

Legislative Fiscal Office

Oregon State Capitol
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Joint Committee on Ways and Means

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Representative Tawna Sanchez, House Co-Chair

Senator Fred Girod, Senate Co-Vice Chair
Representative David Gomberg, House Co-Vice Chair
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Amanda Beitel, Legislative Fiscal Officer
Tom MacDonald, Deputy Legislative Fiscal Officer (Budget)
Paul Siebert, Deputy Legislative Fiscal Officer (Audit/IT)

To: Education Subcommittee

From: Emily Coates, Legislative Fiscal Office

Date: March 30, 2023

Subject: HB 5007 – Board of Chiropractic Examiners
Work Session Recommendations

Board of Chiropractic Examiners – Agency Totals

	2019-21 Actual	2021-23 Legislatively Approved	2023-25 Current Service Level	2023-25 LFO Recommended
Other Funds	1,685,453	2,173,510	2,291,220	2,604,293
Total Funds	1,685,453	2,173,510	2,291,220	2,604,293
Positions	6	6	6	6
FTE	5.10	5.10	5.10	5.75

Attached are recommendations from the Legislative Fiscal Office for the Board of Chiropractic Examiners.

The 2023-25 recommended budget for the Board of Chiropractic Examiners is \$2,604,293 Other Funds and six positions (5.75 FTE). The recommended budget is projected to leave the Board with an ending balance equivalent to 3.1 months of operating funds.

These recommendations account for a 20% fee increase effective July 1, 2023, and include the following Policy Option Packages:

- Package 100: Database Implementation and Maintenance
- Package 101: Healthcare Investigator from 0.60 FTE to 1.00 FTE
- Package 102: Reclassification of Administrative Support 2 to Program Analyst
- Package 103: Reclassification of Office Specialist 1 to Office Specialist 2 and an increase from 0.75 FTE to 1.00 FTE
- Package 104: Transition to DAS IT Support
- Package 105: Increase in Board Member per diem

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.

Accept LFO Recommendation:

MOTION: I move the LFO recommendation to HB 5007. (VOTE)

OR

Change LFO Recommendation:

MOTION: I move the LFO recommendation to HB 5007, with modifications. (VOTE)

Performance Measures

See attached “Legislatively Proposed 2023-25 Key Performance Measures.”

Accept LFO Recommendation:

MOTION: I move the LFO recommendation on Key Performance Measures. (VOTE)

OR

Change LFO Recommendation:

MOTION: I move the LFO recommendation on Key Performance Measures, with modifications. (VOTE)

Recommended Changes

LFO recommends a budget of \$2,604,293 Other Funds and six positions (5.75 FTE), which is reflected in the - 1 amendment.

MOTION: I move adoption of the –1 amendment to HB 5007. (VOTE)

Final Subcommittee Action

LFO recommends that HB 5007, as amended by the - 1 amendment, be moved to the Ways and Means Full Committee.

MOTION: I move HB 5007, as amended, to the Full Committee with a do pass recommendation. (VOTE)

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____

LFO102 - Work Session Presentation Report
2023-25 Biennium

Version: 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)
2021-23 Agy. Leg. Adopted	-	-	2,146,466	-	-	-	2,146,466	6	5.10
2021-23 Ebds, SS & Admin Act	-	-	27,044	-	-	-	27,044	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2021-23 Leg Approved Budget	-	-	2,173,510	-	-	-	2,173,510	6	5.10
2021-23 Leg Approved Budget (Base)	-	-	2,173,510	-	-	-	2,173,510	6	5.10
Summary of Base Adjustments	-	-	55,796	-	-	-	55,796	-	-
2023-25 Base Budget	-	-	2,229,306	-	-	-	2,229,306	6	5.10
010: Non-PICS Pers Svc/Vacancy Factor	-	-	850	-	-	-	850	-	-
030: Inflation & Price List Adjustments	-	-	61,064	-	-	-	61,064	-	-
2023-25 Current Service Level	-	-	2,291,220	-	-	-	2,291,220	6	5.10
Adjusted 2023-25 Current Service Level	-	-	2,291,220	-	-	-	2,291,220	6	5.10
Total LFO Recommended Packages	-	-	313,073	-	-	-	313,073	-	0.65
2023-25 Legislative Actions	-	-	2,604,293	-	-	-	2,604,293	6	5.75
Net change from 2021-23 Leg Approved Budget	-	-	430,783	-	-	-	430,783	-	0.65
Percent change from 2021-23 Leg Approved Budget	0.0%	0.0%	19.8%	0.0%	0.0%	0.0%	19.8%	0.0%	12.8%
Net change from 2023-25 Adj Current Service Level	-	-	313,073	-	-	-	313,073	-	0.65
Percent change from 2023-25 Adj Current Service Level	0.0%	0.0%	13.7%	0.0%	0.0%	0.0%	13.7%	0.0%	12.8%

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2021-23 Ebds, SS & Admin Act	-	-	27,044	-	-	-	27,044	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2021-23 Leg Approved Budget	-	-	2,173,510	-	-	-	2,173,510	6	5.10
2021-23 Leg Approved Budget (Base)	-	-	2,173,510	-	-	-	2,173,510	6	5.10
Summary of Base Adjustments	-	-	55,796	-	-	-	55,796	-	-
2023-25 Base Budget	-	-	2,229,306	-	-	-	2,229,306	6	5.10
010: Non-PICS Pers Svc/Vacancy Factor	-	-	850	-	-	-	850	-	-
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Package 090 Analyst Adjustments

Package Description This is a revenue only package to reflect the agency's 20% fee increase to all license types, effective July 1, 2023. The fee increase results in estimated additional revenue of \$257,848 in the 2023-25 biennium, which helps support other recommended packages and maintain an ending balance equivalent to 3.1 months of operating funds.

LFO Recommendation LFO recommends approval.

LFO Recommended	-	-	-	-	-	-	-	-	-
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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 100 Database implementation and maintenance

Package Description This package includes an additional \$50,000 in expenditure limitation to upgrade and roll out the inLumon database that was approved in the 2019-21 biennium.

LFO Recommendation LFO recommends approval.

LFO Recommended	-	-	50,000	-	-	-	50,000	-	-
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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 101 Healthcare Investigator position to 1.0 FTE

Package Description This package increases one Healthcare Investigator FTE from 0.60 to 1.00 FTE to reflect the increase in investigatory duties and educational programming.

LFO Recommendation LFO recommends approval.

LFO Recommended	-	-	112,349	-	-	-	112,349	-	0.40
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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 102 Reclassification of AS2 to Program Analyst

Package Description This package reclassifies an Administrative Specialist 2 position to a Program Analyst to reflect the duties currently done out of class.

LFO Recommendation LFO recommends approval.

LFO Recommended	-	-	26,514	-	-	-	26,514	-	-
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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 103 Reclassification of OS1 to OS2 and 1.0 FTE

Package Description This package reclassifies an Office Specialist 1 position to an Office Specialist 2 to reflect the increase in responsibilities currently assigned to the Office Specialist 1.

LFO Recommendation LFO recommends approval.

LFO Recommended	-	-	34,210	-	-	-	34,210	-	0.25
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LFO102 - Work Session Presentation Report
2023-25 Biennium

Version: 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)
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Package 104 Transition to DAS IT support

Package Description This package provides \$50,000 for the agency to transition from a private third party IT vendor to the Department of Administrative IT Desktop Support. Revenues are available to support this request.

LFO Recommendation LFO recommends approval.

LFO Recommended	-	-	50,000	-	-	-	50,000	-	-
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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 105 Board Member per diem

Package Description This package implements House Bill 2992 from the 2021 Legislative Session and provides an additional \$40,000 to cover the increase in board member stipends.

LFO Recommendation LFO recommends approval.

LFO Recommended	-	-	40,000	-	-	-	40,000	-	-
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Legislatively Proposed 2023 - 2025 Key Performance Measures

Published: 3/22/2023 12:38:18 PM

Agency: Board of Chiropractic Examiners

Mission Statement:

To protect the public by regulating the practice of chiropractic.

Legislatively Proposed KPMs	Metrics	Agency Request	Last Reported Result	Target 2024	Target 2025
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	0%	80%	80%
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	100%	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	75%	90%	90%
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	83%	75%	75%
5. Summary of investigative steps: Average number of days to resolve a complaint.		Approved	355	180	180
6. Percent of sexual misconduct/boundary complaints resolved in 180 days		Approved	0%	50%	50%
7. Percentage of chiropractic physicians meeting the annual continuing education requirements.		Approved	0%	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	98.60%	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	85.40%	90%	90%
	Accuracy		63%	90%	90%
	Timeliness		60%	90%	90%
	Expertise		70%	90%	90%
	Overall		59%	90%	90%
	Availability of Information		61%	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 recommends approval of the proposed Key Performance Measures and targets.

SubCommittee Action: