

**HB 2697 B BUDGET REPORT and MEASURE SUMMARY**

**Carrier:** Sen. Patterson

**Joint Committee On Ways and Means**

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**Action Date:** 06/09/23

**Action:** Do pass the B-Eng bill.

**Senate Vote**

**Yeas:** 10 - Anderson, Campos, Dembrow, Findley, Frederick, Gelser Blouin, Hansell, Knopp, Sollman, Steiner

**Exc:** 1 - Girod

**House Vote**

**Yeas:** 10 - Breese-Iverson, Evans, Gomberg, Holvey, Lewis, McLain, Pham K, Sanchez, Smith G, Valderrama

**Nays:** 2 - Cate, Reschke

**Prepared By:** Tamara Brickman, Department of Administrative Services

**Reviewed By:** Ben Ruef, Legislative Fiscal Office

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**Bureau of Labor and Industries**

**2023-25**

**Oregon Health Authority**

**2023-25**

**Budget Summary\***

	2021-23 Legislatively Approved Budget <sup>(1)</sup>	2023-25 Current Service Level	2023-25 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
				\$ Change	% Change
<b>Bureau of Labor and Industries</b>					
General Fund	\$ -	\$ -	\$ 188,577	\$ 188,577	100.0%
<b>Oregon Health Authority</b>					
General Fund	\$ -	\$ -	\$ 1,980,571	\$ 1,980,571	100.0%
Total	\$ -	\$ -	\$ 2,169,148	\$ 2,169,148	100.0%

**Position Summary**

	2021-23	2023-25 Current Service Level	2023-25 Committee Recommendation	Committee Change
<b>Bureau of Labor and Industries</b>				
Authorized Positions	0	0	8	8
Full-time Equivalent (FTE) positions	0.00	0.00	1.00	1.00
<b>Oregon Health Authority</b>				
Authorized Positions	0	0	13	13
Full-time Equivalent (FTE) positions	0.00	0.00	7.15	7.15

**Summary of Revenue Changes**

House Bill 2697 appropriates \$2,169,148 General Fund to the Bureau of Labor and Industries (BOLI) and the Oregon Health Authority (OHA) to provide the resources necessary to comply with each agency’s commensurate responsibilities established in the bill.

**Summary of Transportation and Economic Development Subcommittee Action**

House Bill 2697 requires hospitals to establish professional and technical committees and hospital service committees. These committees are directed to establish hospital-wide staffing plans subject to the criteria established in the bill. Staffing plans must be submitted to OHA within 30 days of their adoption. Should all the committees agree, House Bill 2697 permits the committees to combine, subject to provisions of the bill. The measure also requires that psychiatric units form a multidisciplinary subcommittee from staff in the unit who are charged with developing a staffing plan to meet the unit’s needs. These committees must be established by December 31, 2024. The bill also defines nurse-to-patient and certified nursing assistant-to-patient ratios, with certain exceptions, which must be implemented by hospitals on or before September 1, 2023. OHA has been directed to develop a website for employees or their exclusive representatives to submit complaints and rules for processing

complaints by January 1, 2024. Complaints for meal or break violations may be submitted to BOLI or OHA beginning June 1, 2025; OHA will forward any meal and break violations to BOLI. Both BOLI and OHA are permitted to impose civil penalties for violations beginning June 1, 2025.

The measure repeals the current statute requiring OHA to audit nurse staffing committees and compliance with nurse staffing plans. The measure declares an emergency and is effective September 1, 2023.

### **Bureau of Labor and Industries**

The Subcommittee recommended a \$188,577 General Fund appropriation to provide BOLI with seven permanent full-time positions and one permanent part-time position (1.00 FTE) to address increased workload associated with resolving complaints received from employees, the exclusive representatives of employees, or forwarded from OHA regarding meal or break period violations beginning on June 1, 2025. The positions recommended for BOLI are:

- Six permanent full-time Compliance Specialist 1 positions to investigate complaints.
- One permanent full-time Administrative Specialist 1 position to enter complaints into the case management system, process proof of payments, and track complaints.
- One permanent part-time Legal Secretary to file, schedule, prepare, and send form letters and final orders, and coordinate with the Wage and Hour Division.

### **Oregon Health Authority**

The Subcommittee recommended a \$1,980,571 General Fund appropriation to provide OHA with 13 positions (7.15 FTE) to conduct the work necessary to implement the bill. The following permanent full-time positions recommended for OHA are:

- One Compliance and Regulatory Manager 2 position to oversee the staff and the implementation of the program.
- Two Operations and Policy Analyst 3 positions to develop the complaint investigation process and survey tool development, conduct trainings for hospital staff, develop enforcement and tracking systems, and provide ongoing guidance.
- Three Compliance Specialist 3 positions to enforce civil penalties, communicate with hospitals during an investigation, track hearing request deadlines and prepare cases for DOJ attorneys to present.
- Three Client Care Surveyors for each committee type to investigate complaints relating to staffing plans or committees.
- One Administrative Specialist 1 to provide administrative support to the manager and team.
- Two permanent full-time Administrative Specialist 1 positions and a permanent full-time Operations and Policy Analyst 1 position are recommended for the Oregon State Hospital for administrative and tracking work related to the bill.

Also, included within the General Fund appropriation is \$250,470 for Attorney General related costs and \$20,000 for ongoing translation services.

**Bureau of Labor and Industries, Oregon Health Authority**  
**Tamara Brickman -- (971) 719-3492**

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
<u>SUBCOMMITTEE ADJUSTMENTS</u>									
<b>Bureau of Labor and Industries</b>									
<b>SCR 83900-040 -Wage and Hour Division</b>									
Personal Services	\$ 161,377	\$ -	\$ -	\$ -	\$ -	\$ -	161,377	8	1.00
Services and Supplies	\$ 27,200	\$ -	\$ -	\$ -	\$ -	\$ -	27,200		
<b>Oregon Health Authority</b>									
<b>SCR 44300-030-05 - Public Health Programs</b>									
Personal Services	\$ 1,100,618	\$ -	\$ -	\$ -	\$ -	\$ -	1,100,618	10	4.90
Services and Supplies	\$ 475,424	\$ -	\$ -	\$ -	\$ -	\$ -	475,424		
<b>SCR 44300-030-06 - Oregon State Hospital</b>									
Personal Services	\$ 351,050	\$ -	\$ -	\$ -	\$ -	\$ -	351,050	3	2.25
Services and Supplies	\$ 53,479	\$ -	\$ -	\$ -	\$ -	\$ -	53,479		
<b>TOTAL ADJUSTMENTS</b>	<b>\$ 2,169,148</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>2,169,148</b>	<b>21</b>	<b>8.15</b>
<b>SUBCOMMITTEE RECOMMENDATION *</b>	<b>\$ 2,169,148</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>2,169,148</b>	<b>21</b>	<b>8.15</b>