
MEMORANDUM

Legislative Fiscal Office
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To: Human Services Subcommittee

From: Laurie Byerly, Legislative Fiscal Office
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Date: May 23, 2013

Subject: Long Term Care Ombudsman – HB 5024
Work Session Recommendations

Long Term Care Ombudsman – Agency Totals

	2009-11 Actual	2011-13 Legislatively Approved	2013-15 Current Service Level	2013-15 LFO Recommended
General Fund	1,084,316	1,753,933	2,011,827	1,977,698
Other Funds	1,708,288	703,121	621,564	680,583
Total Funds	\$2,792,604	\$2,457,054	\$2,633,391	\$2,658,281
Positions	11	12	11	11
FTE	10.50	11.25	10.75	10.75

Attached are the recommendations from the Legislative Fiscal Office for the Long Term Care Ombudsman. It contains the following:

- Current service level adjusted for PERS policy changes
- Pkg. 081 which adds one-time Other Funds for the Senior Medicare Patrol grant; the package was adjusted by LFO to reflect an updated estimate for 2013-15 grant expenditures

Adjustments to Current Service Level:

See attached "Work Session Presentation Report" dated 5/16/13.

Accept LFO Recommendation

Move the LFO recommendation to HB 5024.

Performance Measures

See attached “Legislatively Proposed 2013-15 Key Performance Measures” form.

Accept LFO Recommendation

Move the LFO recommendation on Key Performance Measures

Budget Notes (if needed)

No budget notes are proposed for this agency.

Recommended Changes to Appropriation Bill:

The Legislative Fiscal Office recommends a budget of \$1,977,698 General Fund, \$680,583 Other Funds, and 11 positions (10.75 FTE) and that House Bill 5024 be amended accordingly.

Move to amend House Bill 5024 with the following changes:

Section 2

Line 7 – Delete \$665,965 and insert \$680,583

HB 5024 Final Subcommittee Action

Move House Bill 5024 to the full committee with a “do pass” recommendation, as amended.

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2011-13 Agy. Leg. Adopted	1,753,933	-	583,121	-	-	-	2,337,054	11	10.75
2011-13 Ebds, SS & Admin Act	-	-	120,000	-	-	-	120,000	1	0.50
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2011-13 Leg Approved Budget	1,753,933	-	703,121	-	-	-	2,457,054	12	11.25
2011-13 Leg Approved Budget (Base)	1,753,933	-	583,121	-	-	-	2,337,054	11	10.75
Summary of Base Adjustments	192,397	-	28,347	-	-	-	220,744	-	-
2013-15 Base Budget	1,946,330	-	611,468	-	-	-	2,557,798	11	10.75
010: Non-PICS Pers Svc/Vacancy Factor	1,222	-	7,697	-	-	-	8,919	-	-
020: Phase In / Out Pgm & One-time Cost	42,747	-	-	-	-	-	42,747	-	-
030: Inflation & Price List Adjustments	21,528	-	2,399	-	-	-	23,927	-	-
2013-15 Current Service Level	2,011,827	-	621,564	-	-	-	2,633,391	11	10.75
080: E-Boards	-	-	72,237	-	-	-	72,237	-	-
Adjusted 2013-15 Current Service Level	2,011,827	-	693,801	-	-	-	2,705,628	11	10.75
Total LFO Recommended Packages	(34,129)	-	(13,218)	-	-	-	(47,347)	-	-
2013-15 Legislative Actions	1,977,698	-	680,583	-	-	-	2,658,281	11	10.75
Net change from 2011-13 Leg Approved Budget	223,765	-	(22,538)	-	-	-	201,227	(1)	(0.50)
Percent change from 2011-13 Leg Approved Budget	12.8%	0.0%	(3.2%)	0.0%	0.0%	0.0%	8.2%	(8.3%)	(4.4%)
Net change from 2013-15 Current Service Level	(34,129)	-	(13,218)	-	-	-	(47,347)	-	-
Percent change from 2013-15 Current Service Level	(1.7%)	0.0%	(1.9%)	0.0%	0.0%	0.0%	(1.7%)	0.0%	0.0%

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Package 081 May 2012 E-Board

Package Description This package adds one-time Other Funds expenditure limitation to accommodate 2013-15 agency activities performed under an \$180,000 Senior Medicare Patrol grant received in 2011-13. The grant is federally funded by the federal Older Americans Act but the funds are passed through the Department of Human Services so are budgeted as Other Funds.

LFO adjusted the package to reflect an updated estimate for the portion of the grant that will be spent in 2013-15 (an Other Funds expenditure limitation increase of \$14,618 from the previous estimate).

LFO Recommendation Approve.

LFO Recommended	-	-	72,237	-	-	-	72,237	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 091 Statewide Administrative Savings

Package Description This package is a placeholder for administrative efficiencies in finance, information technology, human resources, accounting, payroll, and procurement expenditures. The Executive Branch had intended for these reductions to be specified in the Governor’s 2013-15 recommended budget. The Department of Administrative Services will continue to work on details of these reductions with agencies and report back during the 2014 session.

LFO Recommendation Approve.

LFO Recommended	(2,222)	-	(687)	-	-	-	(2,909)	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 092 PERS Taxation Policy

Package Description This package reflects the policy change in SB 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30%.

LFO Recommendation Approve.

LFO Recommended	(3,549)	-	(1,394)	-	-	-	(4,943)	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 093 Other PERS Adjustments

Package Description This package reflects the policy change in SB 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2%.

An administrative action by the PERS Board, as directed by a budget note in the SB 822 budget report, will reduce state employer contribution rates by up to an additional 1.9%. However, no employer rate is reduced below its 2011-13 biennium rate.

LFO Recommendation Approve.

LFO Recommended	(28,358)	-	(11,137)	-	-	-	(39,495)	-	-
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Legislatively Proposed 2013-2015 Key Performance Measures

Agency: LONG-TERM CARE OMBUDSMAN, Office of

Mission: To Enhance The Quality Of Life, Improve The Level Of Care, Protect The Rights Of The Individual And Promote The Dignity Of Each Oregon Citizen Living In A Nursing Facility, Residential Care Facility, Assisted Living Facility Or Adult Foster Care Home.

Legislatively Proposed KPMs	Customer Service Category	Agency Request	Most Current Result	Target 2014	Target 2015
1 - Percentage of non-referred complaints where action is needed that are partially or fully resolved.		Approved KPM	96.00	97.00	97.00
2 - Average initial response time to non-referred cases.		Approved KPM	1.90	2.00	2.00
3 - Average time to close non-referred cases.		Approved KPM	36.00	30.00	30.00
4 - Percentage of nursing facilities visited at least once annually.		Approved KPM	97.00	100.00	100.00
5 - Percentage of assisted living and residential care facilities visited at least once annually.		Approved KPM	90.00	85.00	90.00
6 - Percentage of adult foster care homes visited at least once annually.		Approved KPM	60.00	45.00	50.00
7 - Number of requests for assistance from consumers, the public, facility staff and agencies.		Approved KPM	5,691.00	5,000.00	5,000.00
8 - Participation in system-wide advocacy meetings at the local, regional, state and national levels.		Approved KPM	400.00	500.00	500.00
9 - Total number of certified ombudsmen volunteer hours annually.		Approved KPM	28,079.00	25,000.00	25,000.00
10 - 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	89.00	85.00	85.00
10 - 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	91.00	85.00	85.00
10 - 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	93.00	85.00	85.00

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Legislatively Proposed KPMs	Customer Service Category	Agency Request	Most Current Result	Target 2014	Target 2015
10 - 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	93.00	85.00	85.00
10 - 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	86.00	85.00	85.00
10 - 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	91.00	85.00	85.00

LFO Recommendation:

Approve the KPMs as proposed. Approve targets for 2014 and 2015 as shown. Some targets do not show as an "achievement" over the most current result. This is on purpose and intended to set reasonable targets that account for historical KPM data/trends while allowing the agency time to validate the sustainability of more recent (and more positive) results.

Sub-Committee Action:

House Bill 5024

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Oregon Department of Administrative Services)

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 **as introduced**.

Appropriates moneys from General Fund to Long Term Care Ombudsman for biennial expenses. Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts and federal Older Americans Act funds received from Department of Human Services, but excluding lottery funds and other federal funds, collected or received by Long Term Care Ombudsman.

Declares emergency, effective July 1, 2013.

A BILL FOR AN ACT

1
2 Relating to the financial administration of the Long Term Care Ombudsman; appropriating money;
3 limiting expenditures; and declaring an emergency.

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

5 **SECTION 1. There is appropriated to the Long Term Care Ombudsman, for the biennium**
6 **beginning July 1, 2013, out of the General Fund, the amount of \$1,977,698 for operations.**

7 **SECTION 2. Notwithstanding any other law limiting expenditures, the amount of ~~\$665,965~~ \$680,583**
8 **is established for the biennium beginning July 1, 2013, as the maximum limit for payment of**
9 **expenses from fees, moneys or other revenues, including Miscellaneous Receipts, and in-**
10 **cluding federal Older Americans Act funds received from the Department of Human Services,**
11 **but excluding lottery funds and federal funds not described in this section, collected or re-**
12 **ceived by the Long Term Care Ombudsman.**

13 **SECTION 3. This 2013 Act being necessary for the immediate preservation of the public**
14 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
15 **July 1, 2013.**

16 _____

Note: For budget, see 2013-2015 Biennial Budget

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.