



## Governor's 2021-2023 Budget Presentation Occupational Therapy Licensing Board (OTLB)

*Nancy Schuberg, Executive Director (971-673-0198)*  
*Sybil Hedrick Park, OTR/L, CHT, CSCS, Board Chair*

- I. **AGENCY MISSION** is to protect the public by supervising occupational therapy practice and to assure safe and ethical delivery of occupational therapy services.

Occupational Therapists have been licensed in Oregon since 1977 and the license numbers have increased steadily from just a few hundred licensees to over 3,000 in February 2020. During 2020 Renewals in March-June, the Board lost 22% of licensees, who did not renew. (COVID-19 hit right after renewals had started). Many retired, moved out of state, we heard of some that experienced layoffs.

Nationally, occupational therapy is growing much faster than the average for all occupations. The US Bureau of Labor projects OT's to grow 16% and OTA's to grow 32% between 2019 and 2029. OT will continue to be an important part of treatment for people with various illnesses and disabilities, such as Alzheimer's disease, cerebral palsy, autism or the loss of a limb.

## II. AGENCY PERFORMANCE MEASURES

Key Performance 1: Timely Licensing: Over 96% issued within 3 days of receipt of required documents.

Staff confirms primary source verification of education and licensure in other states and the national certification Board. Online applications and renewals save time. We process very few checks as payment is made mostly by credit card.

Key Performance 2: Timely resolution of complaints: The Board discipline case number was up to 24 in 2018 and in 2020. Cases are investigated upon receipt of the complaint and reviewed at upcoming quarterly Board meeting. We attribute the increase because of the growing number of licensees, more public awareness, mandatory reporting, FBI Fingerprint and LEDS background checks.

- Whenever possible, cases resolved by Consent Order without having costly administrative hearings.
- Uses former Board member to help with discipline/consultation and education.

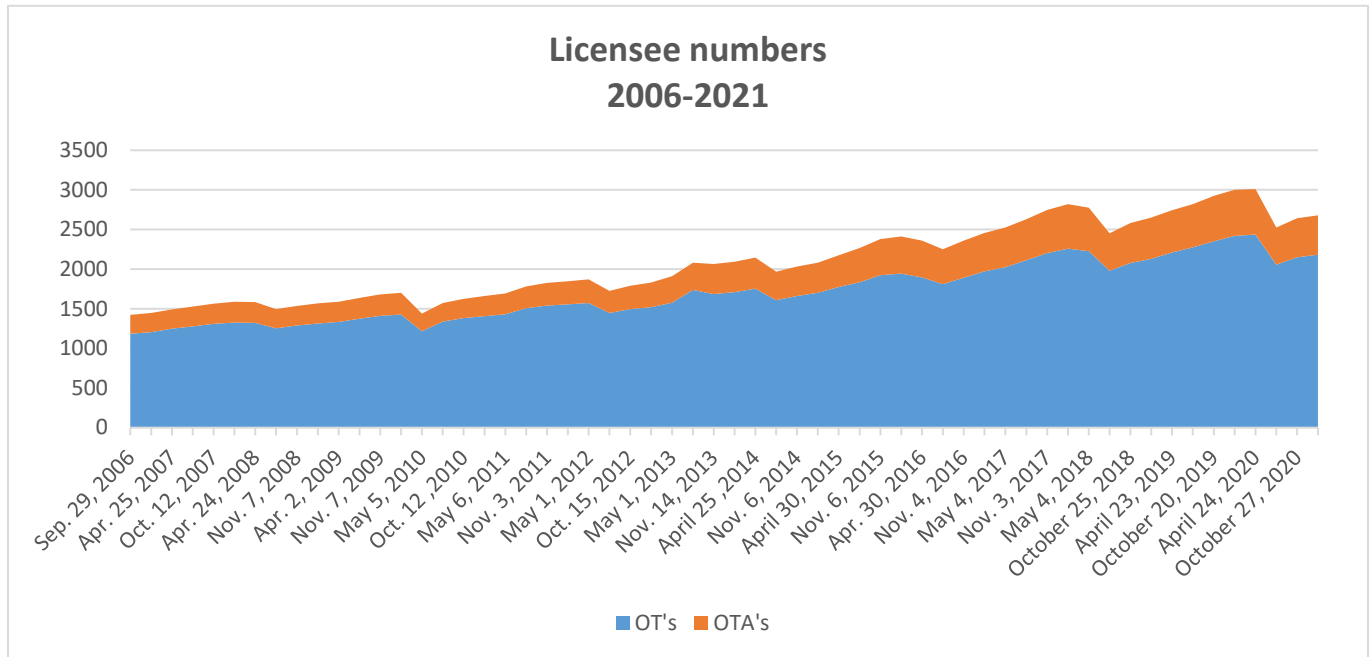
Key performance 3: Customer satisfaction: Customer service is at a high level. Over 98% ratings received of good or excellent. Comments provided anonymously and reviewed by the Board annually to improve current services.

- Licensees and those who contact the Board appreciate the personal service and quick turnaround on questions and licensing.
- Applicants kept up-to-date on their application status.

Key Performance 4: Board follows best practices: 100%. Reviewed and measured annually.

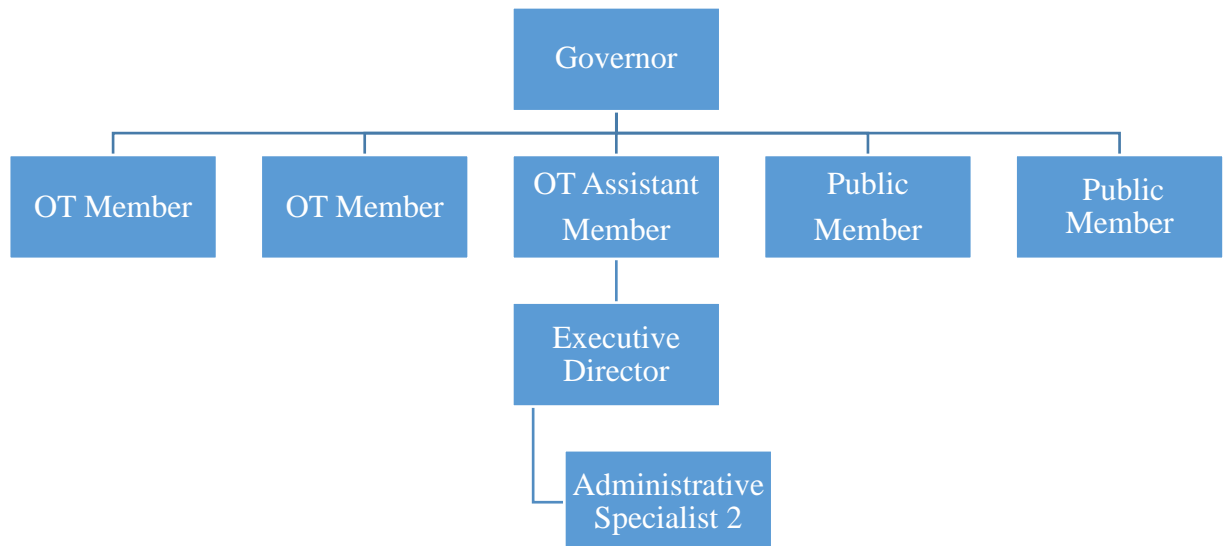
### III. SUMMARY OF PROGRAMS

- Licensure of Occupational Therapists and Occupational Therapy Assistants within 3 days of receiving all required documentation. Investigate complaints and take appropriate action.
- Current licensee total as of 1/29/2021: **2,195 OT's** and **503 OTA's**. **Total: 2,698.**



### IV. AGENCY ORGANIZATION

- The Board is composed five members: two Occupational Therapists, one Occupational Therapy Assistant and two public members.
- Administrative Staff includes the Executive Director and one half-time Administrative Specialist 2.
- The Board has kept up with the increasing number of cases through a contract with a former Board member to help with investigations.



**Online license renewals:** Renewals are held every other year, even years, eight months after the start of the biennium. Current two-year renewal fees: \$150 OT's; \$100 OTA's. There has been no increase since 2006, in fact, fees were lowered in 2008 and again in 2010. The Board performs the state background LEDS checks (Law Enforcement Data System) on all **licensees** prior to renewals. Beginning in 2018, we require FBI background checks on all new **applicants**. The Board charges \$40 on top of the application fee that is passed through to Oregon State Police. The Board tracks and records required pain management continuing education courses and conduct audits on continuing education. The Board tracks and audits OTA Supervision.

**Work force data:** Collected biannually during renewals since 2012. The Board absorbs the \$4 cost per licensee charged by the OHA into the budget.

#### **Education of students and licensees:**

- The Board presents every year at the state association (OTAO) conference.
- All new applicants are required to take and pass the free Board law/ethics exam, in place since 2014.
- Quarterly e-newsletter keeps licensees informed regarding Board news and proposed rules.
- Website: Continuous review and update of website to keep information current. Transition to new V4 user-friendly format completed since 2017.
- Schools in Oregon: Pacific U has an OTD program in Hillsboro. Linn Benton has an OTA program in Lebanon. The Board speaks to students from both schools annually to educate about the Board, statutes and rules and licensing process.

#### **V. 2020 RULE MAKING BY THE BOARD**

339-020-0020 CE Category and Points –amendments to verbiage and point values.

339-010-0006 Standards of Practice for Telehealth –amended to clarify rule on consent.

339-005-0000 Fees – eliminated \$50 renewal late fee that goes into effect from May1-May 31.

339-005-0000, 339-010-0045 – Created new temporary license for military spouses or domestic partners. Added the fee associated with the license.

339-020-0010, 339-020-0025, 339-020-0080 – Established mandatory CE requirement on Cultural Competency pursuant to HB 2011 (2019).

Temporary rules:

339-010-0020 Unprofessional Conduct - Executive Order Compliance during a Declared Emergency.

339-010-0012 Waived the fingerprint background check requirement temporarily during COVID-19 lockdown.

339-005-0000 Due to COVID-19, extension of current renewal period and elimination of the \$50 late fee that occurred from May1-31.

#### **VI. MAJOR BUDGET INFORMATION:**

- There has been no fee increase since 2006. Fees were lowered twice since then.
- Revenue is 100% "Other Funds" and at least 9 months in cash reserves is needed before the next renewal period starts.
- Relative to other health boards, costs are lower because of fewer discipline cases, resolved when possible by Consent Order. The Board has only had 1 case go to hearing.
- As of 2018, the Board charges an additional \$40 to all **applicants** for FBI Fingerprinting background checks. The \$40 is passed through entirely to the Oregon State Police who runs the background check.
- Administrative Specialist 2 – in 2019, the board asked to increase this position from .5 to .75 FTE due to concerns of handling the increase in applications and discipline caseload. The Legislature approved the increase, however the board managed fine at .5 and never needed to increase the position to .75.
- New IT system in place as of March 1, 2020 and costs are now realized.

## VII. PROPOSED LEGISLATION FOR 2021 SESSION

### 1. Policy Package 090 – Decrease Administrative Assistant 2 from .75 to .5 FTE.

#### 19-21 budget - why did OTLB increase the AS2 position from .5 FTE to .75 FTE?

In Feb. 2015 we were at 2080 licensees, in February 2017 we were at 2457, and in Feb 2019, 2652. In Feb 2020, we had over 3000 licensees. Not only did we have more applications to process and licensees to renew, we also had more questions to answer, more discipline to track and follow up with, more verifications, assistant supervision forms to input and track, more CE to Audit and pain management CE to track. The Board was concerned that current staff levels would be enough if the rate of growth continued. However, we were able to manage fine at the current level, so the position was kept at .5.

#### 21-23 budget - Why reduce the AS2 FTE in the 21-23 budget back to .5 time from .75 time?

We continue managing well with our AS2 working half time. As of March 1, 2020, our new IT system is now in place. The new IT system has streamlined many of the AS2's duties. Applicants can input their own information on applications, and pay by credit card. We no longer have to process checks. We no longer have to input OTA supervision into our system, create licensee lists, etc. The decrease in FTE will go towards lowering our budget, ensuring that we have at least 9 months ending balance at the end of FY2023.

### 2. Policy Package 109 (SB 5526) Fee Increase.

It has been 15 years since the last fee increase, in fact fees were reduced twice during that time. For 15 years, thanks to the steady growth in licensure, we've been able absorb inflationary costs, increase in the AS2 FTE, from .25 to .5 time, increased legal costs and costs associated with the Work Force Data that we are charged by the OHA every renewal, since 2012. However during 2020 renewal, which had just began when COVID-19 happened, we lost 22% of licensees and numbers overall were flat. In addition, expenditures have increased including costs realized for a new licensing system replacing a 20 year old database. Proposed increases:

- OT Renewal: \$150 to \$200
- OTA Renewal: \$100 to \$140
- OT 1 year application: \$100 to \$120
- OTA 1 year application: \$70 to \$90
- License verifications: \$0 to \$25
- Mailing Lists: \$25 to \$100

#### Program Reductions:

XI. HYPER LINK TO OTLB's GOVERNOR'S BUDGET Binder: [Click here](#)

Attached please find the following:

- X. 107BF23 – Program prioritization for 2021-23
- XI. Other Fund Ending Balance form.

*Thank you for the opportunity to explain the OTLB budget and programs.*

### Program Prioritization for 2021-23

<b>Agency Name:</b> Occupational Therapy Licensing Board																					
<b>2021-23 Biennium</b>																			<b>Agency Number: 83300</b>		
<i>Program 1</i>																					
<b>Program/Division Priorities for 2021-23 Biennium</b>																					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Priority (ranked with highest priority first)	Agency Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program- Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C, D, FM, FO, S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO Only)	Comments on Proposed Changes to CSL included in Agency Request	
833	420	OTLB	OTLB	Regulatory Agency	Licensure	3		668,208				\$ 668,208		1.50	N	N	S	ORS 675.210- 675.340	n/a	n/a	
												\$ -									
												\$ -									
												\$ -									
												\$ -									
												\$ -									
								668,208				\$ 668,208	0	1.50							

**7. Primary Purpose Program/Activity Exists**

- 1 Civil Justice
- 2 Community Development
- 3 Consumer Protection
- 4 Administrative Function
- 5 Criminal Justice
- 6 Economic Development
- 7 Education & Skill Development
- 8 Emergency Services
- 9 Environmental Protection
- 10 Public Health
- 11 Recreation, Heritage, or Cultural
- 12 Social Support

**19. Legal Requirement Code**

- C Constitutional
- D Debt Service
- FM Federal - Mandatory
- FO Federal - Optional (once you choose to participate, certain requirements exist)
- S Statutory

Within each Program/Division area, prioritize each Budget Program Unit (Activities) by detail budget level in ORBITS

**Document criteria used to prioritize activities:**

The board is responsible for protecting the health, safety and welfare of individuals who receive occupational therapy services in Oregon.

UPDATED OTHER FUNDS ENDING BALANCES FOR THE 2019-21 & 2021-23 BIENNIA

Agency: 833-20 Occupational Therapy Licensing  
 Contact Person (Name & Phone #):

(a) Other Fund Type	(b) Program Area (SCR)	(c) Treasury Fund #/Name	(d) Category/Description	(e) Constitutional and/or Statutory reference	N (f)		November Projections (g)		J (h)		Replaced J Beg Balance with G (i)		(j) Comments	(H) CSL	(i) Revised	
					2019-21 Ending Balance In LAB	Revised	2021-23 Ending Balance In CSL	Revised								
Limited	83300-020-00-00000	83300-01175	Operations		229,867	312,458	88,018	167,803					Revised includes fee increase 7/21 DAS SFS didn't develop 19-21	336,468.00	312,458.00	Beg (g)
														518,825.00	622,620.00	Rev
														(767,275.00)	(767,275.00)	Exp
														88,018.00	167,803.00	End (i)
														Contingency	287,728.13	

**Objective:** Provide updated Other Funds ending balance information for potential use in the development of the 2021-23 legislatively adopted budget.

**Instructions:**

Column (a): Select one of the following: Limited, Nonlimited, Capital Improvement, Capital Construction, Debt Service, or Debt Service Nonlimited.

Column (b): Select the appropriate Summary Cross Reference number and name from those included in the 2019-21 Legislatively Approved Budget. If this changed from previous structures, please note the change in Comments (Column (j)).

Column (c): Select the appropriate, statutorily established Treasury Fund name and account number where fund balance resides. If the official fund or account name is different than the commonly used reference, please include the working title of the fund or account in Column (j).

Column (d): Select one of the following: Operations, Trust Fund, Grant Fund, Investment Pool, Loan Program, or Other. If "Other", please specify. If "Operations", in Comments (Column (j)), specify the number of months the reserve covers, the methodology used to determine the reserve amount, and the minimum need for cash flow purposes.

Column (e): List the Constitutional, Federal, or Statutory references that establishes or limits the use of the funds.

Columns (f) and (h): Use the appropriate, audited amount from the 2019-21 Legislatively Approved Budget and the 2019-21 Current Service Level at the Agency Request Budget level.

Columns (g) and (i): Provide updated ending balances based on revised expenditure patterns or revenue trends. Do not include adjustments for reduction options that have been submitted unless the options have already been implemented as part of the 2019-21 General Fund approved budget or otherwise incorporated in the 2019-21 LAB. The revised column (i) can be used for the balances included in the Governor's budget if available at the time of submittal. Provide a description of revisions in Comments (Column (j)).

Column (j): **Please note any reasons for significant changes in balances previously reported during the 2019 session.**

Additional Materials: If the revised ending balances (Columns (g) or (i)) reflect a variance greater than 5% or \$50,000 from the amounts included in the LAB (Columns (f) or (h)), attach supporting memo or spreadsheet to detail the revised forecast.