

STAFF MEASURE SUMMARY

CARRIER: Rep. Olson

Joint Committee On Ways and Means

Fiscal: Fiscal impact issued**Revenue:** No Revenue Impact**Action Date:** 05/15/15**Action:** Do Pass.**Meeting Dates:** 05/15**Vote:****House**

Yeas: 10 - Buckley, Gomberg, Huffman, Komp, Nathanson, Rayfield, Read, Smith, Whitsett, Williamson

Exc: 2 - McLane, Whisnant

Senate

Yeas: 10 - Burdick, Devlin, Hansell, Johnson, Monroe, Roblan, Shields, Steiner Hayward, Whitsett, Winters

Nays: 1 - Girod

Exc: 1 - Thomsen

Prepared By: Matt Stayner, Budget Analyst**WHAT THE MEASURE DOES:**

During the interim, the Oregon Board of Nursing established fees related to the awarding of Prescriptive Privileges (PP) for Certified Registered Nurse Anesthetists (CRNA) as authorized by SB 136 (2013). The fees established are \$75 for initial application, \$50 for renewal, and \$50 for the prescription monitoring program.

The Oregon Board of Nursing also increased the late renewal fee for registered nurses, licensed practical nurses, nurse practitioners, certified registered nurse anesthetists, and clinical nurse specialists from \$12.00 to \$100.00 in lieu of pursuing civil penalties of \$50 per day for up to 60 days for practicing without a license.

Both of these administrative actions taken by the board were subsequently approved by the Department of Administrative Services in accordance with the process outlined in statute. These fees established by administrative rule must be authorized by enabling legislation to prevent the fees from automatically being rescinded upon adjournment of the current legislative session. SB 5545 provides this authorization.

ISSUES DISCUSSED:

- Original enabling legislation
- Individual fee amounts
- Projected revenues

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

Prescriptive Privileges: In the November 2014 meeting of the Oregon Board of Nursing, rules were adopted to change Division 56, Clinical Nurse Specialist and Nurse Practitioner Authority to Prescribe and Dispense to add the Certified Registered Nurse Anesthetists (CRNA) authority to prescribe medication in compliance with Senate Bill 136. The Oregon State Board of Nursing (OSBN) requested establishment of fees associated with the awarding of prescriptive Privileges (PP) for the Certified Registered Nurse Anesthetist (CRNA). This PP was authorized by SB 136 passed during the 2013 session. The rules and proposed fees were approved during the November 2014 Board meeting, rule adoption occurred on 1 January 2015 and the final fee request ratified during the February 2015 Board meeting. The fees are identical to the fees currently

being charged to the Advanced Practice Registered Nurses who already had PP, the Nurse Practitioners and Clinical Nurse Specialists. These fees would be in addition to the current CRNA license application and renewal. Prescriptive authority is not required for practice as a CRNA and predictions on the actual number of the 628 current licensed CRNA who would seek PP is an unknown. In discussion with the Oregon Association of Nurse Anesthetists (ORANA) the scenario of 50% seeking PP is reasonable. Based upon initial application, PDMP fees and biennium renewals, the estimated initial increase in Other Funds revenue would be \$37,500. For the biennium of 2015-2017: Given the renewal requirements of licensure and accounting for new requests for PP, the increase is estimated to be \$17,500. The timeframe for these revenue increases is solely dependent upon the new applications for PP, total new CRNAs entering the state or graduating from programs and seeking PP, and the ability of CRNA licensees to have prescriptive authority as part of their organizational credentialing.

Delinquent Renewal Fees: When a nursing licensee renews a license late, the board charges a \$12 delinquent fee and issues a civil penalty of \$50 per day for up to 60 days for each day the licensee is late on a renewal. The OSBN proposes to change the practice relating to its fees and penalties for late renewal in order to incent more timely renewals and save personal services costs. The board estimates that there are approximately 96 civil penalty cases per year with the average penalty being around \$476 (in addition to the \$12 late fee charged). There is a considerable amount of work that goes into tracking and billing these civil penalties. The board anticipates that changing its process to charging a higher delinquent fee (\$100 from \$12) and removing the civil penalty for failing to renew a license within the first 60 days will reduce late renewals by 50 percent and save \$11,000 annually on personal services associated with the tracking of the civil penalty portion of late renewals. This does not prevent the board from pursuing civil penalties in the case where a renewal or reactivation is more than 60 days late of \$50 per day up to a maximum of \$5,000.