

SB 5520 A BUDGET REPORT and MEASURE SUMMARY

Carrier: Rep. Pham H

Joint Committee On Ways and Means

Action Date: 05/12/23

Action: Do Pass the A-Eng bill.

House Vote

Yeas: 9 - Breese-Iverson, Evans, Gomberg, Holvey, McLain, Pham K, Sanchez, Smith G, Valderrama

Nays: 3 - Cate, Lewis, Reschke

Senate Vote

Yeas: 8 - Anderson, Dembrow, Frederick, Gelser Blouin, Girod, Hansell, Sollman, Steiner

Exc: 3 - Campos, Findley, Knopp

Prepared By: Mike Streepey, Department of Administrative Services

Reviewed By: Gregory Jolivette, Legislative Fiscal Office

Long Term Care Ombudsman

2023-25

Budget Summary*

	2021-23 Legislatively Approved Budget ⁽¹⁾	2023-25 Current Service Level	2023-25 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
				\$ Change	% Change
General Fund	\$ 11,164,278	\$ 11,984,814	\$ 12,110,994	\$ 946,716	8.5%
Other Funds Limited	\$ 1,406,991	\$ 903,977	\$ 1,209,977	\$ (197,014)	(14.0%)
Total	\$ 12,571,269	\$ 12,888,791	\$ 13,320,971	\$ 749,702	6.0%

Position Summary

Authorized Positions	36	36	36	0
Full-time Equivalent (FTE) positions	35.50	35.50	35.50	0.00

⁽¹⁾ Includes adjustments through January 2023

* Excludes Capital Construction expenditures

Summary of Revenue Changes

The Long Term Care Ombudsman (LTCO) is primarily funded with General Fund (approximately 91 percent) and also receives funding from the Department of Human Services (DHS) for the LTCO program and the Residential Facilities Ombudsman (RFO) program. The LTCO program receives Senior Medicare Patrol grant funds and federal Older Americans Act (OAA) funds. These resources are expended as Other Funds within the LTCO budget. For the RFO program, the agency receives civil penalties and fines from ODHS, levied against licensed facilities serving individuals with intellectual/developmental disabilities and mental health clients. The Oregon Public Guardian program is almost entirely funded with General Fund, with a small amount of funding from donations.

Summary of Human Services Subcommittee Action

The Long Term Care Ombudsman’s (LTCO) mission is to protect individual rights, promote independence, and ensure quality of life for Oregonians living in long-term care and residential facilities, as well as those with decisional limitations. The LTCO is made-up of three programs: (1) Long-Term Care Ombudsman; (2) Residential Facilities Ombudsman (RFO); and (3) the Oregon Public Guardian Program (OPG).

The subcommittee recommended a budget of \$13,320,971 total funds (\$12,110,994 General Fund and \$1,209,977 Other Funds expenditure limitation) and 36 positions (35.50 FTE). This represents a total funds increase of 6.0 percent from the 2021-23 Legislatively Approved Budget and a 3.4 percent increase compared to the 2023-25 Current Service Level. The agency position count and full-time equivalent positions are unchanged.

Long Term Care Ombudsman

The LTCO program, established per Title VII of OAA, coordinates a network of trained and certified volunteer ombudsmen who regularly visit long-term care residents and monitor facilities in which they reside. Volunteers assist Deputy Ombudsman who receive, investigate, and help resolve complaints made by, or on behalf of residents of licensed long term care facilities. Some complaints are referred to local adult protective services offices for investigation. The program is led by the State Long Term Care Ombudsman, who serves in the capacity of the agency director and additional professional staff that visit facilities and provide technical support and training for volunteers. This LTCO budget structure also includes funding for the RFO program, created by Senate Bill 626 (2013), which provides advocacy for persons with intellectual/developmental disabilities or a mental health diagnosis living in licensed community residential facilities. Volunteers for this program engage in complaint investigation, resolution, rights education, and advocacy for improvements in resident care and quality of life.

The subcommittee recommended a budget of \$8,776,745 total funds (\$7,573,828 General Fund and \$1,202,917 Other Funds expenditure limitation) and 24 positions (23.50 FTE). The subcommittee recommended the following package:

Package 801: LFO Analyst Adjustments. This package adds \$87,058 General Fund to Personal Services to fund the reclassification of 15 Deputy Ombudsman positions from Program Analyst 2 to Compliance Specialist 3. The Department of Administrative Services Chief Human Resources Office completed a classification review in February of 2023 and found Compliance Specialist 3 is the appropriate classification for the work performed by Deputy Ombudsman.

The subcommittee also recommended a one-time increase to Other Funds expenditure limitation in the amount of \$306,000 to allow the agency to spend additional OAA monies provided through various Federal COVID-stimulus grants in the current biennium. The additional carryforward OAA dollars were authorized by the American Rescue Plan Act. The funds will be used to increase Services and Supplies expenditures and allow visits to long-term care facilities, with a focus on facilities that have not been visited recently due to the COVID-19 pandemic.

Public Guardian and Conservator Program

The Oregon Public Guardian (OPG) program, established by Senate Bill 1553 (2014), serves adults in need of guardian and conservator services who have no resources to obtain these services in the private sector nor any other individuals in their lives able to serve in this capacity.

The subcommittee recommended a budget of \$4,544,226 total funds (\$4,537,166 General Fund and \$7,060 Other Funds expenditure limitation) and 12 positions (12.00 FTE). The subcommittee recommended the following package:

Package 801: LFO Analyst Adjustments. This package adds \$39,122 General Fund to Personal Services to fund the reclassification of eight Deputy Public Guardian positions from Program Analyst 2 to Program Analyst 3. The Department of Administrative Services Chief Human Resources

Office completed a classification review in February of 2023 and found the Program Analyst 3 classification is the appropriate classification for the work performed by the Deputy Public Guardian.

Summary of Performance Measure Action

See attached Legislatively Adopted 2023-25 Key Performance Measures form.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Long Term Care Ombudsman
Mike Streepey -- 971-283-1198

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2021-23 Legislatively Approved Budget at Jan 2023 *	\$ 11,164,278	\$ -	\$ 1,406,991	\$ -	\$ -	\$ -	\$ 12,571,269	36	35.50
2023-25 Current Service Level (CSL)*	\$ 11,984,814	\$ -	\$ 903,977	\$ -	\$ -	\$ -	\$ 12,888,791	36	35.50
SUBCOMMITTEE ADJUSTMENTS (from CSL)									
SCR 11400-010 - Long Term Care Ombudsman									
Package 801: LFO Analyst Adjustments									
Personal Services	\$ 87,058	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 87,058	0	0.00
Services and Supplies	\$ -	\$ -	\$ 306,000	\$ -	\$ -	\$ -	\$ 306,000		
SCR 11400-020 - Public Guardian and Conservator Program									
Package 801: LFO Analyst Adjustments									
Personal Services	\$ 39,122	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 39,122	0	0.00
TOTAL ADJUSTMENTS	\$ 126,180	\$ -	\$ 306,000	\$ -	\$ -	\$ -	\$ 432,180	0	0.00
SUBCOMMITTEE RECOMMENDATION *	\$ 12,110,994	\$ -	\$ 1,209,977	\$ -	\$ -	\$ -	\$ 13,320,971	36	35.50
% Change from 2021-23 Leg Approved Budget	8.5%	0.0%	-14.0%	0.0%	0.0%	0.0%	6.0%	0.0%	0.0%
% Change from 2023-25 Current Service Level	1.1%	0.0%	33.9%	0.0%	0.0%	0.0%	3.4%	0.0%	0.0%

*Excludes Capital Construction Expenditures

Legislatively Approved 2023 - 2025 Key Performance Measures

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Agency: Long Term Care Ombudsman

Mission Statement:

To enhance the quality of life, improve the level of care, protect the rights of the individual and promote the dignity of each Oregon citizen living in a nursing facility, residential care facility, assisted living facility or adult foster care home.

Legislatively Approved KPMs	Metrics	Agency Request	Last Reported Result	Target 2024	Target 2025
1. Percentage of non-referred complaints to LTCO where action is needed that are partially or fully resolved.		Approved	89%	98%	98%
2. Average initial response time, measured in business days, to LTCO non-referred cases.		Approved	1	1.50	1.50
3. Average time, measured in business days, to close LTCO non-referred cases.		Approved	22	17	17
4. Percent of NF and ALF/RCF facilities to which a Long-Term Care Certified Ombudsman is assigned.		Approved	37%	70%	70%
5. Long-Term Care Certified Ombudsman hours.		Approved	12,183	29,000	29,000
6. Number of hospitalizations, ER visits, arrests, or psychiatric holds of OPGC clients during the reporting period.		Approved	1.38	1	1
7. Number of referrals diverted away from OPGC by finding less restrictive alternatives.		Approved	42%	65%	65%
8. 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.	Accuracy	Approved	75%	90%	90%
	Helpfulness		84%	90%	90%
	Expertise		83%	90%	90%
	Overall		83%	90%	90%
	Timeliness		82%	90%	90%
	Availability of Information		77%	90%	90%

LFO Recommendation:

The Legislative Fiscal Office recommends approval of the proposed 2023-25 Key Performance Measures and targets.

SubCommittee Action:

The Human Services Subcommittee adopted the 2023-25 Key Performance Measures and targets.