

FISCAL IMPACT OF PROPOSED LEGISLATION

80th Oregon Legislative Assembly – 2019 Regular Session
Legislative Fiscal Office

Measure: SB 688 - A*

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

Prepared by: Michael Graham
Reviewed by: Ken Rocco
Date: 6/28/2019

Measure Description:

Directs professional licensing board to annually report to interim committee of Legislative Assembly related to veterans information about temporary authorizations to practice occupational or professional service for spouses or domestic partners of members of Armed Forces of United States who are stationed in this state.

Government Unit(s) Affected:

Statewide

Summary of Fiscal Impact:

Costs related to the measure are indeterminate at this time - See explanatory analysis.

Analysis:

The measure would require a professional licensing board to annually report to an interim veterans committee of the Legislative Assembly specified information about temporary authorizations to practice an occupational or professional service for spouses or domestic partners of members of the Armed Forces of United States who are stationed in the state. It would require a professional licensing board to issue a temporary authorization to any such spouses holding a similar, current authorization from another state, if the spouse has provided sufficient proof that he or she is in good standing with the out-of-state professional licensing board and has demonstrated competence. A temporary authorization would be valid until the out-of-state authorization expires, the member of the Armed Forces' term of service ends in the state, or two years have elapsed, whichever occurs first.

The costs associated with this measure are indeterminate at this time for several reasons. First, a professional licensing board would be required to issue a temporary authorization to a spouse that holds a current authorization to provide the occupational or professional service issued by another state, provided the "authorization requirements are substantially similar," there is "sufficient proof that the person is in good standing with the issuing out-of-state professional licensing board," and the spouse has "demonstrated competency." While this implies that the spouse must be authorized (licensed) by another state, it is unclear whether prerequisites to licensure would suffice, such as clinical externships or prelicensure postgraduate work.

Second, it is unclear whether the spouse would be entitled to a contested case hearing upon revocation of such authorization. Assuming the spouse were entitled to a contested case hearing, this could result in additional contested case costs, which could be challenging for a professional licensing board that lacks statutory authority to impose assess disciplinary costs on the respondent, even if the respondent does not prevail.

Third, a professional licensing board would need to determine what constitutes substantially similar authorization requirements, sufficient proof of good standing, and demonstrated competency, as well as how these requirements must be documented. A professional licensing board would also need to establish processes for verifying and documenting the terms of service of members of the Armed Forces of United States who are stationed in the state, as well as processes for revoking authorization once the term of service is complete. This would likely require administrative rulemaking.

Fourth, it is unclear how many spouses would apply for this temporary authorization to practice in Oregon. Depending on how many apply and are so authorized, the measure would likely increase the amount of time the staff of a professional licensing board spend investigating an applicant's standing in other states and reviewing other states' ethical and professional standards. Furthermore, the new reporting requirements would add documentation, tracking, and reporting requirements requiring additional staff time to implement and maintain over time.

Finally, the measure would not explicitly authorize a professional licensing board to charge any fee for a temporary authorization. Any board that is funded completely through Other Funds, supported by licensing fees, would need to increase fees in order to absorb the cost of such a mandate.

The fiscal impact is thus indeterminate.