



2019-21 Governor's Budget Presentation: Board of Nursing

- Presentation to the Joint Ways and Means Subcommittee on Human Services Regarding SB 5523
- Executive Director Ruby Jason, RN, MSN, NEA-BC

Mission and Goals

Our Mission:

Established in 1911, the Oregon State Board of Nursing safeguards the public's health and well-being by providing guidance for, and regulation of, entry into the profession, nursing education, and continuing safe practice.

Strategic Goals:

- Focus on customer service.
- Effective, high-quality leadership and governance.

Board Members



Kathleen Chinn, FNP



Adrienne Enghouse, RN



Sheryl Caddy, JD, MSN, RN



Michelle Chau, LPN



Annette Cole, MSN, RN



Bobbie Turnipseed, RN



Ryan Wayman



William Youngren, CNA

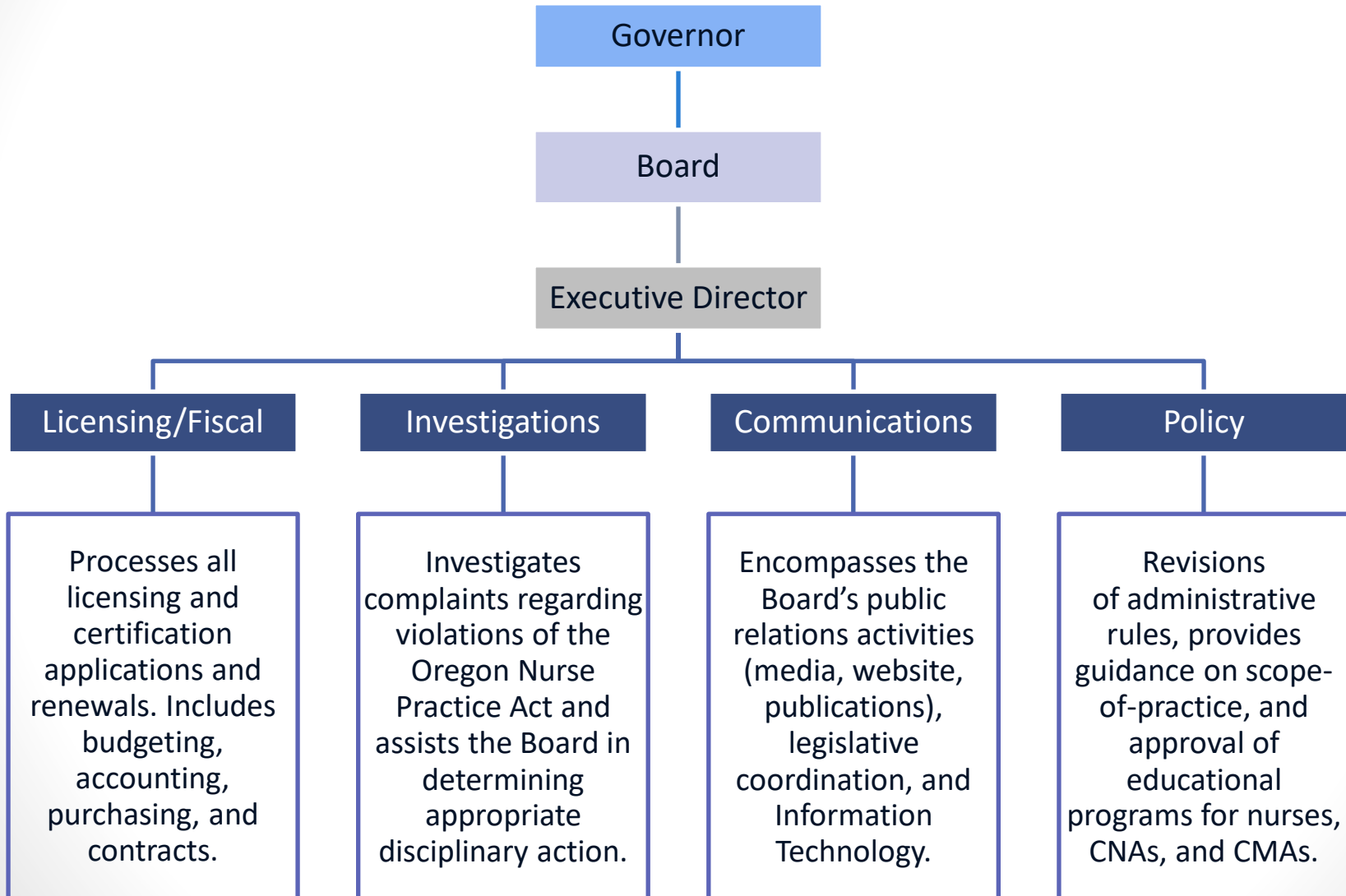
- Board members serve three-year terms and are appointed by the Governor and confirmed by the Senate.
- Nine members comprised of 2 public members, 1 LPN, 1 CNA, 1 NP, and 4 RNs (2 staff nurses, 1 nurse administrator, 1 nurse educator).
- Currently seeking 2 public members.

Key Performance Measures

KPM Title	Description	FY2016	FY2017	FY2018
Timely Resolution of Complaints	% of complaints referred to the Board within 120 days of receipt.			
Reduction of Recidivism	% of disciplined cases w/ new complaint within three years of closing the original case.	✓	✓	✓
Customer Service	% of customers rating their overall satisfaction with the agency's customer service as "good" or "excellent".	✓	✓	✓
Online Transactions	% of business transactions completed online.	✓	✓	✓
Timely Licensing	% of licensing applications processed within 5 business days.	✓	✓	✓
Effective Governance	% of total best practices met by Board.	✓	✓	

✓ Target met or exceeded

Agency Overview



Number of Agency FTE

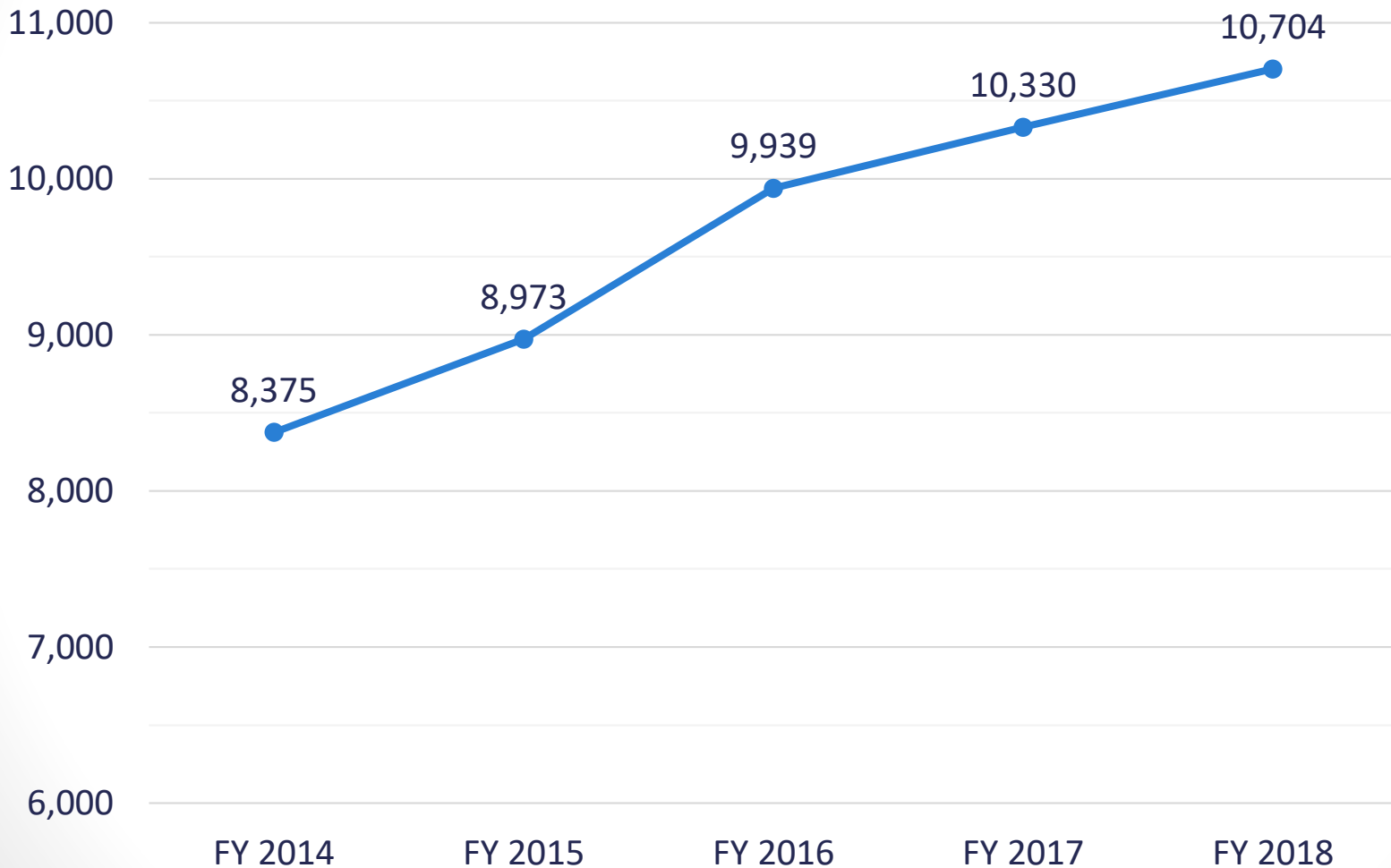
	FTEs Reported	Positions
2011-2013	46.75	47
2013-2015	47.8	48
2015-2017	47.8	48
2017-2019	48.9	49
2019-2021	53.90	54

Number of Licensees

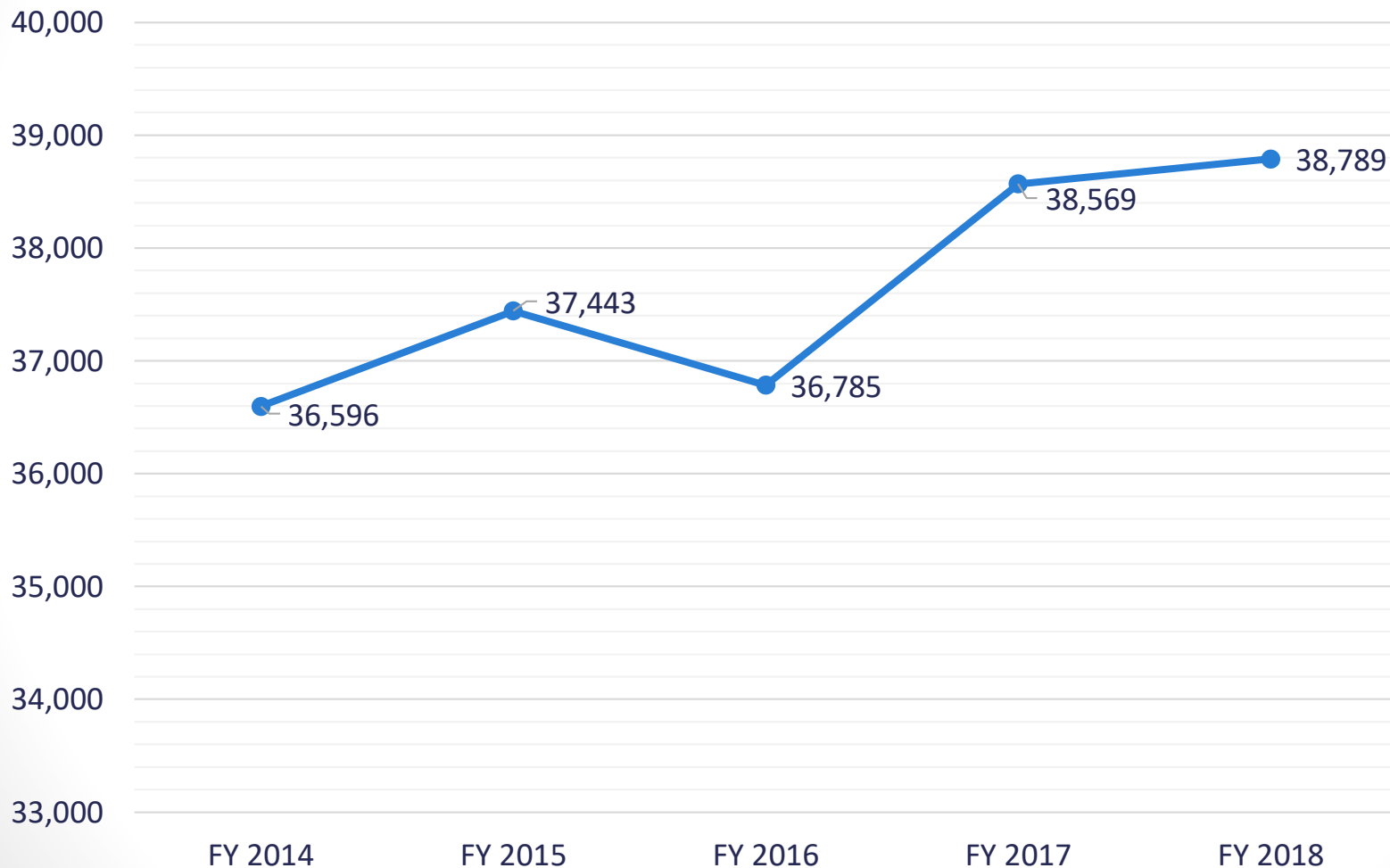
- Registered Nurses 62,944
- Licensed Practical Nurses 5,662
- Certified Nursing Assistants 19,959
- Certified Medication Aides 949
- Nurse Practitioners 4,552
- Clinical Nurse Specialists 184
- Certified Registered Nurse Anesthetists 657

- *As of January 30, 2019*

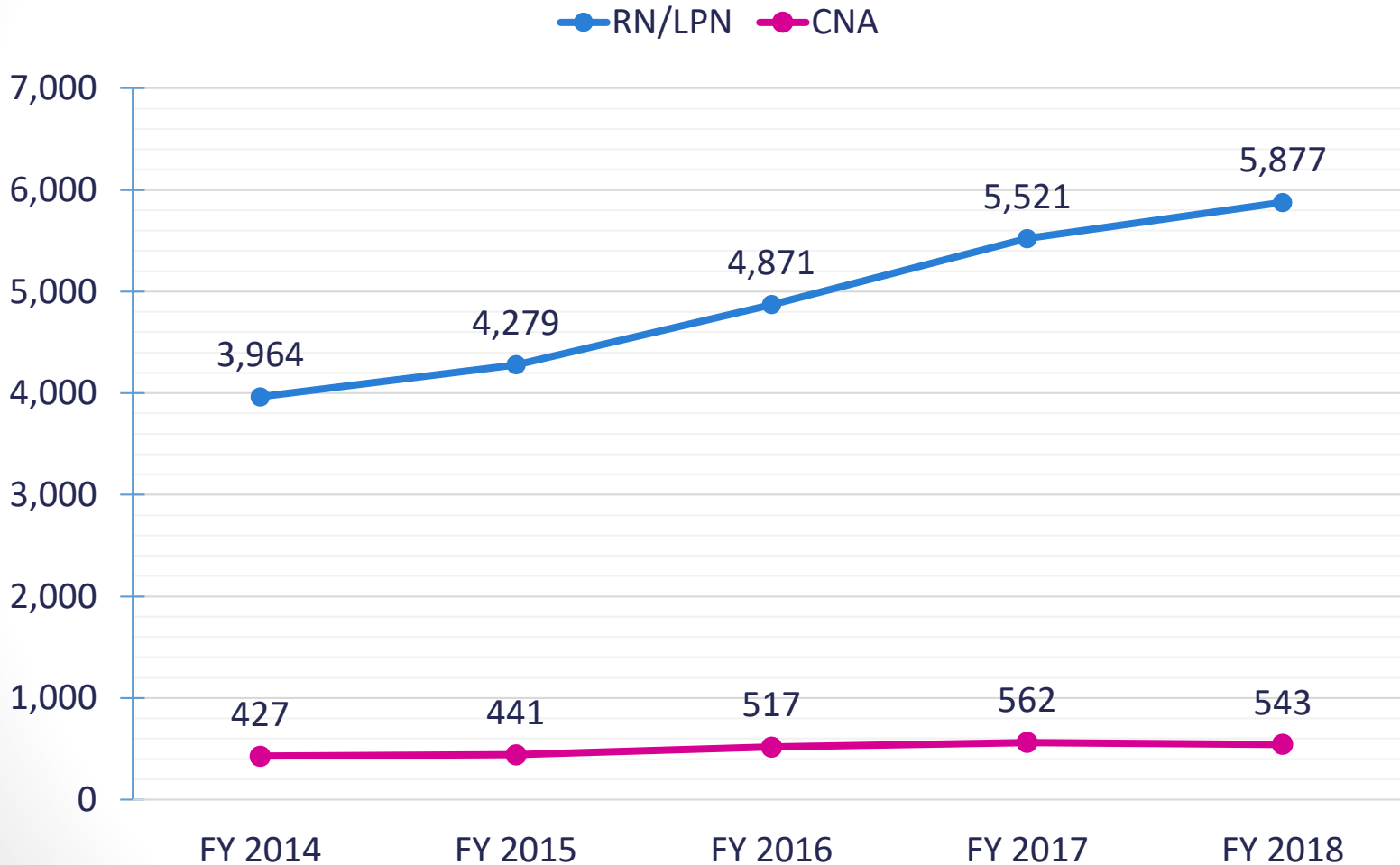
New Applications Processed



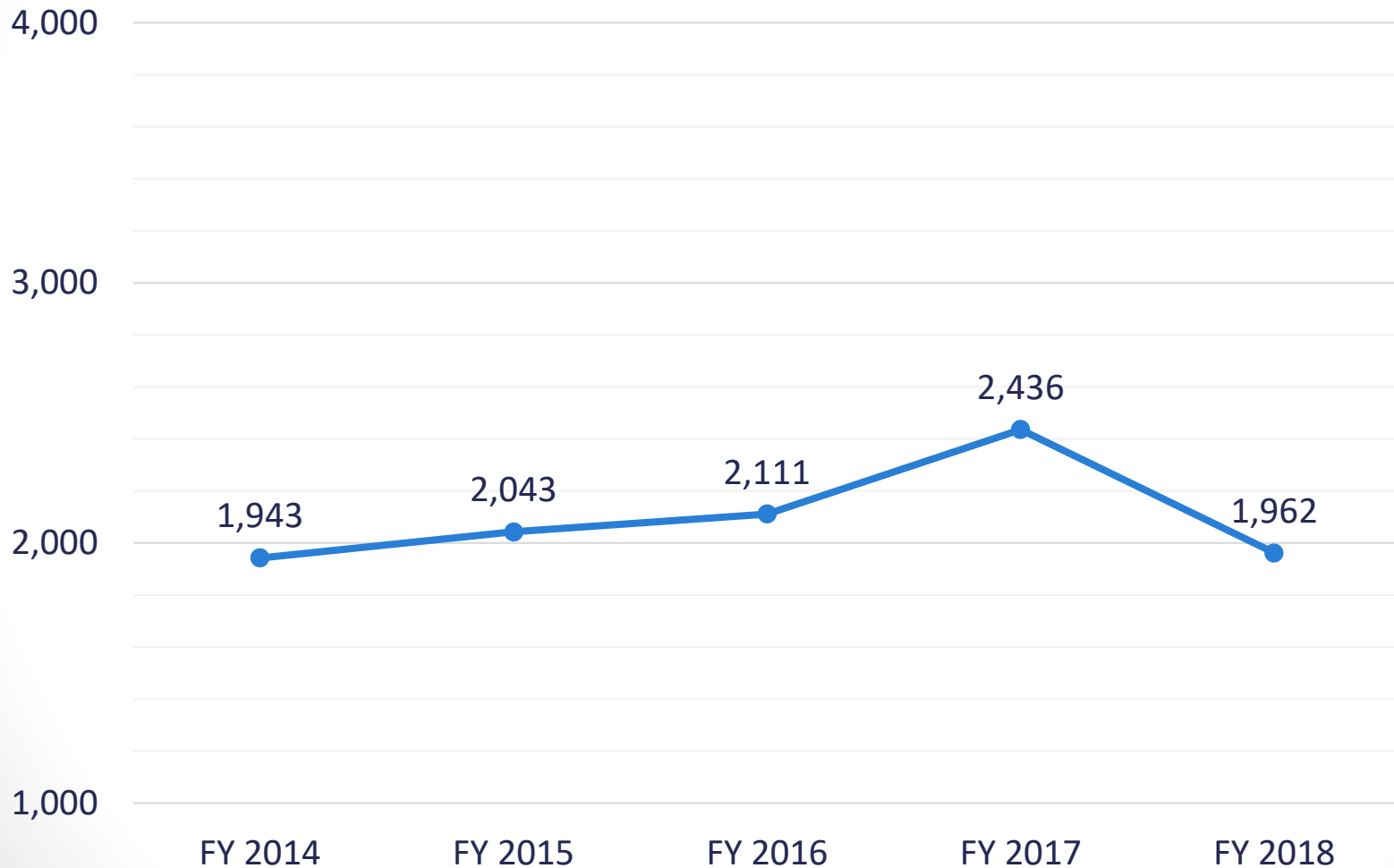
Renewals Processed



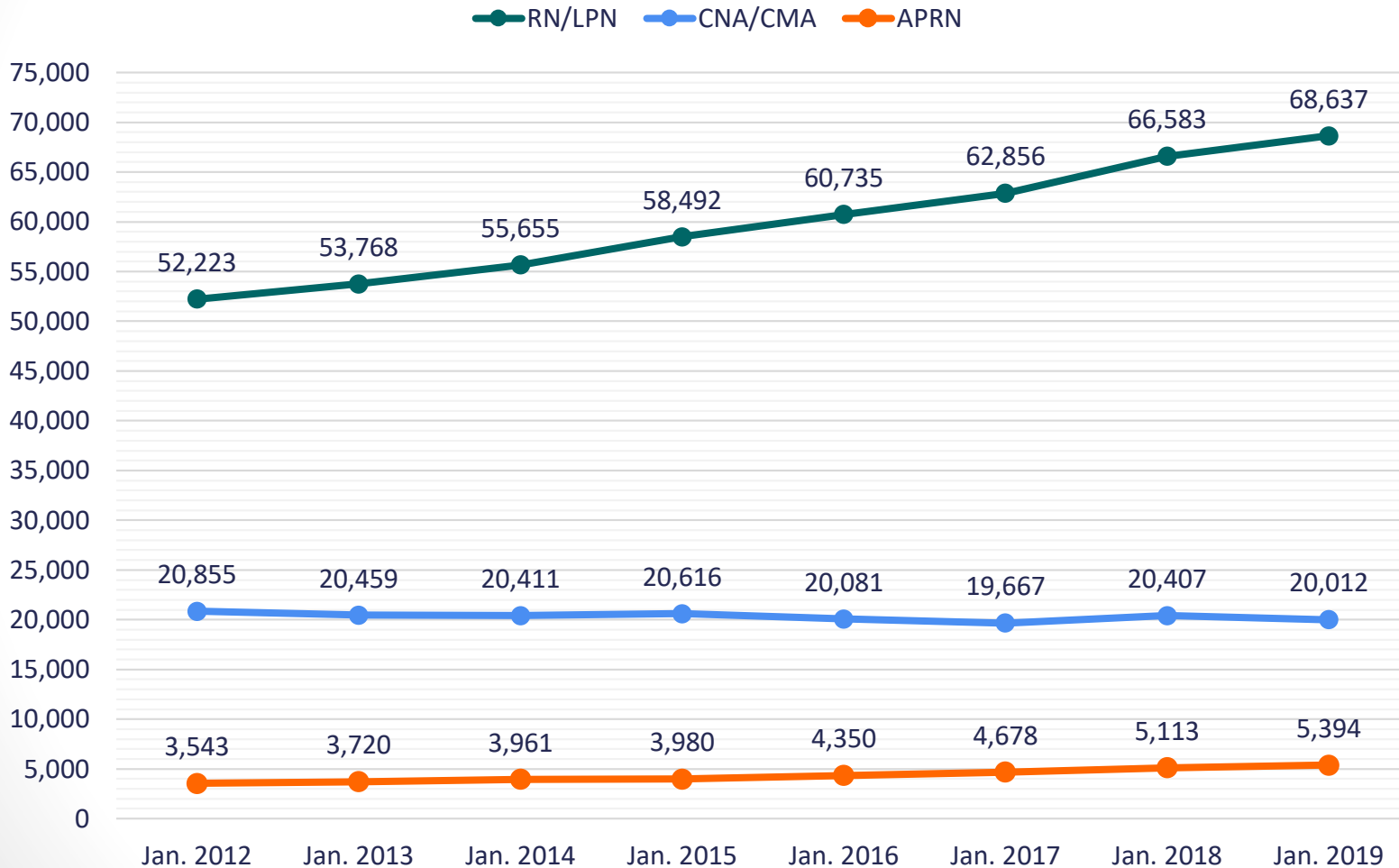
Endorsements Received



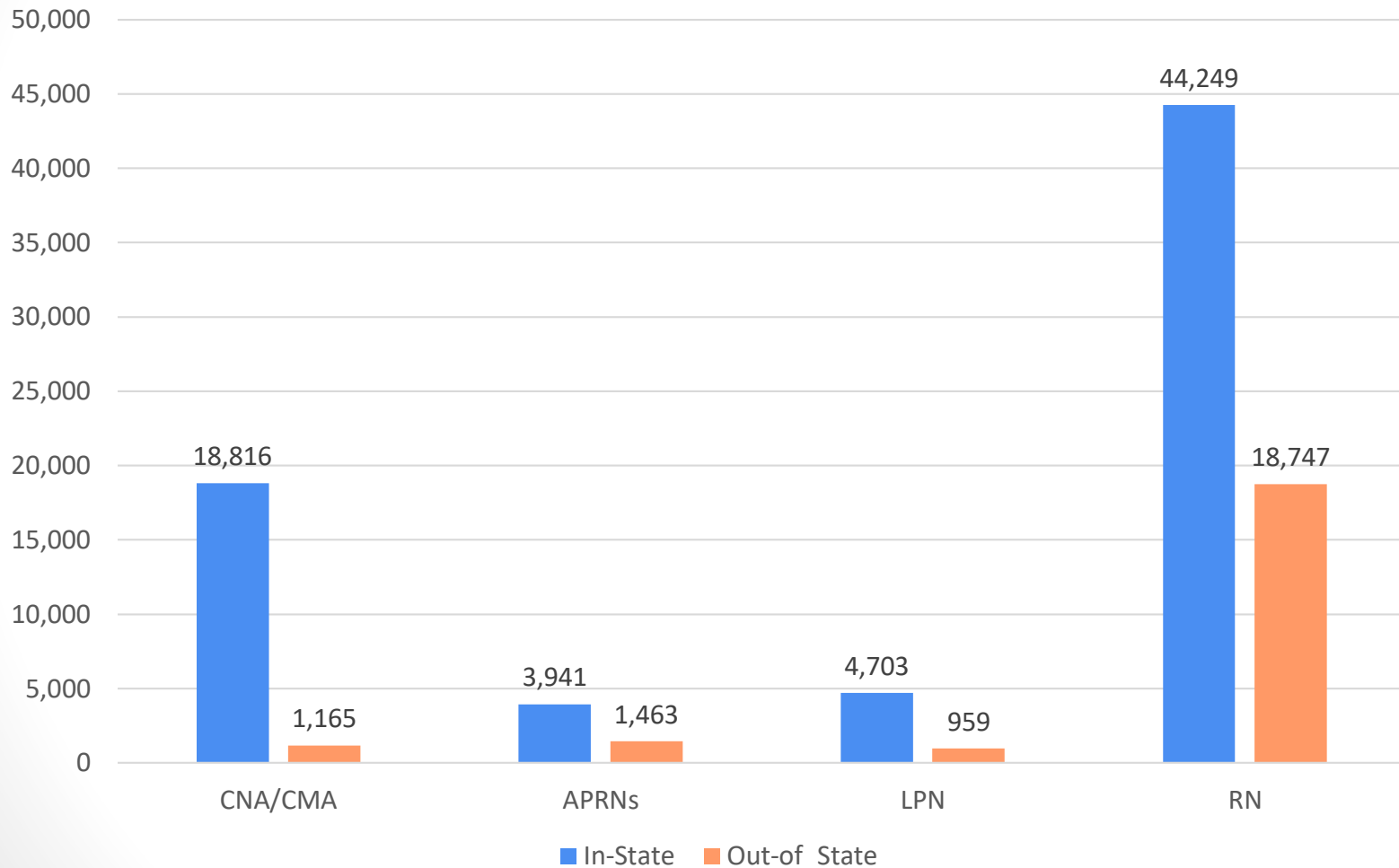
Complaints Investigated



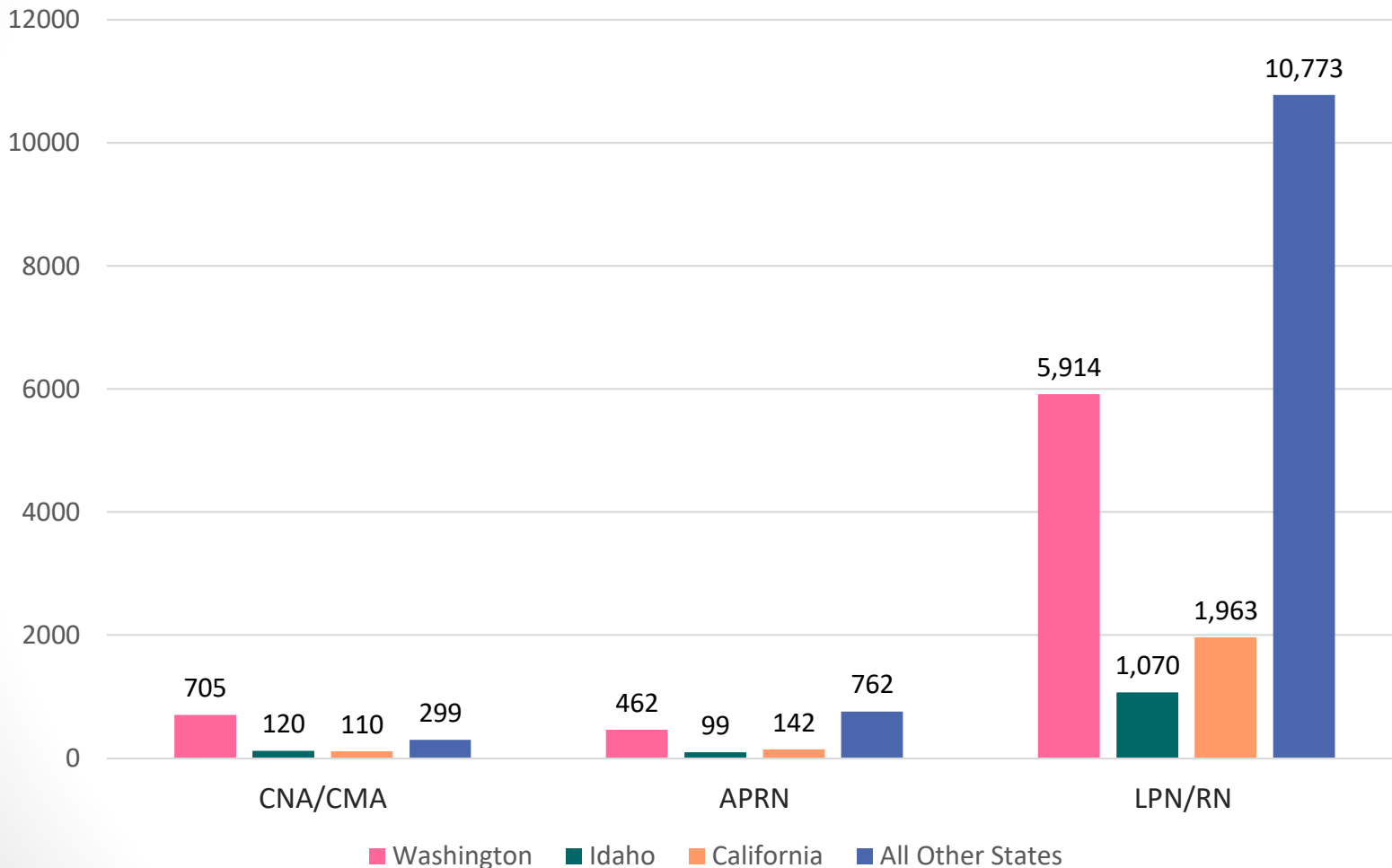
Numbers of Licensees



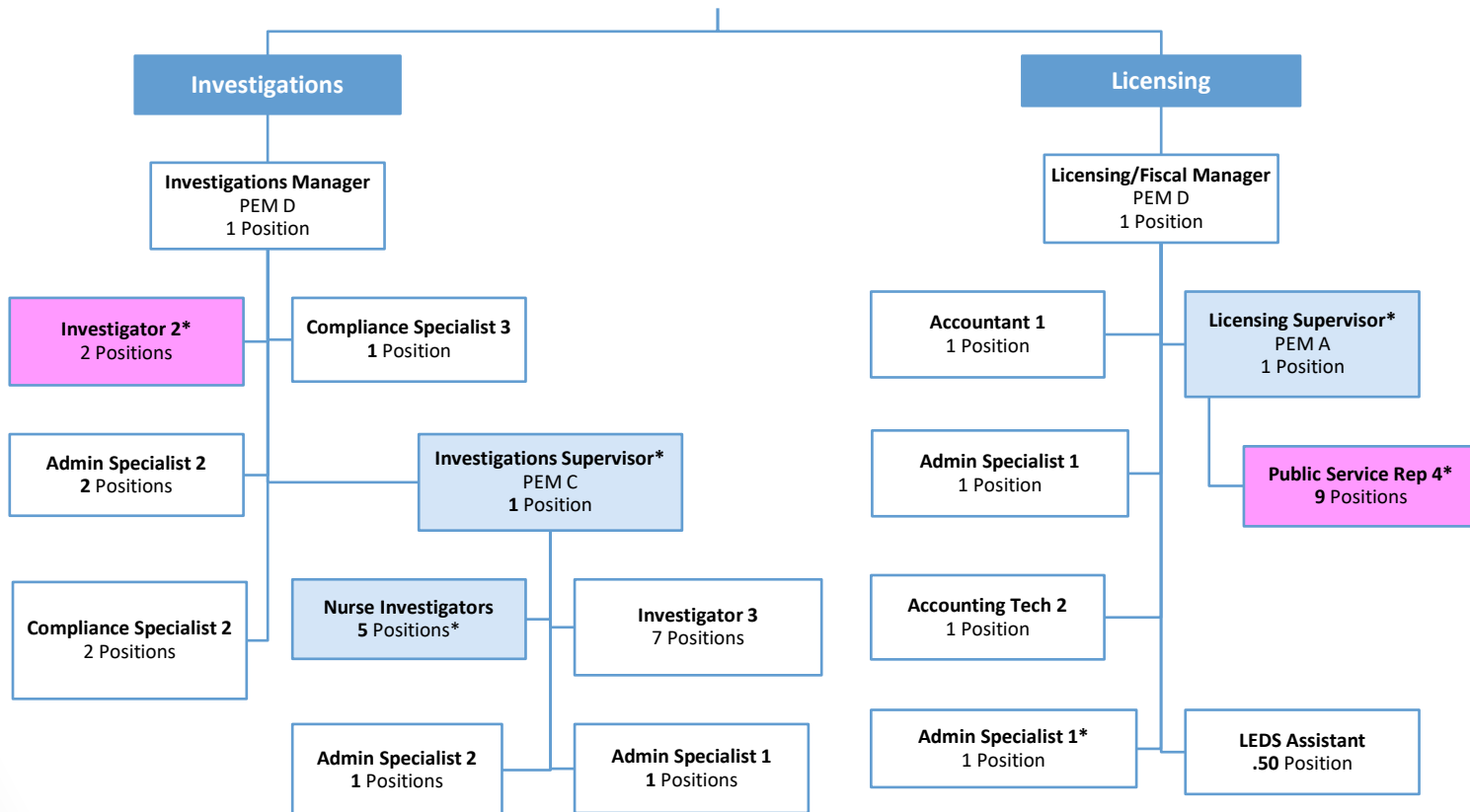
In-State vs Out-of-State



Out-of-State Breakdown

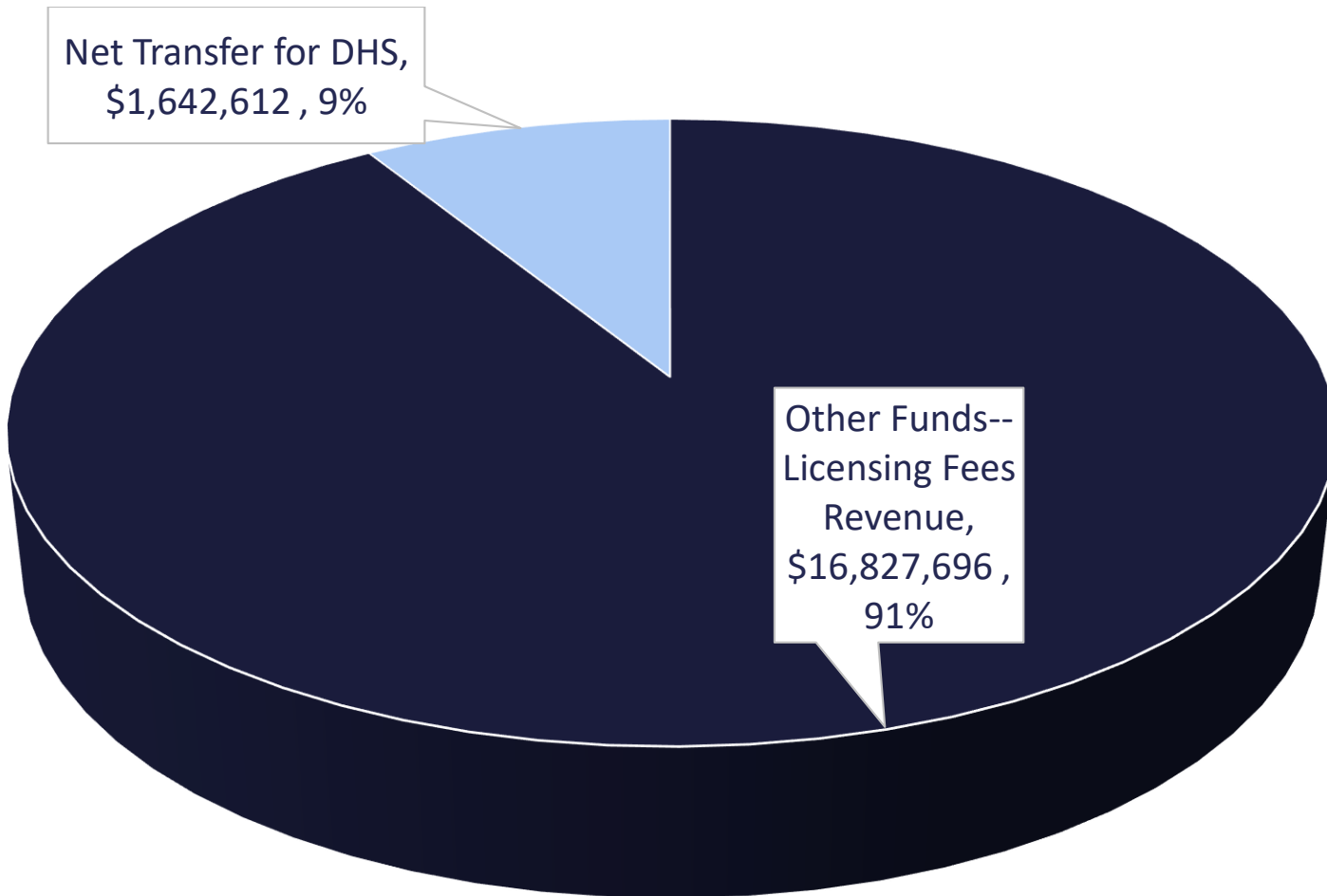


New Positions/Reclassifications



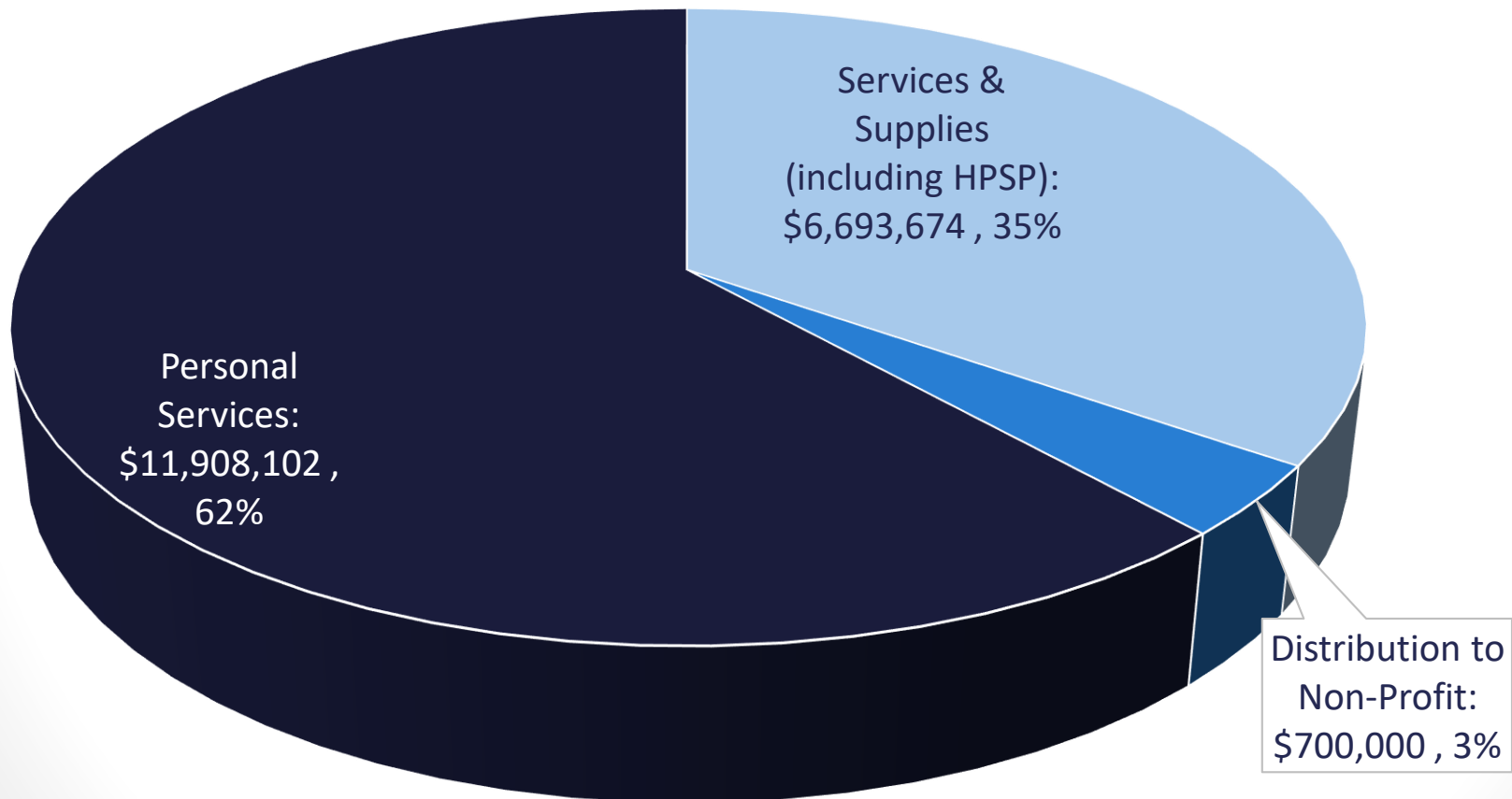
Revenue 2019-21 GB

\$18,470,308

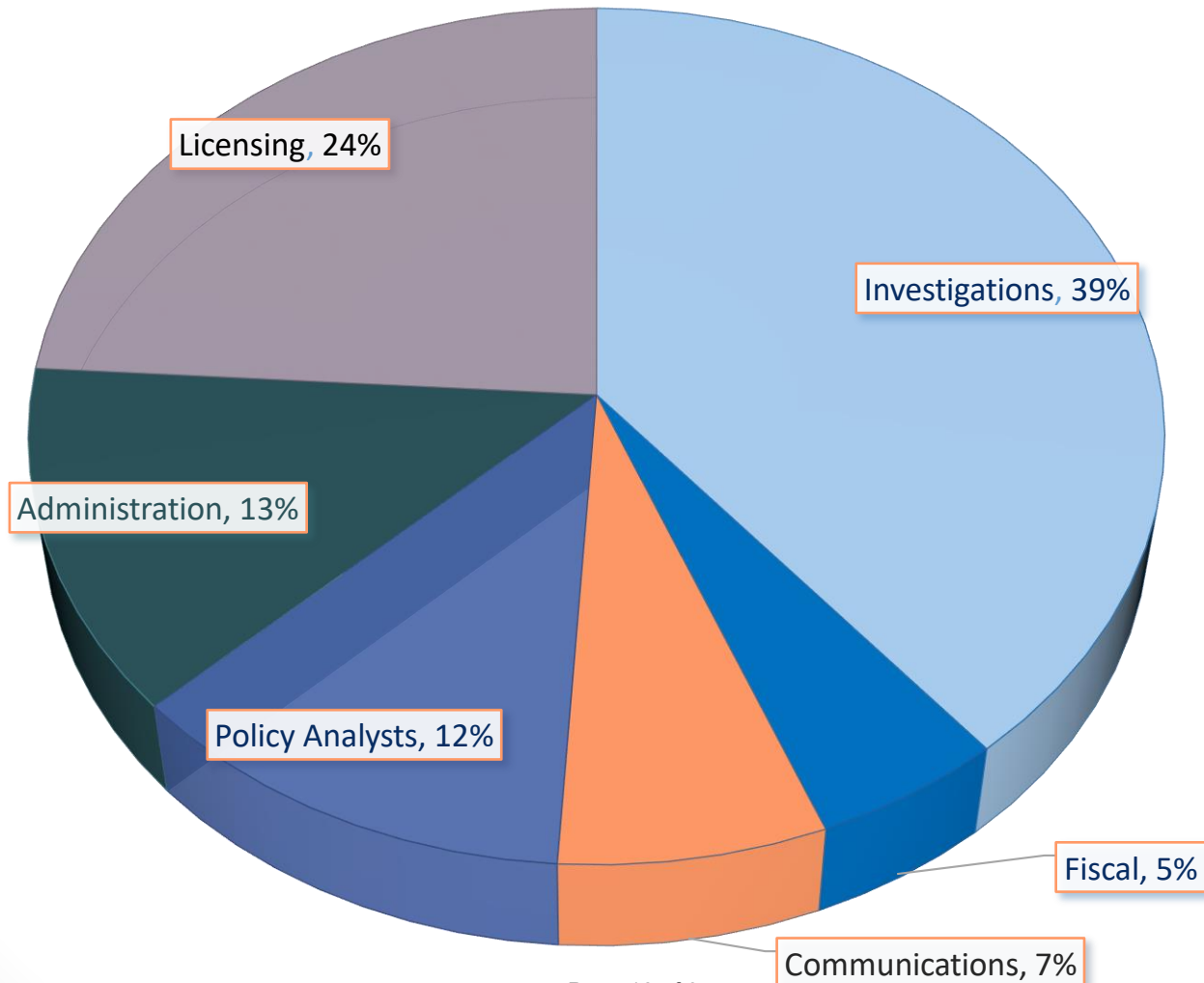


Expenditures 2019-21 GB

\$19,301,776



Expenditures by Department 2019-21 GB



2017-18 Agency Accomplishments

- Updated staff job classifications.
- Updated the agency website to new state design standards.
- Identifying and modernizing outdated statutory language.
- Added exam and reactivation applications to our menu of services available online.
- Board staff presented 246 hours of outreach education on the Nurse Practice Act to 5,474 attendees across the state.
- Board approved rule revisions to remove barriers to licensure; replace complex language with common terms to increase clarity; and address technology changes, such as use of simulation in nursing education.

Contact Information

- Ruby Jason, RN, MSN, NEA-BC
Executive Director
971-673-0639
- John Etherington
Licensing/Fiscal Manager
971-673-0664

Appendices

A. Agency Overview	Page 22
B. Proposed Legislation Affecting Agency Operations	Page 24
C. 10% Reduction Options	Page 24
D. Major Agency Changes During Last Six Years	Page 25
E. Ending Balance Form	Page 26
F. Full Annual Performance Progress Report	Page 27

Agency Overview

The Oregon State Board of Nursing is the agency that regulates the practice of nurses and nursing assistants to protect the public. It sets standards for nursing practice, guidelines for education programs, and minimum competency levels for entry into the professions it regulates. It also imposes discipline upon licensees who violate the nurse practice act.

The Oregon State Board of Nursing is primarily (93%) supported by Other Fund revenues generated from examination, licensing, and renewal application fees charged to registered nurses, licensed practical nurses, nurse practitioners, certified registered nurse anesthetists, clinical nurse specialists, certified nursing assistants, and certified medication aides. The Board also receives federal matching revenue (7%) through the Department of Human Services for activities regarding nursing assistants. Additional sources include sale of documents, employer subscription fees, and civil penalty fees. It is the policy of the Oregon State Board of Nursing to set fees in a manner that is as fair and equitable as is feasible. Fees shall not exceed the cost of administering the programs for which the fees are established.

Administration

The nine Board Members are appointed by the Governor and include two public members, four Registered Nurses, one Licensed Practical Nurse, one Nurse Practitioner (to represent all advanced practice nursing types), and one Certified Nursing Assistant. The four RN members represent various areas of nursing practice as follows: one nurse educator, one nurse administrator, and two direct-care non-supervisory nurses. The Board members also represent a variety of geographic locations. Board members serve three-year terms. The Board of Nursing meets monthly, holding a mixture of in-person and teleconferenced meetings. It may hold special meetings if necessary. Board meetings are open to the public and the schedule is listed on the Board's website.

The Administration section supports the work of the Board and provides organizational leadership for the agency. Since assuming her position in February 2014, the Executive Director continues to work closely with the other participating health regulatory boards to refine the Health Professionals' Services Program (HPSP), which was instituted by the legislature in 2009 to monitor impaired health professionals. Other administrative work includes continued streamlining of internal procedures to ensure optimum performance, identifying outdated statutes for possible legislative remedies, and leveraging technology to optimize the online presence of the Board

Nursing Policy Analysts

This section is responsible for any Board-directed revisions of administrative rules, policies, and interpretive statements; a robust outreach program to provide education regarding the Nurse Practice Act; periodic consultations with investigative staff; and, the approval of educational programs for nurses and nursing assistants. The Education Policy Analyst surveyed two RN and LPN programs in FY 2017 and two programs in FY 2018, as per the review schedule, in addition representing the Board to the 39 RN/LPN programs in Oregon. The Nursing Assistant Program Policy Analyst approved or surveyed 34 nursing assistant or medication aide programs in FY 2018.

The Nursing Assistant Program Policy Analyst coordinates the training and testing program for Certified Nursing Assistants and Certified Medication Aides. Applications from graduates of approved certified nursing aide programs are reviewed, and examinations are administered in both a written and manual form for certification. This section also oversees the development and administration of Certified Medication Aide (CMA) examinations. In FY 2018, 3,340 CNA written examinations and 3,385 skills examinations were administered, as well as 119 CMA examinations. Additionally, this department maintains the Nurse Aide Registry for nursing assistants in compliance with the Federal Omnibus Reconciliation Act of 1987 (OBRA).

Communications

This section includes the agency's public information and information technology efforts. Much of the Board's work in the coming biennium will center on improving customer service, both in licensing and investigations, and information technology will be key element. The agency's Microsoft CRM Dynamics database allows the creation of workflows and audit trails to track investigative, licensure, and administrative processes more effectively, and create greater efficiencies.

The agency has been working to move all of its licensure applications to the online licensing system. License renewals, the vast majority of applications processed, have been online since 2004 and endorsement applications since 2010. In 2018, the agency added exam applications, which will streamline the licensure process for new nursing graduates. The agency has secured a vendor to update the online system, making it more easily used on mobile devices. We also plan to add mailing list requests and licensing statistics to the list of services. Concurrently, the agency's website has undergone a remodel according to the state's new web design. The new site is scheduled to launch on February 12, 2019.

The agency's auto-verification service for employers continues to be a great success. Subscribers to the service receive automated updates regarding changes to licensure status, including discipline, for a prescribed list of licensees. Approximately 12,482 licensees have been entered into the system by 43 employers.

Licensing and Fiscal Services

The Licensing/Fiscal department implements all licensing and certification activities for nurses, nursing assistants, medication aides, and advanced practice nurses. Demographic information obtained through the licensure and certification process is shared with Oregon's Office of Health Policy and Research and other state agencies to assist in workforce analysis and compliance with state law. This information is often relied upon by other states and national entities seeking to find solutions to nursing workforce issues.

Licensing technicians provide service to the public and licensees, informing them about licensure procedures and the agency. The agency licenses approximately 67,000 nurses and 19,000 nursing assistants, about a 9 percent increase since 2017. Law Enforcement Data System (LEDS) checks are performed on all initial and renewal licensure applications, and federal fingerprint checks are done on every initial application. In FY 2018, approximately 49,500 LEDS checks were performed and 10,705 new licenses requiring fingerprint background checks were issued. Licensing representatives answer about 3,000 customer calls a month.

The Licensing/Fiscal Manager, along with the Executive Director, leads the Board's operational infrastructure in budget, accounting, purchasing, and contracts.

Investigations

This department investigates complaints regarding violations of the Oregon Nurse Practice Act and assists the Board in determining appropriate disciplinary action. Investigators prepare cases for hearing and monitor nurses and nursing assistants who have had disciplinary action taken against their licenses. They investigate possible violations of the Nurse Practice Act. In FY 2018, agency investigative staff handled 1,961 complaints; 708 were conduct-related, and 1,169 were generated by LEDS checks of applications. The number of contested case hearings has almost doubled in the last two years, with 43 in FY17, up from 25 in FY15. As mentioned earlier, the Board is continuing to work with its regulatory partners to refine the Health Professionals' Services Program (HPSP) to create greater efficiencies and streamline costs.

Proposed Legislation Affecting Agency Operations

- **Senate Bills 64, 65, 66, and 67:** These are OSBN proposed bills to clean up outdated language regarding licensing and education terms, create a new standalone certified nurse midwife license, and allow graduates of the Air Force LVN training program to apply to take the LPN exam in Oregon. There is no fiscal impact anticipated with these bills.
- **Senate Bill 128:** Directs Board of Medical Imaging to issue permit to supervise fluoroscopy to qualified advanced practice registered nurse.
- **Senate Bill 136:** Removes 10-day supply limitation on prescriptions for certain controlled substances issued by certified registered nurse anesthetists.
- **Senate Bill 688:** Allows professional licensing board to accept as authorization to provide professional service an out-of-state authorization for spouses of Armed Force members who are stationed in Oregon.
- **Senate Bill 754:** Creates income tax credit for rural nurse faculty members.
- **House Bill 2465:** Would expand the Board's authority by permitting the OSBN to require that more than a majority of holders of class of shares entitled to vote and more than a majority of directors of a professional corporation organized to practice medicine be nurse practitioners. We are unsure if there will be a fiscal impact related to this bill.
- **House Bill 2188:** Directs Board of Medical Imaging to issue permit to supervise fluoroscopy to qualified advanced practice registered nurse
- **House Bill 2698:** Removes 10-day supply limitation on prescriptions for certain controlled substances issued by certified registered nurse anesthetists.

10% Reduction Options

A reduction of 10% could be obtained by leaving the Health Professionals' Services Program (an alternative-to-discipline program) and offering only public discipline (probation) for impaired nurses. Since the Board of Nursing successfully transferred all Nurse Monitoring Program participants to HPSP in July 2010, the number of participants has steadily declined. The number of participants as of July 20, 2018, is 89 (80 Board-referred and nine self-referred). The estimated cost of the program during 2019-2021 is \$1,643,453. The estimated cost per participant is \$13,253. Elimination of HPSP program participation would result in program participants being placed on probation. Two additional compliance monitors would need to be hired at a cost of approximately \$337,000 per biennium, resulting in an overall savings of \$1,306,453.

Major Agency Changes within Six Years

2013-15

- New Executive Director hired in February 2014. Conducted review of agency positions and transfer of vacant manager positions to staff positions in order to support the increasing work of the licensing department and investigations. Combined the Fiscal and Licensing Departments to gain efficiency and assure that the primary source of Board funds are compliant with DAS fiscal policy.
- Completed eight-year strategic plan and transitioned the agency and the Board to a two-year biennium-based strategic plan to assure the Board stays relevant to changes within the regulatory environment and to the needs of the public.

2015-17

- To increase transparency and public safety, as well as expediting public record requests, the Board added Notices of proposed suspension and revocation in 2016 to the website verification page. Final disciplinary orders were already displayed.
- Enhanced the education outreach program for licensees, students and employers; staff have conducted 100 sessions with approximately 3, 400 participants to date. The agency became a continuing education provider in 2015 to encourage attendance at education sessions related to the Nurse Practice Act.
- Switched from paper fingerprint capture for national criminal background checks to electronic live-scan in September 2015.
- Implemented an electronic performance management system in 2016 that is tied directly to position descriptions. This process enables managers to hold staff accountability to the actual position description with Goals addressing agency mission and values. It is anticipated that this system will be superseded once the DAS Human Resources Information System allows for electronic performance management.

2017-18

- Created a series of online, interactive videos to help licensees complete applications and navigate other licensing requirements. Future videos will cover the complaint investigations process and various nursing practice topics.
- Participated in E-gov cohort to redesign existing website to new state web standards and increase accessibility and ease of use. The site will debut February 12, 2019.
- Added exam and reactivation applications to the menu of services available online.

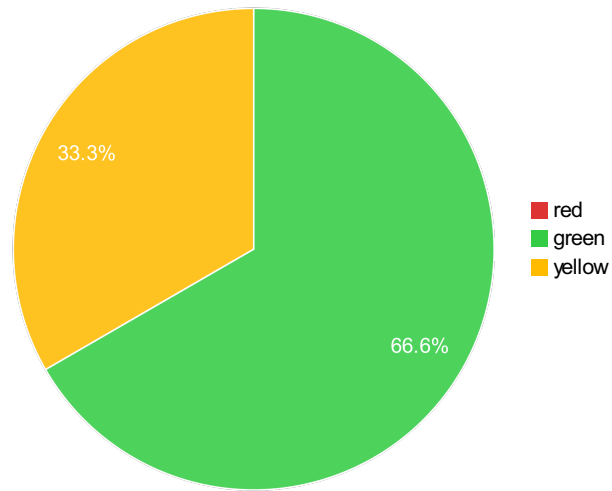
Nursing, Board of

Annual Performance Progress Report

Reporting Year 2018

Published: 7/20/2018 7:00:30 PM

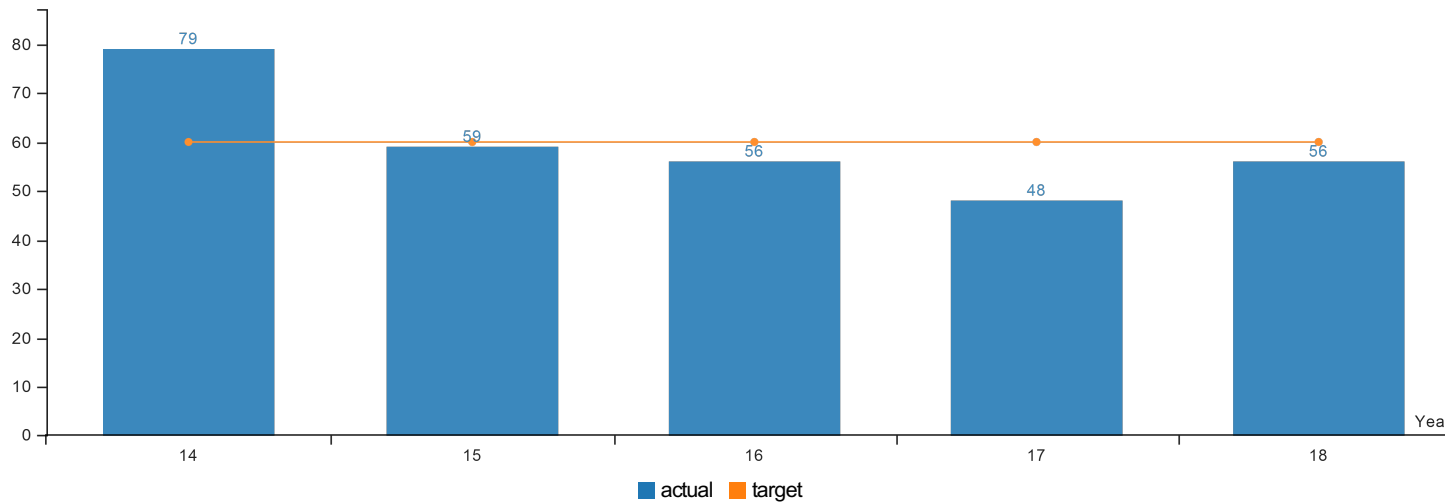
KPM #	Approved Key Performance Measures (KPMs)
1	TIMELY RESOLUTION OF COMPLAINTS - Percent of cases investigated and referred to Board within 120 days of receipt of complaint.
2	REDUCTION OF RECIDIVISM - Percent of disciplined licensees with a new complaint within three years of Board closing original case with a disciplinary action.
3	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.
4	ON-LINE TRANSACTIONS - Percent of business transactions completed on-line.
5	TIMELY LICENSING - Percent of licensing applications processed within target.
6	EFFECTIVE GOVERNANCE - Percent of total best practices met by the Board.



Performance Summary	Green	Yellow	Red
	= Target to -5%	= Target -5% to -15%	= Target > -15%
Summary Stats:	66.67%	33.33%	0%

KPM #1	TIMELY RESOLUTION OF COMPLAINTS - Percent of cases investigated and referred to Board within 120 days of receipt of complaint.
	Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result



Report Year	2014	2015	2016	2017	2018
Timely Resolution of Complaints					
Actual	79%	59%	56%	48%	56%
Target	60%	60%	60%	60%	60%

How Are We Doing

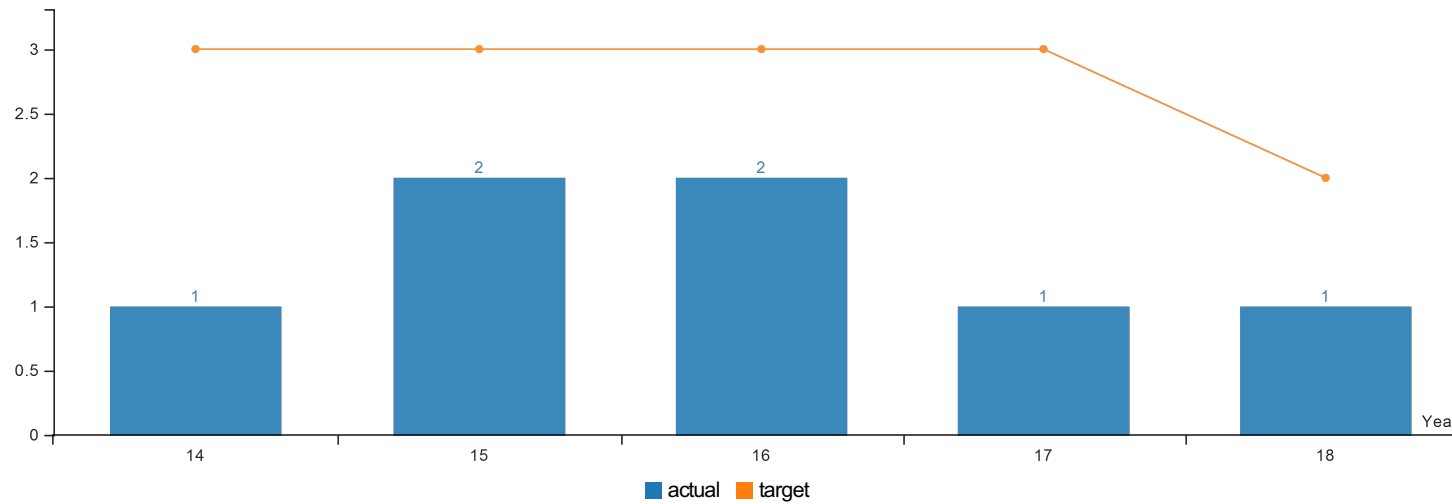
As of the date of this report, 56 percent of disciplinary cases in FY 2018 were presented to the Board within 120 days, below the agency target of 60 percent. Ideally, 100% of all complaints would be resolved within the 120-day window. In reality, outside delays in procuring needed documents, as well as a failure to cooperate on the part of some individuals, lengthens the process in many cases.

Factors Affecting Results

The Investigations department completes its investigations and reports to the Board in as timely a manner as possible. This includes gathering all information necessary (including document review and witness interviews) to enable the Board to make informed and appropriate actions for violations of the Nurse Practice Act. However, staffing issues and vacancies have created a surfeit of cases. Although new staff have been hired, investigators take several months to orient to the position until they can maintain a full caseload.

KPM #2	REDUCTION OF RECIDIVISM - Percent of disciplined licensees with a new complaint within three years of Board closing original case with a disciplinary action.
	Data Collection Period: Jul 01 - Jun 30

* Upward Trend = negative result



Report Year	2014	2015	2016	2017	2018
Reduction of Recidivism					
Actual	1%	2%	2%	1%	1%
Target	3%	3%	3%	3%	2%

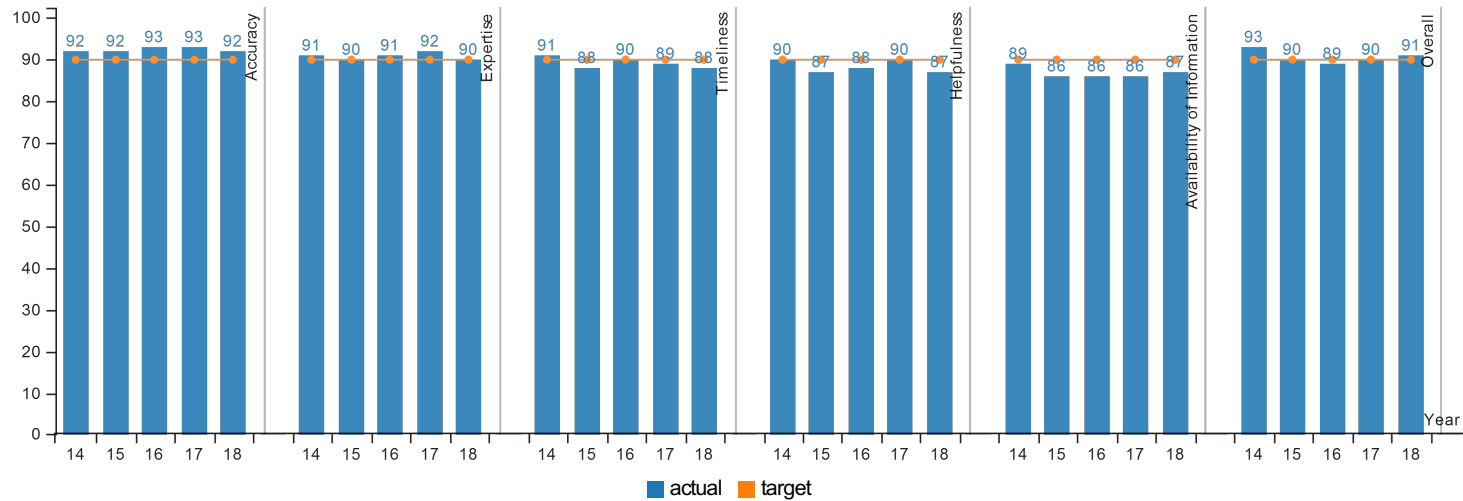
How Are We Doing

The OSBN's rate of 1 percent exceeded its target. The number reflects the licensees who were disciplined in FY 2015, 2016, or 2017, and were reported to the Board for any offense during FY 2018.

Factors Affecting Results

In its investigative and disciplinary process, the Board works to determine what factors led to the violation. Disciplinary action is based on addressing those factors to the greatest extent possible. Many situations can be resolved through additional education or monitored practice. In other situations that are not suitable to remediation, the Board action is more punitive in nature as a deterrent to any such future violations.

KPM #3	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.
	Data Collection Period: Jul 01 - Jun 30



Report Year	2014	2015	2016	2017	2018
Accuracy					
Actual	92%	92%	93%	93%	92%
Target	90%	90%	90%	90%	90%
Expertise					
Actual	91%	90%	91%	92%	90%
Target	90%	90%	90%	90%	90%
Timeliness					
Actual	91%	88%	90%	89%	88%
Target	90%	90%	90%	90%	90%
Helpfulness					
Actual	90%	87%	88%	90%	87%
Target	90%	90%	90%	90%	90%
Availability of Information					
Actual	89%	86%	86%	86%	87%
Target	90%	90%	90%	90%	90%
Overall					
Actual	93%	90%	89%	90%	91%
Target	90%	90%	90%	90%	90%

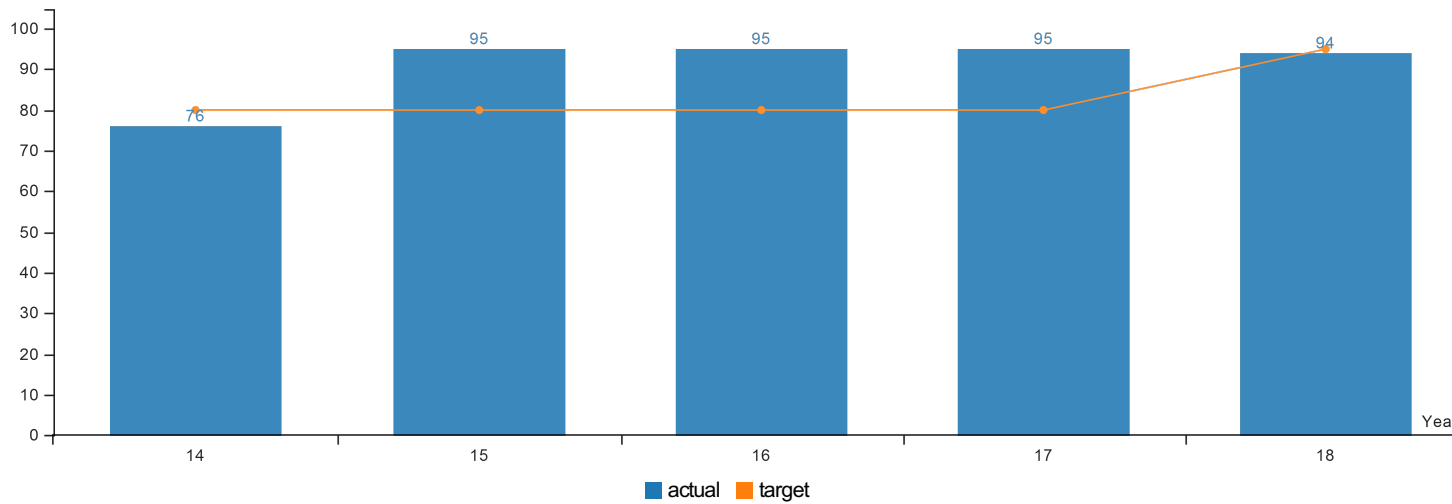
The agency met, or nearly met, all of its targets in FY2018. We set our customer service expectations high, based on previous survey results. As our customer base is very large, at almost 86,000 people, 100% satisfaction may not be attainable.

Factors Affecting Results

The Licensing Department continues to experience frequent staff turnovers, which creates an almost non-stop knowledge deficit. Although training is ongoing, the processes are complex and new staff need time to become proficient. However, the agency recently added examination applications to its online system, which should help by reducing paperwork.

KPM #4	ON-LINE TRANSACTIONS - Percent of business transactions completed on-line.
	Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result



Report Year	2014	2015	2016	2017	2018
Percent of Online Transactions					
Actual	76%	95%	95%	95%	94%
Target	80%	80%	80%	80%	95%

How Are We Doing

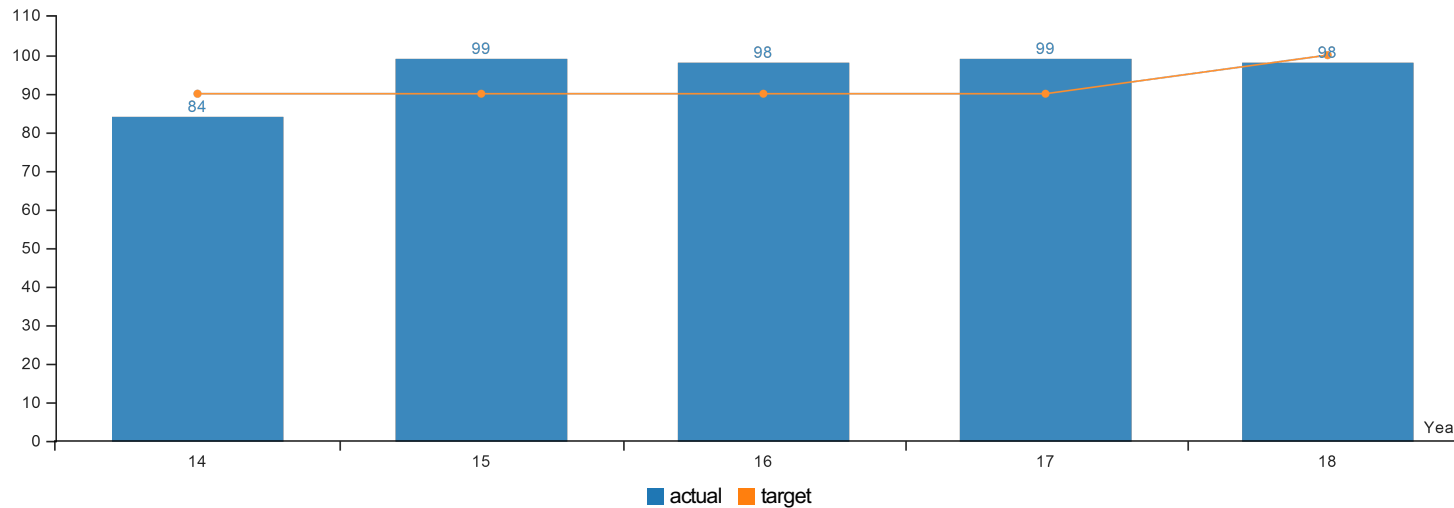
The agency nearly met its new target. 100 percent utilization won't occur until paper forms are no longer accepted.

Factors Affecting Results

A number of applicants who don't meet various licensing requirements and need further evaluation are still processed via paper applications. A 100 percent score won't occur until paper forms are no longer accepted. The agency added exam applications to its online licensing application in April 2018, and is planning to add all applications by the end of this biennium, which will reduce the number of paper applications received in the office.

KPM #5	TIMELY LICENSING - Percent of licensing applications processed within target.
	Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result



Report Year	2014	2015	2016	2017	2018
Timely Licensing: Percent of licensing applications processed within target.					
Actual	84%	99%	98%	99%	98%
Target	90%	90%	90%	90%	100%

How Are We Doing

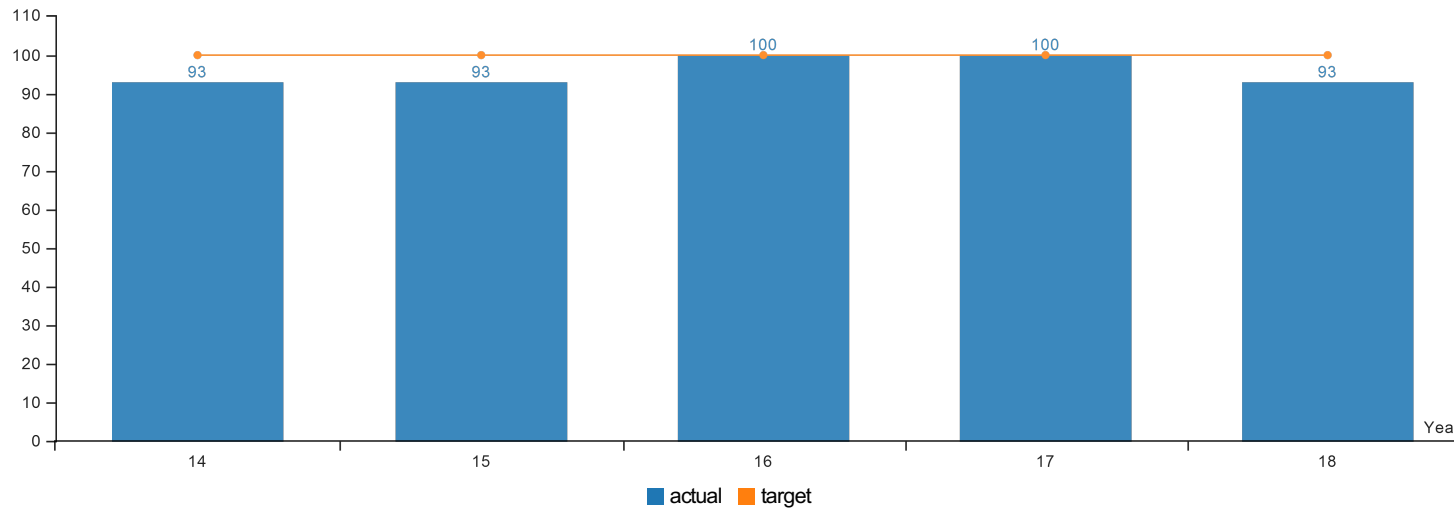
It is the agency's goal to issue a license or notify applicants of deficiencies in their application within five business days of receiving an application. The agency nearly met its new target of 100 percent.

Factors Affecting Results

The licensing process requires several elements and documents that are not in our control. However, the agency's staff prides itself in keeping its internal processes timely. We expect to maintain our high level of service.

KPM #6	EFFECTIVE GOVERNANCE - Percent of total best practices met by the Board.
	Data Collection Period: Jan 01 - Jan 01

* Upward Trend = positive result



Report Year	2014	2015	2016	2017	2018
Effective Governance					
Actual	93%	93%	100%	100%	93%
Target	100%	100%	100%	100%	100%

How Are We Doing

The agency uses the Oregon boards and commissions best practices for governance as a guide for this measure. Although the agency executive director's performance evaluation has been prepared, it has not yet been given, and the director's performance expectations have not yet been reviewed. Because of this, the OSBN did not meet its goal of 100 percent compliance.

Factors Affecting Results

The agency's board members, executive director, and management staff work well with each other. The agency updated its board member orientation process in 2015 to strengthen the board's knowledge of public meeting requirements and best practices. Although the agency executive director's performance evaluation has been prepared, it has not yet been given, and the director's performance expectations have not yet been reviewed.