Approved KPM	95.00	85.00	

**LFO Recommendation:**

Approve the KPMs as proposed. Approve targets for 2012 and 2013 as shown.

**Sub-Committee Action:**

Approved the LFO recommendation.