

FISCAL IMPACT OF PROPOSED LEGISLATION**Measure: SB 138**

Seventy-Sixth Oregon Legislative Assembly – 2011 Regular Session
Legislative Fiscal Office

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Measure Description:

Allows Oregon Board of Naturopathic Medicine to assess costs of disciplinary proceedings and impose other disciplinary action on person subject to discipline.

Government Unit(s) Affected:

Board of Naturopathic Examiners

Expenditure Impact:

None

Revenue Impact:

Indeterminate

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:

The measure allows the board to impose certain disciplinary actions and to assess the costs of the disciplinary process to a licensee. The board has disciplinary cases that are either settled through agreement or mediation between the board and the licensee or if the discipline case is contested, it is referred to the Office of Administrative Hearings (OAH). The costs of disciplinary actions that are settled by the board through mediation vary between \$300 and \$10,000. In each of the last three years the board has settled eight cases per year with less than half of those cases going to hearing by the OAH.

The revenue impact to the board is indeterminate. The future number of disciplinary cases and associated costs are unknown. The Legislative Fiscal Office notes that the measure does not define the disciplinary process and does not place a limit on the amount or type of costs that can be assessed, including assessing the costs of staff time for investigations.