

HB 5040
Psychiatric Security Review Board

HB 5040 is the budget bill for the Psychiatric Security Review Board. The Board has jurisdiction over persons in Oregon found guilty of crimes except for insanity, with certain exceptions. The agency is also responsible to process relief petitions and hearings for persons barred from possessing a firearm due to 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 to determine their appropriate placement.

The Human Services Subcommittee approved a total budget of \$2.5 million, including \$2.3 million General Fund, and 11 full-time positions. The budget is 7.5 percent more than the 2011-13 legislatively approved budget.

The budget includes the elimination of one vacant position. Other Funds limitation was increased by \$101,620 to recognize the federal grant revenues the agency expects to receive through the Oregon State Police for the Gun Relief Program. General Fund was reduced accordingly.

The agency's performance measures were reviewed and approved.

The Human Services Subcommittee recommends HB 5040 be amended and reported out do pass, as amended.

**77th OREGON LEGISLATIVE ASSEMBLY – 2013 Session
BUDGET REPORT AND MEASURE SUMMARY**

JOINT COMMITTEE ON WAYS AND MEANS

MEASURE: HB 5040-A

Carrier – House: Rep. Gallegos

Carrier – Senate: Sen. Winters

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

Vote:

House

Yeas:

Nays:

Exc:

Senate

Yeas:

Nays:

Exc:

Prepared By: Kate Nass, Department of Administrative Services

Reviewed By: Linda Ames, Legislative Fiscal Office

Meeting Date: May 31, 2013

Agency

Psychiatric Security Review Board

Biennium

2013-15

2011-13

Budget Summary*

	2011-13 Legislatively Approved Budget ⁽¹⁾	2013-15 Current Service Level	2013-15 Committee Recommendation	Committee Change from 2011-13 Leg. Approved	
				\$ Change	% Change
General Fund	\$ 2,105,264	\$ 2,598,306	\$ 2,348,448	\$ 243,184	11.6%
Other Funds	\$ 176,056	\$ 2,105	\$ 103,725	\$ (72,331)	-41.1%
Total	\$ 2,281,320	\$ 2,600,411	\$ 2,452,173	\$ 170,853	7.5%

Position Summary

Authorized Positions	12	12	11	-1
Full-time Equivalent (FTE) positions	11.76	12.00	11.00	-0.76

⁽¹⁾ Includes adjustments through December 2012

* Excludes Capital Construction expenditures

2011-2013 Budget Actions

	2011-13 Legislatively Approved Budget ⁽¹⁾		2013-15 Committee Recommendation	Committee Change from 2011-13 Leg. Approved	
				\$ Change	% Change
General Fund	\$ 2,105,264	\$ 0	\$ 2,105,264	\$ 0	0.0%
Other Funds	\$ 176,056	\$ 0	\$ 217,256	\$ 41,200	23.4%
Total	\$ 2,281,320	\$ 0	\$ 2,322,520	\$ 41,200	1.8%

Summary of Revenue Changes

In addition to General Fund, the Board receives federal grant funding transferred from the Oregon State Police as Other Funds.

Summary of Human Services Subcommittee Action

The Psychiatric Security Review Board (PSRB) has jurisdiction over persons in Oregon found guilty of crimes except for insanity, with certain exceptions. 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 determine the appropriate placement. The Subcommittee approved a budget for PSRB of \$2,348,448 General Fund, \$103,725

Other Funds, and 11 positions (11.00 FTE). The approved budget is an 11.6 percent General Fund increase from the 2011-13 Legislatively Approved Budget.

General Program

The General Program conducts administrative hearings to determine appropriate placement of persons, both juvenile and adult, guilty of a crime, but for insanity. The unit oversees treatment outcomes for certain PSRB clients who are committed to the Oregon State Hospital (OSH); coordinates treatment and case management for persons under conditional release; revokes conditional release and orders return to OSH if appropriate; and discharges persons from the Board's jurisdiction. The Subcommittee approved a General Fund budget of \$1,873,884, Other Funds limitation of \$2,105, and eight positions (8.00 FTE).

The Subcommittee approved package 092, PERS Taxation Policy. 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 the 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 percent.

Package 093, Other PERS Adjustments, was also approved. 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 percent. 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 percent. However, no employer rate is reduced below its 2011-13 biennium rate.

The Subcommittee recommended package 810, LFO Analyst Adjustments, which eliminates one vacant full-time position (1.00 FTE) and reduces General Fund by \$108,794.

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 budget of \$474,564 General Fund, \$101,620 Other Funds, and three positions (3.00 FTE).

The Subcommittee approved the PERS adjustments included in packages 092 and 093.

The Subcommittee also approved package 810: LFO Analyst Adjustments. This package recognizes the federal grant revenues the Board expects to carry over from the current biennium in order to support the Gun Relief Program. These revenues are received through a transfer from the Oregon State Police. This package increases Other Funds expenditure limitation by \$101,620, while reducing the General Fund by a corresponding amount. This amount represents the expected carryover funding available should the Board's request for extension be approved. The Subcommittee noted that there is a small risk that the extension will not be granted, in which case the agency may need to return to the February 2014 session for additional funding.

Adjustment to 2011-13 Budget

The Subcommittee approved an increase of \$41,200 Other Funds expenditure limitation for the 2011-13 biennium. This amount reflects the carryover funding available from the previous biennium related to the federal grant funding transferred from the Oregon State Police.

Summary of Performance Measure Action

See attached Legislatively Adopted 2013-15 Key Performance Measures form.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

HB 5040-A

Psychiatric Security Review Board
Kate Nass -- 503-373-7501

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2011-13 Legislatively Approved Budget at Dec 2012 *	\$ 2,105,264	\$ 0	\$ 176,056	\$ 0	\$ 0	\$ 0	\$ 2,281,320	12	11.76
2013-15 ORBITS printed Current Service Level (CSL)*	\$ 2,598,306	\$ 0	\$ 2,105	\$ 0	\$ 0	\$ 0	\$ 2,600,411	12	12.00
<u>SUBCOMMITTEE ADJUSTMENTS (from CSL)</u>									
SCR 010 - General Program									
Package 092: PERS Taxation Policy									
Personal Services	\$ (3,309)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (3,309)	0	0.00
Package 093: Other PERS Adjustments									
Personal Services	\$ (26,475)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (26,475)	0	0.00
Package 810: LFO Adjustments									
Personal Services	\$ (108,794)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (108,794)	-1	-1.00
SCR 030 - Gun Relief Program									
Package 092: PERS Taxation Policy									
Personal Services	\$ (1,073)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (1,073)	0	0.00
Package 093: Other PERS Adjustments									
Personal Services	\$ (8,587)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (8,587)	0	0.00
Package 810: LFO Adjustments									
Personal Services	\$ (57,434)	\$ 0	\$ 57,434	\$ 0	\$ 0	\$ 0	\$ 0	0	0.00
Services and Supplies	\$ (44,186)	\$ 0	\$ 44,186	\$ 0	\$ 0	\$ 0	\$ 0	0	0.00
TOTAL ADJUSTMENTS	\$ (249,858)	\$ 0	\$ 101,620	\$ 0	\$ 0	\$ 0	\$ (148,238)	-1	-1.00
SUBCOMMITTEE RECOMMENDATION *	\$ 2,348,448	\$ 0	\$ 103,725	\$ 0	\$ 0	\$ 0	\$ 2,452,173	11	11.00
% Change from 2011-13 Leg Approved Budget	11.6%	0.0%	-41.1%	0.0%	0.0%	0.0%	7.5%	-8.3%	-6.5%
% Change from 2013-15 Current Service Level	-9.6%	0.0%	4827.6%	0.0%	0.0%	0.0%	-5.7%	-8.3%	-8.3%

*Excludes Capital Construction Expenditures

2011-13 Budget Actions

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
SCR 030 - Gun Relief Program									
Personal Services	\$ 0	\$ 0	\$ 20,770	\$ 0	\$ 0	\$ 0	\$ 20,770	0	0.00
Services and Supplies	\$ 0	\$ 0	\$ 20,430	\$ 0	\$ 0	\$ 0	\$ 20,430		
Total Subcommittee Recommendation	\$ 0	\$ 0	\$ 41,200	\$ 0	\$ 0	\$ 0	\$ 41,200	\$ 0	\$ 0

Legislatively Approved 2013-2015 Key Performance Measures

Agency: **PSYCHIATRIC SECURITY REVIEW BOARD**

Mission: The Psychiatric Security Review Board's mission is to protect the public through the ongoing review of the progress of guilty except for insanity adults and responsible except for insanity 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.

Legislatively Approved KPMs	Customer Service Category	Agency Request	Most Current Result	Target 2014	Target 2015
1 a - RECIDIVISM RATE - Percent of revocations of conditional release based on commission of felony - Adults.		Approved KPM	2.30	3.00	3.00
1 b - RECIDIVISM RATE - Percent of revocations of conditional release based on commission of felony- Juveniles.		Approved KPM	0.00	2.00	2.00
2 a - TIMELINESS OF HEARINGS - Percentage of hearings scheduled within statutory timeframes - Adults.		Approved KPM	94.00	95.00	95.00
2 b - TIMELINESS OF HEARINGS - Percentage of hearings scheduled within statutory timeframes- Juveniles.		Approved KPM	100.00	95.00	95.00
3 a - MAINTENANCE OF RELEASED CLIENTS - Percentage of conditional releases maintained in community per month - Adults.		Approved KPM	99.00	99.00	99.00
3 b - MAINTENANCE OF RELEASED CLIENTS - Percentage of conditional releases maintained in community per month - Juveniles.		Approved KPM	97.22	99.00	99.00
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	70.00	90.00	90.00
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	65.00	85.00	85.00
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	83.00	95.00	95.00

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Legislatively Approved KPMs	Customer Service Category	Agency Request	Most Current Result	Target 2014	Target 2015
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	74.00	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	65.00	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.	Timeliness	Approved KPM	53.00	85.00	85.00
5 - BEST PRACTICES - Percent of total best practices met by the Board.		Approved KPM	91.00	90.00	

LFO Recommendation:

Approve the KPMs as proposed. Approve targets for 2014 and 2015 as shown.

Sub-Committee Action:

Approved the LFO recommendation.

**PROPOSED AMENDMENTS TO
HOUSE BILL 5040**

1 In line 6 of the printed bill, delete “\$2,558,862” and insert “\$2,348,448”.

2 In line 7, delete “\$2,105” and insert “\$103,725”.

3 Delete lines 13 to 15 and insert:

4 **“SECTION 3. Notwithstanding any other law limiting expenditures,**
5 **the limitation on expenditures established by section 2, chapter 585,**
6 **Oregon Laws 2011, for the biennium beginning July 1, 2011, as the**
7 **maximum limit for payment of expenses from fees, moneys or other**
8 **revenues, including Miscellaneous Receipts, and including federal**
9 **grant funds received from the Oregon State Police for the gun relief**
10 **program, but excluding lottery funds and federal funds not described**
11 **in section 2, chapter 585, Oregon Laws 2011, collected or received by**
12 **the Psychiatric Security Review Board, is increased by \$41,200.**

13 **“SECTION 4. This 2013 Act being necessary for the immediate**
14 **preservation of the public peace, health and safety, an emergency is**
15 **declared to exist, and this 2013 Act takes effect on its passage.”.**

16
