

Oregon State Board of Nursing 21-23 Budget Presentation Reference Materials

Agency Overview

- Established in 1911, 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.
- Mission: The Oregon State Board of Nursing protects the public by regulating nursing education, licensure, and practice.
- Strategic Goals: 1) Focus on customer service; 2) Effective, high-quality leadership and governance.
- Main departments and functions:
 - Licensing: Processes all licensing and certification applications and renewals.
 - Investigations: Investigates complaints/possible violations of the Oregon Nurse Practice Act and presents report to Board so it can determine appropriate disciplinary action.
 - Fiscal: Budgeting, accounting, purchasing, and contracts
 - Communications: Includes the Board's public relations activities (media, website, and publications), legislative coordination, and Information Technology.
 - Policy Analysis: Revisions of administrative rules, provides scope-of-practice guidance, and approval of educational programs for nurses, CNAs, and CMAs.
- Number of licensees (as of 2-11-21)
 - Registered Nurses: 68,283
 - Licensed Practical Nurses: 5,810
 - Certified Nursing Assistants: 19,418
 - Certified Medication Aides: 871
 - Nurse Practitioners: 5,497
 - Clinical Nurse Specialists: 162
 - Certified Registered Nurse Anesthetists: 660
- Current Key Performance Measures. Note: all targets were raised in 2019.
 - Timely Resolution of Complaints: Percent of complaints referred to the Board within 120 days of receipt. Not met.
 - Reduction of Recidivism: Percent of disciplined cases w/ new complaint within three years of closing the original case. Not met.
 - Customer Service: Percent of customers rating overall satisfaction with the agency's customer service as "good" or "excellent." Met.
 - Timely Licensing: Percent of licensing applications processed within 5 business days. Met.
 - Effective Governance: Percent of total best practices met by Board. Met.
- Link to budget document on agency website: https://www.oregon.gov/osbn/Documents/OSBN_21-23GovernorsBudget.pdf.

Current Legislation:

The Board has two bills before the 2021 legislature: SB 39 and 40. The only budgetary impact that the agency might experience is from SB 39. One aspect of the bill will move the license renewal expiration on the applicant's birthday from 12:01 a.m. to 11:59 p.m. This is intended to eliminate confusion about when the license expires. The current expiration is technically on the applicant's birthday but, under current statute, if the applicants wait until their birthday to renew, they are late which adds a \$100 late fee. If this bill passes, the number of applicants who are assessed a late fee (because they waited until their birthday to renew) should decrease.

Vacant Positions:

We are currently recruiting and interviewing for two vacant positions: nurse investigator and a policy analyst for education. We hope to have both filled by the end of March. The only remaining vacant position is the policy analyst for advanced practice. This recruitment will begin after the education policy analyst is hired and oriented. The delay is due to the complexity of the policy analyst position, and orientation is being done by the Executive Director for both positions.

Major Agency Changes by Biennia:

- 2013-2015: New Executive Director began review and realignment of internal agency processes. Two strategic plans developed, both requiring Board approval to address issues for the agency and to address goals specific to the nine member Board. Began in late 2014 with no measureable results by end of the biennia.
- 2015-2017: The legislature approved a \$9 surcharge for each renewal and endorsement application to be paid to a not-for-profit organization to benefit the Oregon Nursing Advancement Fund. While the intent of the surcharge was as a pass-through for the Board, because it was paid to a non-state agency, it is part of the expenditure limitation. This first biennium the expense was capped at \$500,000. A strategic goal to provide licensee and stakeholder education resulted in more than 200 public presentations reaching thousands of participants.
- 2017-2019: The \$500,000 limitation of the Oregon Nursing Advancement Fund was lifted creating an issue for the agency when the budgeted \$500,000 expense limitation for this fund was budgeted but the actual collected funds, which are required to be sent to the non-profit, exceeded \$600,000. At the same time, the Information Technology upgrade and the phone system upgrade came as significant investments for the agency.
- 2019-2021: Implementation of the new online license application system consumed much of the IT resources for FY 20. COVID -19 response required investment in technology to transition paper processes to electronic in order to support the state's directive regarding telework. Included in expenses were purchase of laptops for agency staff, testing scanning technologies, and VOIP technology. The moratorium on license renewal and no-cost emergency authorization for out of state nurses affected the revenue flow from March 2020 to present. While the moratorium ended in November 2020, the no-cost emergency authorizations continue with an increase noted to support vaccination clinics.

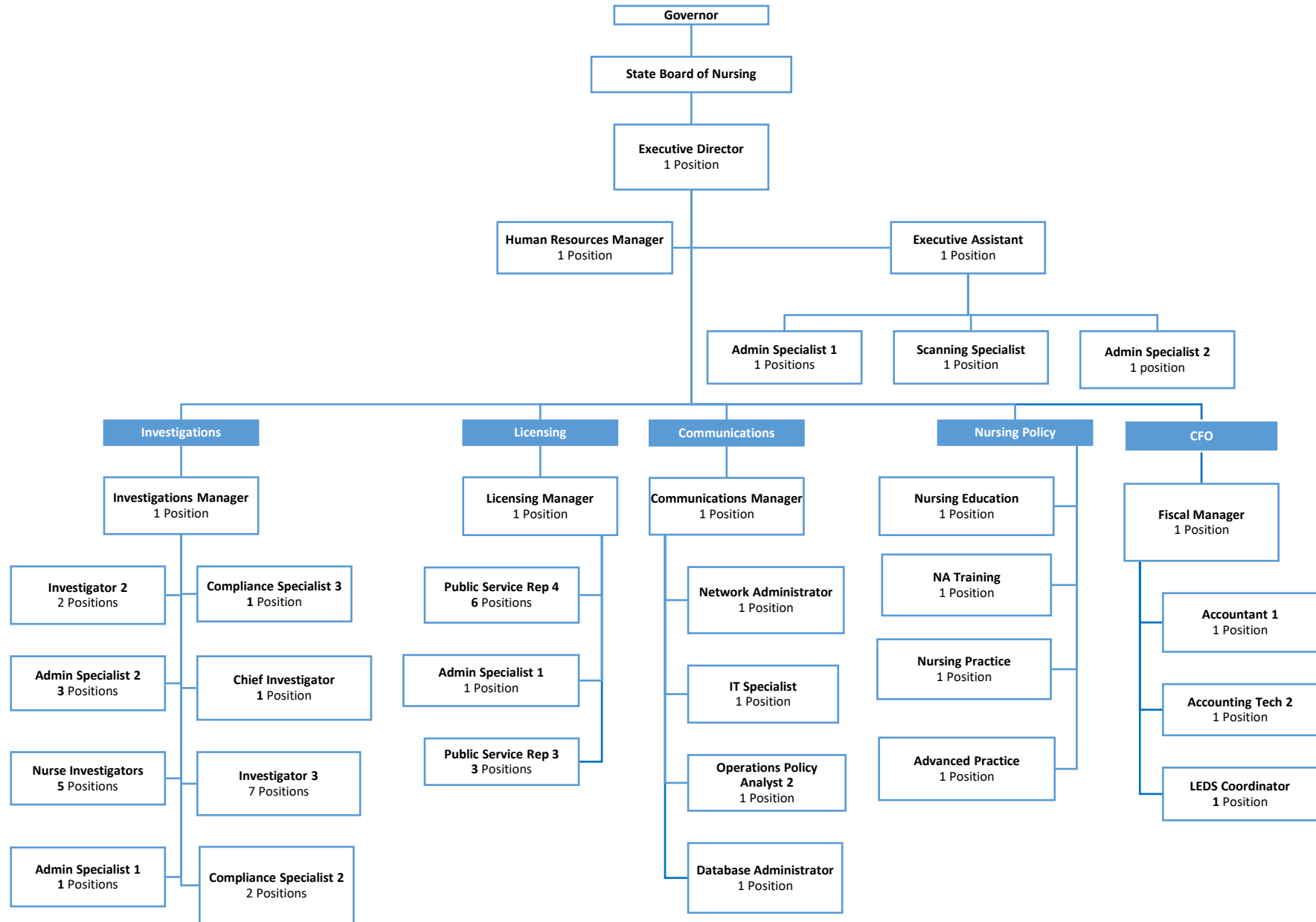
Major Budget Drivers:

Major budget drivers for the agency continue to be the number of licensees endorsing into Oregon and the number of licensees who renew their existing Oregon license. The agency currently regulates almost 100,000 licenses, with some individuals holding two or more licenses. There continues to be a yearly increase in active licenses, creating a revenue stream the agency depends on for its operations. Budget risks include the Information Technology (IT) infrastructure necessary to support the agency licensing and investigations database and online services. There is currently one pending Tort claim from a complainant regarding the outcome of his complaint and one Bureau of Labor and Industries (BOLI) complaint from a licensee whose complaint centers around the Board's decision to revoke her Nurse Practitioner and Registered Nurse licenses. The BOLI action was taken after the Oregon Supreme Court refused to hear her argument concerning this decision. Both claims have been referred to the Department of Justice. No other current budgetary risks have been identified.

Reduction Option:

Since the Board's alternative-to-discipline program, now known as the Health Professionals' Services Program, was moved to an independent vendor in 2009, participation in the program has dropped while the cost has more than doubled. There are currently 67 participants in the program, which is estimated to cost \$1,109,760 during 2021-23. The estimated cost per participant is \$16,564. Withdrawal from the HPSP would result in the remaining program participants to be transferred to probation. One additional compliance monitor would need to be hired, resulting in an overall savings of \$883,760 for the biennium.

Current Organization Chart



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

Agency: Oregon State Board of Nursing
 Contact Person (Name & Phone #): John Etherington, 971-673-0664

(a) Other Fund Type	(b) Program Area (SCR)	(c) Treasury Fund #/Name	(d) Category/Description	(e) Constitutional and/or Statutory reference	(f) 2019-21 Ending Balance		(g) 2021-23 Ending Balance		(j) Comments
					In LAB	Revised	In CSL	Revised	
Limited	85100-000-00-00-00000	General Fund	Operations	ORS 678.010 to 678.445; OAM 851-001-0000 to 851-063-0110	8,818,655	8,818,655	7,907,092	7,907,092	

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.