

Legislative Fiscal Office

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Joint Committee on Ways and Means

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To: Education Subcommittee

From: Haylee Morse-Miller, Legislative Fiscal Office

Date: May 17, 2021

Subject: SB 5507 – Oregon Board of Chiropractic Examiners
Work Session Recommendations

Oregon Board of Chiropractic Examiners – Agency Totals

	2017-19 Actual	2019-21 Legislatively Approved	2021-23 Current Service Level	2021-23 LFO Recommended
Other Funds	1,967,830	2,310,856	2,309,928	2,225,696
Total Funds	1,967,830	2,310,856	2,309,928	2,225,696
Positions	6	6	6	6
FTE	5.10	5.10	5.10	5.10

The 2021-23 recommended budget for the Oregon Board of Chiropractic Examiners is \$2,225,696 Other Funds and six positions (5.10 FTE). The recommended budget is projected to leave the board with an ending balance equivalent to 2.7 months of operating funds. Although this is below the recommended level of three to six months of operating reserves, anticipated statewide adjustments made to the agency budget in the end of session budget bill will further reduce the expenditure limitation, which will bring the operating funds balance in line with recommended levels.

Attached are recommendations from the Legislative Fiscal Office for the Oregon Board of Chiropractic Examiners. These include Policy Option Package 801: LFO Analyst Adjustments, which reduces Services and Supplies expenditure limitation by \$80,000 Other Funds to ensure the agency maintains a sufficient level of operating reserves. The agency will need to seek a fee increase for the 2023-25 biennium.

Adjustments to Current Service Level

See attached “Work Session Presentation Report.”

Note: Statewide adjustments and six-year capital construction expenditures are not included in these recommendations. Any needed adjustments will be made in end of session bills.

Performance Measures

See attached “Legislatively Proposed 2021-23 Key Performance Measures.”

Recommended Changes

LFO recommends a budget of \$2,225,696 Other Funds and 6 positions (5.10 FTE), which is reflected in the - 2 amendment.

Final Subcommittee Action

LFO recommends that SB 5507, as amended by the - 2 amendment, be moved to the Ways and Means Full Committee.

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____

LFO102 - Work Session Presentation Report
2021-23 BienniumVersion: L - 01 - LFO Analyst Recommended
Cross Reference: 81100-000-00-00-00000
Chiropractic Examiner, State Board of

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2019-21 Agy. Leg. Adopted	-	-	2,260,448	-	-	-	2,260,448	6	5.10
2019-21 Ebds, SS & Admin Act	-	-	50,408	-	-	-	50,408	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2019-21 Leg Approved Budget	-	-	2,310,856	-	-	-	2,310,856	6	5.10
2019-21 Leg Approved Budget (Base)	-	-	2,260,448	-	-	-	2,260,448	6	5.10
Summary of Base Adjustments	-	-	41,779	-	-	-	41,779	-	-
2021-23 Base Budget	-	-	2,302,227	-	-	-	2,302,227	6	5.10
010: Non-PICS Pers Svc/Vacancy Factor	-	-	(6,817)	-	-	-	(6,817)	-	-
020: Phase In / Out Pgm & One-time Cost	-	-	(186,500)	-	-	-	(186,500)	-	-
030: Inflation & Price List Adjustments	-	-	201,018	-	-	-	201,018	-	-
2021-23 Current Service Level	-	-	2,309,928	-	-	-	2,309,928	6	5.10
Adjusted 2021-23 Current Service Level	-	-	2,309,928	-	-	-	2,309,928	6	5.10
Total LFO Recommended Packages	-	-	(84,232)	-	-	-	(84,232)	-	-
2021-23 Legislative Actions	-	-	2,225,696	-	-	-	2,225,696	6	5.10
Net change from 2019-21 Leg Approved Budget	-	-	(85,160)	-	-	-	(85,160)	-	-
Percent change from 2019-21 Leg Approved Budget	0.0%	0.0%	(3.7%)	0.0%	0.0%	0.0%	(3.7%)	0.0%	0.0%
Net change from 2021-23 Adj Current Service Level	-	-	(84,232)	-	-	-	(84,232)	-	-
Percent change from 2021-23 Adj Current Service Level	0.0%	0.0%	(3.7%)	0.0%	0.0%	0.0%	(3.7%)	0.0%	0.0%

LFO102 - Work Session Presentation Report
2021-23 BienniumVersion: L - 01 - LFO Analyst Recommended
Cross Reference: 81100-001-00-00-00000
Operations

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2019-21 Agy. Leg. Adopted	-	-	2,260,448	-	-	-	2,260,448	6	5.10
2019-21 Ebds, SS & Admin Act	-	-	50,408	-	-	-	50,408	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2019-21 Leg Approved Budget	-	-	2,310,856	-	-	-	2,310,856	6	5.10
2019-21 Leg Approved Budget (Base)	-	-	2,260,448	-	-	-	2,260,448	6	5.10
Summary of Base Adjustments	-	-	41,779	-	-	-	41,779	-	-
2021-23 Base Budget	-	-	2,302,227	-	-	-	2,302,227	6	5.10
010: Non-PICS Pers Svc/Vacancy Factor	-	-	(6,817)	-	-	-	(6,817)	-	-
020: Phase In / Out Pgm & One-time Cost	-	-	(186,500)	-	-	-	(186,500)	-	-
030: Inflation & Price List Adjustments	-	-	201,018	-	-	-	201,018	-	-
2021-23 Current Service Level	-	-	2,309,928	-	-	-	2,309,928	6	5.10
Adjusted 2021-23 Current Service Level	-	-	2,309,928	-	-	-	2,309,928	6	5.10
Total LFO Recommended Packages	-	-	(84,232)	-	-	-	(84,232)	-	-
2021-23 Legislative Actions	-	-	2,225,696	-	-	-	2,225,696	6	5.10
Net change from 2019-21 Leg Approved Budget	-	-	(85,160)	-	-	-	(85,160)	-	-
Percent change from 2019-21 Leg Approved Budget	0.0%	0.0%	(3.7%)	0.0%	0.0%	0.0%	(3.7%)	0.0%	0.0%
Net change from 2021-23 Adj Current Service Level	-	-	(84,232)	-	-	-	(84,232)	-	-
Percent change from 2021-23 Adj Current Service Level	0.0%	0.0%	(3.7%)	0.0%	0.0%	0.0%	(3.7%)	0.0%	0.0%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 099 Microsoft 365 Consolidation

Package Description Microsoft 365 Consolidation: Microsoft 365 is being consolidated within the Office of the State Information Officer at the E5 level of service. This cost is built into the State Government Service Charge for every agency as a cost increase for the 21-23 biennium. This package makes a corresponding reduction to the agency base budget in an amount equivalent to what agencies should be paying in the current 2019-21 biennium for Microsoft 365 at the E3 level of service.

LFO Recommendation Approve the package.

LFO Recommended	-	-	(4,232)	-	-	-	(4,232)	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 801 LFO Analyst Adjustments

Package Description This package reduces Services and Supplies expenditure limitation by \$80,000 Other Funds. The OBCE ending balance under a Current Service Level budget is calculated to equal less than two months of operating reserves. This reduction increases the projected ending balance to around 2.7 months of operating reserves; anticipated statewide adjustments made to the agency budget in the end of session budget bill will further reduce the expenditure limitation, which will bring the operating funds balance in line with recommended levels of more than three months of operating reserves. The agency will need to seek a fee increase during the next budget development cycle.

LFO Recommendation Approve the package.

LFO Recommended	-	-	(80,000)	-	-	-	(80,000)	-	-
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Legislatively Proposed 2021 - 2023 Key Performance Measures

Published: 5/6/2021 3:01:43 PM

Agency: Chiropractic Examiners, Board of

Mission Statement:

To protect the public by regulating the practice of chiropractic (Rev. 01/20/2019)

Legislatively Proposed KPMs	Metrics	Agency Request	Last Reported Result	Target 2022	Target 2023
1. Days between complaint receipt and investigation report finalized for Board (investigative process step one) - Percent of cases having investigative reports written within 120 days from when a complaint is received to when the investigation is prepared for Board review/action.		Approved	23.90%	60%	60%
2. Days between investigation report finalized and presentation to the Board (investigative process step two) - Percent of cases, with a prepared investigation that is ready for Board review/action, that are presented to the Board within 60 days of completion.		Approved	61.10%	90%	90%
3. Summary of investigative steps: Percentage of new complaints that are assessed, investigated, and presented to the board for an initial decision within 120 days.		Approved	36.40%	75%	75%
4. Days between Board review/initial action and case closure (investigative process step three). - Percent of cases closed within 90 days of Board review/initial action.		Approved	87.10%	75%	75%
5. Summary of investigative steps: Average number of days to resolve a complaint.		Approved	180	180	180
6. Percent of sexual misconduct/boundary complaints resolved in 180 days		Approved	50%	50%	50%
7. Percentage of chiropractic physicians meeting the annual continuing education requirements.		Approved	89.50%	95%	95%
8. Percentage of licenses issued within 5 days once all application components (that are the responsibility of the applicant) have been received.		Approved	99%	100%	100%
9. 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.	Helpfulness	Approved	95%	90%	90%
	Accuracy		80%	90%	90%
	Timeliness		80%	90%	90%
	Expertise		90%	90%	90%
	Overall		80%	90%	90%
	Availability of Information		80%	90%	90%
10. Board Best Practices - Percent of total best practices met by the Board.		Approved	100%	100%	100%

LFO Recommendation:

The Legislative Fiscal Office (LFO) recommends the following modifications:

The KPMs have been renumbered in the report above. The reorganization of the KPMs was done to group together all KPMs related to investigative timelines, and clarify how each KPM fits into the investigative process. KPM #1 represents the first step in the investigative process: a complaint is received, and an investigative report is prepared. KPM #2 represents the second step in the investigative process, and tracks how quickly an investigative report is presented to the Board after completion. KPM #3 is a summary of the first two steps, as the agency has a goal of presenting investigative reports to the Board within 120 days of receiving a complaint.

KPM #4 tracks the final process step, of how quickly cases are closed after review by the Board. KPM #5 is a summary of the preceding KPMs, as the agency has a goal of closing complaints within an average of 180 days after the complaint is received.

Please note that the timelines for KPMs #1, #2, and #4 (process steps) do not align with the timelines for KPMs #3 and #5 (overall KPM goals). KPMs #1, #2, and #4 are used for tracking process steps and ensuring that the agency is on track within each step of the investigative process, with the overall goal of preparing and presenting investigations within 120 days, and completing investigations within an average of 180 days.

LFO also recommends one change to KPM #2, to reflect up to 60 days (and not up to 30 days) between when an investigation report is ready for review/action, to when the report is reviewed by the Board. This KPM is meant to track whether investigative reports are reviewed at the next Board meeting after the report is completed, or at subsequent Board meetings. Because the Board meets every two months, there are usually more than 30 days between Board meetings. This KPM does not capture investigative reports that are ready for review more than 30 days before a Board meeting, but completed after the previous Board meeting.

For the remaining KPMs, LFO recommends approval of KPMs and targets as presented.

SubCommittee Action: