

## FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 4009 A

Seventy-Sixth Oregon Legislative Assembly – 2012 Regular Session  
Legislative Fiscal Office

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**Measure Description:** Eliminates monitoring entity from the Impaired Health Professionals Program (IHPP).

**Government Unit(s) Affected:** Oregon Health Authority (OHA), Board of Dentistry, Board of Nursing, Board of Pharmacy, Oregon Medical Board

**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:**

During the 2009 regular session, the legislature established the Impaired Health Professionals Program (IHPP) with HB 2345 (2009), which required IHPP to contract with an independent third party to establish a monitoring entity for the program. The monitoring entity is required (1) to compare weekly lists submitted by the IHPP to determine if any enrollees are no longer participating in the IHPP; and (2) to report to a health professional licensing board when a licensee is substantially noncompliant with the licensee's diversion agreement. OHA is required to arrange for an independent third party to audit the monitoring entity to ensure compliance with program guidelines. OHA must report the results of the audit to the Legislative Assembly, the Governor and the health profession licensing boards. OHA is authorized to establish rules assessing fees to health profession licensing boards participating in the program for the costs of administering the monitoring entity.

HB 4009 A-Engrossed repeals statutes requiring the monitoring provisions described above. The bill directs the IHPP to report to the appropriate health professional licensing board (1) a list of licensees referred to the program; and (2) any substantial noncompliance with a diversion agreement to the noncompliant. The – 1 Amendment specifies that: (1) the IHPP may not report a self-referred licensee's enrollment in or successful completion of the program to the licensee's board. The – 1 Amendment does not change the original fiscal impact of the bill.

Passage of HB 4009 A-Engrossed will result in savings for OHA, Oregon Medical Board, Board of Dentistry, Board of Nursing, and the Board of Pharmacy.

Without the requirement to maintain a monitoring entity, the Oregon Health Authority anticipates a biennial savings of \$180,000 Other Funds. The authority's 2011-13 legislatively approved budget included a \$180,000 Other Funds limitation for this monitoring entity. The authority has contracted out \$90,000 of this amount for 2011-2012. A reduction of \$90,000 Other Funds will be included as part of the authority's rebalance.

Currently four state health professional licensing boards participate in the IHPP: Oregon Medical Board, Board of Dentistry, Board of Nursing, and the Board of Pharmacy. Because OHA is authorized to recoup the cost for administering the program with a fee to be paid by the boards participating in the IHPP, the savings realized by the elimination of the monitoring entity will be passed onto these four boards in the following proportion: Board of Nursing (\$57,600), Oregon Medical Board (\$22,662), Board of Dentistry (\$5,247), and the Board of Pharmacy (\$4,491). These boards did not receive additional limitation for the 2011-13 biennium, therefore no limitation adjustments are required.