

FISCAL IMPACT OF PROPOSED LEGISLATION**Measure: SB 773**80th Oregon Legislative Assembly – 2019 Regular Session
Legislative Fiscal Office***Only Impacts on Original or Engrossed
Versions are Considered Official***

Prepared by: Meg Bushman-Reinhold
Reviewed by: Laurie Byerly, Ken Rocco, Paul Siebert
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Measure Description:

Requires each professional licensing board to study criminal background criteria and character standards for licensure, certification or other authorization to provide occupational or professional service regulated by board.

Government Unit(s) Affected:

Department of Human Services (DHS), Statewide

Summary of Fiscal Impact:

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

Analysis:

SB 773 affects state agencies or boards that license, certify, or otherwise authorize individuals to provide an occupational or professional service. The bill requires these entities, which must also have regulatory oversight of the relevant service, to study the criminal background criteria and character standards they use to approve applicants for licensure, certification, or authorization.

Additionally, the entities must identify methods reducing barriers to licensure, certification, or authorization for applicants who may not currently qualify to provide services due to their criminal background or character. Each entity is required to report, following ORS 192.245 guidelines, to an interim legislative committee related to the workforce no later than December 31, 2020.

Agency responses to a statewide request for fiscal information ranged from none or minimal cost impact to needing limited duration staff or contract dollars to complete the work. Some of this variation is likely due to the complexity of criminal background criteria used by an entity. For example, the Board of Naturopathic Medicine only licenses one profession having one set of criteria and standards to review, while the Department of Human Services' Background Check Unit uses almost 80 different sets of criteria and standards for roles ranging from Home Care Workers to volunteers in children's programs. While the latter role does not require a license or certification, a volunteer must undergo a background check to be authorized to participate in a program.

An agency's costs may also vary based on the level of effort it believes is required to adequately carry out provisions of the bill. For example, the Oregon Health Authority indicated it will need funding for a contractor to survey almost 4,000 Health Care Interpreters and Traditional Health Workers to research barriers to certification. The bill is silent on expectations regarding data collection or other actions agencies should or shouldn't consider as they work toward meeting its provisions.

As the Legislative Fiscal Office is unaware of any statewide inventory of applicable occupational or professional services and their state regulatory body or program, the number of entities required to comply with the bill are unknown. The amount of effort and associated costs for each state entity to complete the study, method identification, and reporting requirements are also indeterminate.

This fiscal impact for this bill is indeterminate. This bill should be referred to the Joint Committee on Ways and Means for further analysis.