

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3131 - A

Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Kim To
Reviewed by: Linda Ames
Date: 5/10/2013

Measure Description:

Requires superintendent of Oregon State Hospital to establish and implement program for continuous employment of health care professionals who provide specified services.

Government Unit(s) Affected:

Oregon Health Authority (OHA)

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:

House Bill 3131 A-Engrossed requires the Oregon State Hospital to establish and implement a program for the hiring of full-time or part-time relief positions of health care personnel to assist during times of unusually heavy workload, and to assume the duties of absent personnel. The bill defines "health care personnel" as registered nurses, licensed practical nurses, nurse practitioners and personnel who assist in the provision of mental health services. The bill defines "relief position" as a permanent position held by an employee who does not work a set number of hours or days per week, who is not assigned to a specific unit, ward, department or shift. The bill takes effect on January 1, 2014.

Currently, the float pool in use at Oregon State Hospital was bargained as a letter of agreement with SEIU as a pilot program in the 2009-11 contract, and was then extended on April 2012. There are three types of temporary and limited duration employees in this float pool:

- Relief Pool – limited duration positions intended to cover scheduled absences and other anticipated operational needs.
- On-Call Temps – temporary employees intended to fill behind unscheduled absences.
- Per Diem Certified Nursing Assistants (CNAs) and Mental Health Therapy Technicians (MHTTs) – temporary employees hired without benefits and/or leave accruals who are paid on an hourly basis, and work 80 or fewer hours per month.

From the letter of agreement, OHA has approval for 10 Registered Nurses and 25 Mental Health Therapy Technicians within the current float pool. Based on data for the past 12 months, these positions work full-time nearly every month, and many work overtime. OHA assumes that the intent of this bill is to establish an additional relief pool of permanent positions to meet the workload demands. If this bill passes, OHA proposes adding the following positions to the relief pool:

9 full-time Registered Nurses	11 part-time Registered Nurses
23 full-time Mental Health Therapy Technicians	10 part-time Licensed Practical Nurses
<u>32 TOTAL full-time staff</u>	<u>45 part-time Mental Health Therapy Technicians</u>
	66 TOTAL part-time staff

OHA estimates the fiscal impact of this relief pool of permanent positions to be \$9,108,013 General Fund, 98 positions, and 65 FTEs for the 2013-15 biennium; and \$10,731,129 General Fund, 98 positions, and 65 FTEs for the 2015-17 biennium.

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Ways and Means
Vote:	6 - 3 - 0
Yeas:	Gallegos, Gelsler, Gilliam, Gomberg, Keny-Guyer, Tomei
Nays:	Olson, Whisnant, Whitsett
Exc.:	0
Prepared By:	Regina Wilson, Administrator
Meeting Dates:	4/5, 4/10, 4/15, 4/17

WHAT THE MEASURE DOES: Requires Oregon State Hospital superintendent establish and implement program for continuous employment of health care professionals who provide specified services.

ISSUES DISCUSSED:

- Continuity of care
- Improvement of patient services
- Staffing positions to fill shifts

EFFECT OF COMMITTEE AMENDMENT: Replaces measure.

BACKGROUND: The Oregon State Hospital (OSH) provides services to civilly and criminally committed adults in need of intensive psychiatric treatment for severe and persistent mental illness. In 2012, OSH provided care for 1,183 people who could not be served in the community. The level of care provided to hospitalized persons includes 24 hour nursing and psychiatric, on-site credentialed professional staff, organized medical staff, treatment planning, pharmacy, laboratory, on-site food and nutritional services, and vocational and educational services. House Bill 3131A requires the establishment and implementation of a program for continuous employment of health care professionals providing specified services.

A-Engrossed
House Bill 3131

Ordered by the House April 22
Including House Amendments dated April 22

Sponsored by Representative CLEM, Senator BATES; Representatives GREENLICK, HOYLE, KENY-GUYER, MATTHEWS, WILLIAMSON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires superintendent of Oregon State Hospital to establish and implement program for [*continuous employment of health care professionals*] **hiring full-time or part-time relief positions consisting of health care personnel** who provide specified services.

A BILL FOR AN ACT

1
2 Relating to Oregon State Hospital.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Health care personnel" means registered nurses, licensed practical nurses, nurse**
6 **practitioners and personnel who assist in the provision of mental health services.**

7 (b) **"Relief position" means a permanent position held by an employee who:**

8 (A) **Is not assigned to a specific unit, ward or department of the Oregon State Hospital**
9 **or to a specific shift; and**

10 (B) **Does not work a set number of hours or days per week.**

11 (2) **The superintendent of the Oregon State Hospital shall establish and implement a**
12 **program for the hiring of full-time or part-time relief positions consisting of health care**
13 **personnel who provide the following services:**

14 (a) **Assisting the health care personnel of a campus of the Oregon State Hospital during**
15 **times of unusually heavy workload.**

16 (b) **Assuming the duties of health care personnel of a campus of the Oregon State Hos-**
17 **pital who are temporarily absent.**

18

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.