

ANALYSIS

Item 69: Board of Pharmacy Investigation Position and Reclassification

Analyst: Haylee Morse-Miller

Request: Increase Other Funds expenditure limitation by \$138,752, establish one new permanent position (0.63 FTE), and reclassify an existing position to address an increasing number of complaints and investigations.

Analysis: The Oregon Board of Pharmacy (OBOP) requests establishment of one new permanent full-time Administrative Specialist 1, and reclassification of an existing Office Specialist 2 position to an Executive Support Specialist 2.

The Administrative Specialist 1 position is requested due to an increased investigations and inspections workload. During the five-year period of 2013 to 2017, the agency averaged 594 cases each year. During the five-year period of 2018 to 2022, that number increased to an average of 841 cases per year. As of late 2023, the agency had seen 1,132 cases before the end of the year. In addition to the ongoing increase in case numbers, OBOP is currently seeking to clear cases that date back to 2020.

The Administrative Specialist 1 assists the compliance section to prepare complaints for review, perform background checks, draft and edit legal and other documents, and respond to licensee questions, among other duties. Due to the increased caseload, existing support staff are unable to keep up with these duties and some of this work is currently being performed by upper-level investigative positions. A new Healthcare Investigator position was approved as part of the 2023-25 legislatively adopted budget, but additional compliance section support needs have been identified since passage of the agency's budget bill.

The Executive Support Specialist 2 reclassification is requested because this currently vacant position will now provide direct support to the Executive Director, as well as facilitate agency initiatives, such as working with agency stakeholders to increase the pharmacist workforce pipeline, equity, and innovation projects.

The agency is projected to have sufficient revenue to pay for the cost of the new position and position reclassification in the 2023-25 biennium. OBOP is likely to need a fee increase in the 2025-27 biennium even without the additional costs for the new position and the reclassification requested. However, approval of this request or any future requested staffing increases could accelerate this fee increase.

Recommendation: The Legislative Fiscal Office recommends that the Joint Interim Committee on Ways and Means recommend including an increase of \$138,752 in Other Funds expenditure limitation, authorizing the establishment of one permanent full-time position (0.63 FTE), and reclassification of a position, for the Board of Pharmacy in a budget reconciliation bill during the 2024 legislative session to address an increasing number of complaints and investigations.

Request: Increase Other Funds expenditure limitation by \$138,752 to establish one permanent, full-time position (0.67 FTE) to handle an increase in investigations and reclassify one permanent full-time position from an Office Specialist 2 to an Executive Support Specialist 2.

Recommendation: Approve the request during the 2024 Legislative Session.

Discussion: The Oregon Board of Pharmacy (OBOP), responsible for ensuring high standards in the practice of pharmacy and effective regulation of the manufacture and distribution of drugs, is requesting additional Other Funds expenditure limitation to establish one new Administrative Specialist 1 and reclassify an existing Office Specialist 2 to an Executive Support Specialist 2.

The new Administrative Specialist 1 is needed to handle an increase in investigations, which has led to a significant backlog in the compliance division. The agency's compliance officers are still working through cases from 2020, as they attempt to clear this backlog. There was an average of 786 new cases per year from 2018-2021, but 2022 saw the number of new cases spike to 1,061. This is a 35 percent increase when compared to the 2018-2021 average. An additional administrative position will help process this growing number of investigations.

The reclassification of the Office Specialist 2 to an Executive Support Specialist 2 was spurred by the agency's new Executive Director, who began in October of 2023. The Office Specialist 2 position was vacant, and the position description was rewritten to better meet the agency's administrative needs. The position would be responsible for providing confidential, varied, and typically complex administrative support to the Executive Director in the overall administration of the agency. OBOP is projected to have a healthy ending cash balance and can easily fund this request.

Legal Reference: Increase Other Funds expenditure limitation established by chapter 479, section 1, Oregon Laws 2023, for the Oregon Board of Pharmacy, by \$138,752 for the 2023-25 biennium.



Oregon

Tina Kotek, Governor

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December 4, 2023

Senator Elizabeth Steiner, Co-Chair
Representative Tawna Sanchez, Co-Chair
Interim Joint Committee on Ways and Means
900 Court Street NE
H-178 State Capitol
Salem, OR 97301

Dear Co-Chairs:

Nature of Request

The Oregon Board of Pharmacy (BOP) requests an increase in Other Funds expenditure limitation of **\$138,752** to establish one new permanent position and reclassify an existing position.

Agency Action

As the Board's new Executive Director and after an initial organizational review, I request one new position and one reclassification. This is the first part of a strategic realignment in developing the best organization structure going forward to meet the agency's goals and priorities to improve customer service, service delivery and efficiency.

The 2023 Legislatively Adopted Budget included the addition of a Healthcare Investigator/Advisor (Compliance Officer) position (OAS C5911 EP) due to a 96% increase in cases over the last six years and an evolving demand for inspections and investigative work. There is also an increased need for support staff to ensure the compliance department can protect the safety, health, and welfare of the public. There are currently two Administrative Specialists to support seven full-time Compliance Officers and the Compliance Director. An additional position is vital to support the Compliance Department's operations to facilitate the investigative process required by law in ORS 676.165.

The reclassification of the Office Specialist 2 position to an Executive Support Specialist 2 is requested to better support the needs of the Executive Director.

The Oregon Board of Pharmacy serves to promote and protect public health, safety, and welfare by ensuring high standards in the practice of pharmacy and through effective regulation of the manufacture and distribution of drugs.

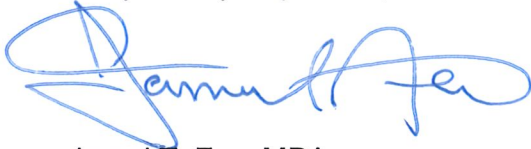
Action Requested

The department requests an increase in Other Funds limitation of \$138,752 to establish one new position to handle an increase in investigations and reclassify one position to provide needed support to the new Executive Director.

Legislation Affected

Oregon Laws 2023, Chapter 479, Section 1

Respectfully requested,

A handwritten signature in blue ink, appearing to read "Jamal T. Fox". The signature is stylized and cursive.

Jamal T. Fox, MPA

Executive Director