

**Board of Examiners for Speech-Language Pathology & Audiology  
2015-2017 Agency Budget Request**

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# CERTIFICATION

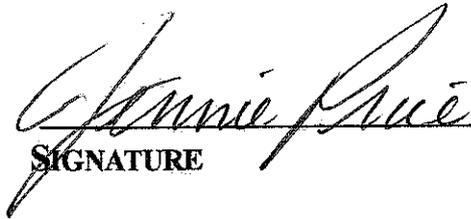
I hereby certify that the accompanying summary and detailed statements are true and correct to the best of my knowledge and belief and that the accuracy of all numerical information has been verified.

Board of Examiners for Speech-Language Pathology & Audiology

800 NE Oregon St., Suite 407, Portland, OR 97232-2187

**AGENCY NAME**

**AGENCY ADDRESS**



**SIGNATURE**

Jennie Price, Speech-Language Pathologist  
Board Chair

**TITLE**

Notice: Requests of agencies headed by a board or commission must be approved by official action of those bodies and signed by the board or commission chairperson.

The requests of other agencies must be approved and signed by the agency director or administrator.

Agency Request

Governor's Budget

Legislatively Adopted

77<sup>th</sup> OREGON LEGISLATIVE ASSEMBLY – 2013 Session  
BUDGET REPORT AND MEASURE SUMMARY

JOINT COMMITTEE ON WAYS AND MEANS

MEASURE: SB 5526-A

Carrier – House: Rep. Frederick

Carrier – Senate: Sen. Edwards

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Action: Do Pass as Amended and as Printed A-Engrossed

Vote: 18 – 6 – 2

House

Yeas: Barker, Buckley, Frederick, Jenson, Komp, Nathanson, Read, Tomei, Williamson

Nays: Freeman, Hanna, Huffman, McLane, Richardson

Exc: Smith

Senate

Yeas: Devlin, Edwards, Girod, Hansell, Monroe, Rosenbaum, Steiner Hayward, Thomsen, Winters

Nays: Whitsett

Exc: Bates

Prepared By: Tamara Brickman, Department of Administrative Services

Reviewed By: John Terpening, Legislative Fiscal Office

Meeting Date: May 24, 2013

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Agency

Health Related Licensing Boards

Biennium

2013-15

**Budget Summary**\*

	2011-13 Legislatively Approved Budget <sup>(1)</sup>	2013-15 Current Service Level	2013-15 Committee Recommendation	Committee Change from 2011-13 Leg. Approved	
				\$\$ Change	% Change
Other Funds	\$ 4,138,794	\$ 4,368,959	\$ 4,528,149	\$ 389,355	9.4%
Total	\$ 4,138,794	\$ 4,368,959	\$ 4,528,149	\$ 389,355	9.4%

**Position Summary**

Authorized Positions	19	19	19	0
Full-time Equivalent (FTE) positions	16.86	16.36	17.21	0.35

(1) Includes adjustments through December 2012.

\* Excludes Capital Construction expenditures

**Summary of Revenue Changes**

The Health Related Licensing Boards comprise six independent licensing boards supported by Other Fund revenues primarily derived from examination, application, and licensing fees. The boards are combined into one agency for the ease of budgetary reporting; however each has a separate limitation within the bill that is approved by the Legislature.

**Board of Examiners for Speech-Language Pathology and Audiology**

The Subcommittee approved a fee increase anticipated to provide \$145,249 of revenue which will allow the Board to maintain an adequate ending balance. The fee increase includes raising the initial application fee for all license types from \$40 to \$75, the Audiologist and Speech-Language Pathologist biennial license and renewal fees from \$160 to \$210, and the Speech-Language Pathology Assistants biennial certificate and renewal fee from \$50 to \$65.

**Veterinary Medical Examining Board**

The Subcommittee approved a fee increase anticipated to provide \$243,000 of revenue which will allow the Board to maintain an adequate ending balance. The fee increase includes raising the initial veterinary license and annual license renewal fees from \$100 to \$150 and the Certified Veterinary Technician license and renewal fees from \$25 to \$30 annually.

**Summary of Education Subcommittee Action**

**Oregon Mortuary and Cemetery Board**

The Oregon Mortuary and Cemetery Board regulates the individuals and facilities engaged in the care, preparation, processing, transportation and final disposition of human remains through licensing, inspection, and disciplinary programs. The Subcommittee approved a budget of \$1,412,605

Other Funds and six positions (5.71 FTE). The budget reflects a 6.9% increase from the 2011-2013 legislatively approved budget and provides the Board with an ending balance of \$582,813, which is approximately ten months of operating reserves.

The Subcommittee approved statewide administrative reductions and PERS taxation policy changes reflected in SB 822.

#### Oregon Board of Naturopathic Medicine

The Oregon Board of Naturopathic Medicine regulates naturopathic physicians through licensing and disciplinary programs. The Subcommittee approved a budget of \$633,011 Other Funds and three positions (2.50 FTE), which is a 5.8% increase over the 2011-2013 legislatively approved budget. The budget provides the Board with an ending balance of \$216,482, which is approximately 8 months of operating reserves.

The Subcommittee approved the following:

- Package 150 – Continue 0.50 FTE Investigator: This package provides \$88,989 Other Funds expenditure limitation to make permanent a Limited Duration part-time investigator position (0.50 FTE). The LD position was first approved in the 2010 special session and again for the 2011-2013 biennium.

In addition to the package above, the Subcommittee approved statewide administrative reductions and PERS taxation policy changes reflected in SB 822.

#### Occupational Therapy Licensing Board

The Occupational Therapy Licensing Board regulates the practice of occupational therapy through licensing and disciplinary programs. The Subcommittee approved a budget of \$368,816 Other Funds and two positions (1.25 FTE), which is a 1.3% increase from the 2011-2013 legislatively approved budget. The budget provides the Board with an ending balance of \$339,358, which is approximately twenty-two months of operating reserves. Prior to the 2011 Legislative session, the Board administratively reduced the biennial license renewal fees, which should begin to reduce the Board's ending balance. The Board needs to maintain at least nine months of operating reserves due to its licensing renewal cycle, which occurs once a biennium.

The Subcommittee approved statewide administrative reductions and PERS taxation policy changes reflected in SB 822.

#### Board of Medical Imaging

The Oregon Board of Medical Imaging licenses and regulates radiographers, radiation therapists, limited x-ray machine operators, nuclear medicine technologists, sonographers, and MRI technologists. The Subcommittee approved a budget of \$838,505 Other Funds and three positions (3.00 FTE), which is an 11.9% increase over from the 2011-2013 legislatively approved budget, and provides the Board with an ending balance of \$187,898, which is approximately five months of operating reserves.

The Subcommittee approved the following:

- Package 160 – Scanner Support: This package provides \$11,146 Other Funds expenditure limitation to enable the board to purchase a scanner in order to move toward electronic document storage. The limitation built into this package would provide for a scanner for document imaging and management and provide for better security of the board’s records. The board has limited space for storage of paperwork in filing cabinets for over 6,500 licenses and other documents.
- Package 161 – Shift Investigator Costs: This package adds \$11,120 Other Funds expenditure limitation for the professional services costs associated with an inter-agency agreement with Radiation Protective Services within the Oregon Health Authority to provide investigative work for the Board. This package also shifts the costs of the investigator from personal services to professional services. In 2011, the Legislature approved a limited duration part-time investigator (0.25 FTE) to assist the Board with an increase in investigative workload as a result of legislation approving the licensure and regulation of three new license types.

In addition to the packages mentioned above, the Subcommittee approved statewide administrative reductions and PERS taxation policy changes reflected in SB 822.

Board of Examiners for Speech-Language Pathology and Audiology

The Board of Examiners for Speech-Language Pathology and Audiology regulates Speech-Language Pathologists (SLP), Speech-Language Pathology Assistants (SLPA) and Audiologists through licensing and disciplinary programs. The Subcommittee approved a budget of \$531,904 Other Funds and two positions (2.00 FTE), which is a 31.5% increase over the 2011-2013 legislatively approved budget. The budget, which includes a fee increase, provides the Board with an ending balance of \$274,788, which is approximately 12 months of operating reserves that should sustain the Board’s operations for two biennia.

The Subcommittee approved the following:

- Package 180 – Increased Administrative Workload: This package increases the Executive Director position from 0.60 FTE to 1.00 FTE and includes \$79,524 Other Funds limitation. This request was previously approved by the Emergency Board in December 2010.
- Package 181 – Criminal Background Checks: This package provides \$19,358 Other Funds limitation for criminal background checks. The Board plans to do fingerprint background checks on all new applicants (estimated at 435 for the 2013-2015 biennium). The charge for fingerprints will be \$44.50 and the fees will be passed through to the Oregon State Police.
- Package 182 – Enhanced Investigation: This package increases the Administrative Assistant position from 0.80 FTE to 1.00 FTE and includes \$19,913 Other Funds limitation. This increase is to address the increased investigative caseload and the initiation of fingerprint background checks for new applicants.
- Package 183 – Fee Increase: This package is a revenue only package that includes a fee increase anticipated to generate \$145,249 of Other Funds to cover the Board’s operating costs for 2013-2015 and allow the board to maintain an adequate ending balance.

In addition to the packages mentioned above, the Subcommittee approved statewide administrative reductions and PERS taxation policy changes reflected in SB 822.

#### Oregon Veterinary Medical Examining Board

The Oregon Veterinary Medical Examining Board regulates the veterinary professions in Oregon through enforcement of the Veterinary Practice Act. The Subcommittee approved a budget of \$743,308 Other Funds and three positions (2.75 FTE), which is 5.9% increase over the 2011-2013 legislatively approved budget. The budget, which includes a fee increase, provides the Board with an ending balance of \$394,477, which is approximately 13 months of operating reserves that should sustain the Board's operations for two biennia.

The Subcommittee approved the following:

- Package 190 – Fee Increase: This package is a revenue only package that includes a fee increase anticipated to generate \$243,000 of Other Funds to cover the Board's operating costs for 2013-2015 and allow the board to maintain an adequate ending balance.

In addition to the package above, the Subcommittee approved statewide administrative reductions and PERS taxation policy changes reflected in SB 822.

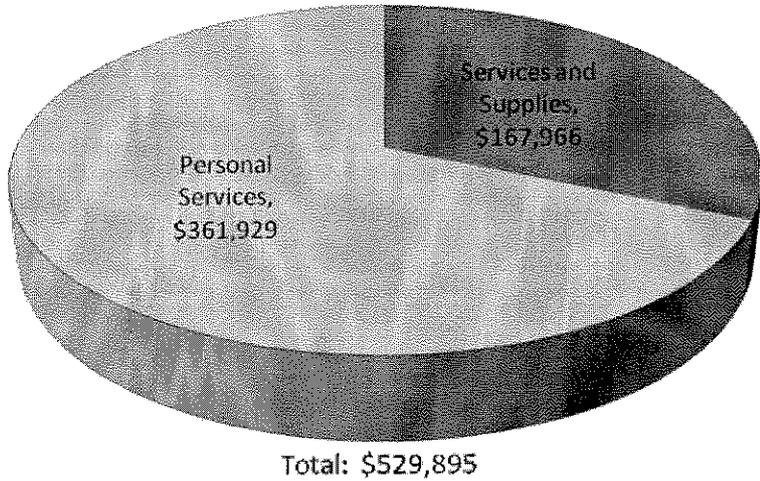
#### Summary of Performance Measure Action

See attached Legislatively Adopted 2013-15 Key Performance Measures form.

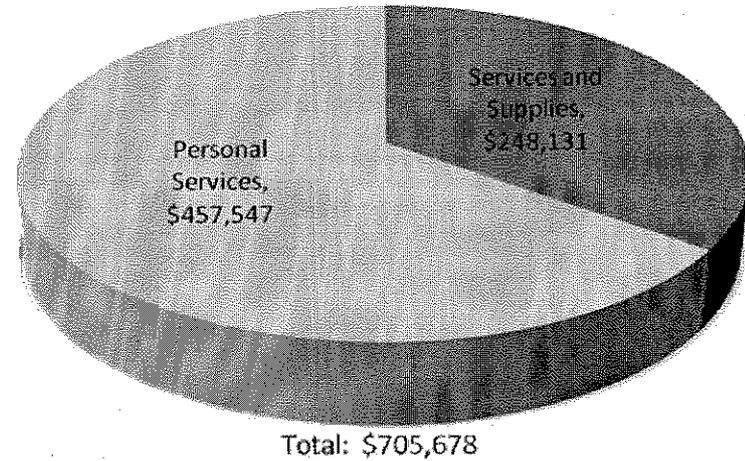
# BUDGET NARRATIVE

## 1.a. Budget Summary Graphics

### 2013 - 15 Legislatively Adopted Budget



### 2015 - 17 Agency Request Budget



BSPA is one agency, one program, totally supported by Other Funds.

# **BUDGET NARRATIVE**

## **1.b. Mission Statement and Statutory Authority**

The Board of Examiners for Speech-Language Pathology and Audiology seeks to protect the public by licensing and regulating the performance of speech-language pathologists (SLPs), speech-language pathology assistants (SLPAs) and audiologists.

The authority and responsibilities of the Board are contained in the Oregon Revised Statutes (ORS) 681.205 through 681.991, and in Oregon Administrative Rules (OAR) 335-001-0000 through 335-070-0095.

## **1.c. Agency Two-Year Strategic or Business Plans**

SLPs, SLPAs, and audiologists provide services to children, seniors, and disabled and/or vulnerable adults. SLPs treat swallowing disorders in patients with traumatic brain injury or stroke, and their clinical judgment can mean life or death for these patients at risk for aspiration. Incompetent hearing and speech professionals can have a significant negative impact on the appropriate development or rehabilitation of patients in their care. Any licensee exhibiting inappropriate behavior such as client abuse, boundary issues, and professional impairment can endanger or otherwise victimize Oregonians. Recent Board actions have addressed all these issues. For example, in one case of endangerment of elderly patients in a skilled nursing facility through incompetent care by an SLP, the Board acted swiftly to issue an emergency suspension and subsequent revocation.

BSPA's mission and goals fall under the Safety outcome area in the Governors' 10-Year Plan. Safety Outcome Strategy 5 is to "Provide education, advocacy and regulatory efforts to ensure the safety, soundness and availability of markets for goods, services, financial products and labor". BSPA's mission is to protect the public as it relates to the practice of speech-language pathology and audiology. Board functions address professional competence and professional conduct, and Board actions focus on remediation and prevention.

The Board's overall strategic goals include the following:

- Continuously improve administrative efficiency and effectiveness through identifying, developing and implementing best practices for customer service, licensing, investigation, disciplinary actions, and administration
- Improve licensee understanding of Board policies and processes
- Maintain or increase access to high quality speech and hearing services provided through licensed professionals
- Further develop partnerships with other licensing and regulatory agencies to achieve mutual aims

## **BUDGET NARRATIVE**

In 2015-17, the Board has two major strategic priorities, which relate to its public protection mission:

1. *Enhancing criminal background checks.* Since 2010, the Board has sought resources to enhance its criminal background check procedures; however, it has not been granted sufficient administrative or investigative resources to accomplish this goal. As was noted in the Secretary of State's Audit of the Health Professional Regulatory Boards in early 2014, BSPA remains one of just 3 health licensing boards that does not perform either LEDS or FBI-based checks. This budget request includes a Policy Option Package to provide investigative and other resources to address this issue.
2. *Creating universal standards for SLP licensure.* The Board has a strategic goal of better protecting Oregonians through establishing universal licensing standards for SLP licensure in this state. The Board's statute (ORS 681.230) allows teachers licensed by the Oregon Teacher Standards and Practices Commission with a communications disorders or speech impaired endorsement, and who practice solely as an employee of a public school district, to be exempt from Board licensure. However, the requirements for licensure are dramatically different between BSPA and TSPC. Since 2009, Board leadership has been actively discussing with TSPC and professional association leaders how TSPC's SLP licensure requirements can be brought into conformance with BSPA's. The Board follows national standards that are based on those of the American Speech-Language Hearing Association (ASHA) Certificate of Clinical Competency (CCCs). These include a a master's degree in SLP from an ASHA-accredited SLP program, completion of 1260 hours of post-graduate supervised clinical experience, and passing the Praxis exam in SLP. By comparison, TSPC licenses SLPs as teachers, based on only a bachelor's degree—and up until 2009, this included those with a bachelor's degree in any field. The Board has proposed a Legislative Concept for the 2015 Legislative Session to eliminate the exemption from Board licensure for SLPs initially licensed by TSPC after June 30, 2016. In this way, TSPC would continue to “grandfather” the few hundred remaining licensees who are not also licensed by the Board.

Goals are updated annually. The detailed draft goals for 2015-17 are outlined in the Agency Initiatives & Accomplishments section.

### **Agency Process Improvement Plans**

BSPA process improvement plans are included in the goals above. Enhancing criminal background checks is a significant goal, for which resources are requested in this budget. This goal was reinforced by the findings of the 2014 Secretary of State's Audit. Administrative improvements include regularly updating all forms, webpages, policies, and procedures. BSPA anticipates implementing a new software program to support licensing and customer service and other administrative functions, replacing a 20-year old program that is difficult to support.

Two Key Performance Measures (KPMs) audit compliance with rules designed to maintain quality of services provided by licensees. The first checks compliance with Board rules for continuing professional development (PD). Licensees are required to report completed PD activities upon

## BUDGET NARRATIVE

renewal, and PD documentation is checked through a random audit of 5-15% of licensees. Licensees with past non-compliance are placed on mandatory re-audit. The second KPM audits compliance with its rules regarding SLPA supervision by SLPs. Annual audits are performed in the spring. Audit non-compliance may be grounds for disciplinary action. Audit results inform Board rule-making and licensee education efforts.

Key performance measures include annual Board effectiveness and customer service surveys; the feedback from these evaluations is used to continuously improve operations. BSPA also underwent a Peer Review Audit in late 2013, which reinforced several existing goals regarding investigations and operations, including the need for dedicated investigative staff.

### 2015-17 Short Term Plan

#### *Agency Programs*

##### *Functions*

The Agency is comprised of one program that regulates the practice of speech-language pathology and audiology and licenses speech-language pathologists, speech-language pathology assistants, and audiologists in the state of Oregon. The Board's functions are entirely supported by Other Funds; specifically by licensing fees and related administrative charges (such as delinquent fees, civil penalties, and sales of licensee mailing lists).

The Board regulates the professional practice of speech-language pathology and audiology through reviewing credentials for licensure, ongoing monitoring of licensees through compliance audits, and investigating complaints regarding professional competence and conduct. BSPA issues licenses to qualified applicants on an ongoing basis, and renews licenses biennially. All regular licenses must be renewed by December 31<sup>st</sup> of odd numbered years to be considered timely. This creates a very uneven revenue cycle, with 90% of BSPA's revenue historically realized in November/December/January of each new biennium.

BSPA references national standards developed by the American Speech-language Hearing Association (ASHA) regarding scope of practice, required education and training, and professional and ethical standards. BSPA also solicits input from the Oregon Academy of Audiology (OAA) and Oregon Speech-language Hearing Association (OSHA) regarding issues important to licensees.

The Board regulates the professional practice of speech-language pathology and audiology through ongoing monitoring of licensees, including investigations regarding professional competence and conduct. The Board receives complaints and reviews them to determine whether the complaints fall within the Board's authority, and, if so, obtains information to establish whether a violation of statutes or rules has occurred. Investigative reports prepared by staff and paid and volunteer peer reviewers are reviewed, and Board members themselves may also interview licensees during an

## BUDGET NARRATIVE

investigation. The Board functions as a “committee of the whole” to determine if a violation has occurred and take appropriate disciplinary action. The Assistant Attorney General (AAG) assigned to the Board is consulted for legal advice on disciplinary and related administrative matters.

### *Volume*

Workload is tracked by two measures—licensee counts and disciplinary/compliance caseload. Licensee counts in July over the past 4 years were:

	July 2014	July 2013	July 2012	July 2011
Total Licenses:	2159	2247	1954	1983
Total Active:	2055	2174	1881	1891
SLP:	1501	1526	1319	1315
AUD:	266	268	247	248
SLPA:	279	312	260	262
SLP/AUD:	9	10	10	10
Conditional:	83	53	43	53
Provisional:	4			
Limited:	1	3	2	2
Probation:	1	2	0	1
Total Inactive:	104	73	73	92
SLP:	74	53	52	70
AUD:	6	5	6	9
SLPA:	24	15	15	13
SLP/AUD:	0	0	0	0

**Note:**

*Conditional Licenses are a one-year license issued to SLPs completing their post-graduate supervised clinical experience.*

*Provisional SLPA Licenses are a temporary license issued for 6 months to SLPA candidates completing their clinical fieldwork.*

*Limited Licenses are a result of disciplinary action taken by the Board to preclude practice on certain age or diagnostic groups.*

*Probation is also a result of disciplinary action; the licensee may practice but must complete certain requirements before reinstatement.*

The total number of licensees this year is up 10.2% over the same time in 2012. The total licensee count in 2013 was up 13.3% from 2011. It is most relevant to compare to two years ago, because of the biennial renewal cycle.

## BUDGET NARRATIVE

Disciplinary and compliance cases have also increased over time:

Investigations	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
New	2	3	22	6	11	18	16	41	57	100	78	54	49
Closed	0	2	20	6	3	9	10	38	49	96	74	34	13
Backlog from Previous Year	0	2	3	3	4	8	6	3	15	8	12	16	19

Note: 2014 investigation data is through 7/17/14.

### *Staffing & Budget Highlights*

The Board is currently staffed by two full-time positions, an Executive Director and an Administrative Assistant (Administrative Specialist 2). This budget proposal includes a policy package to add a part-time staff Investigator 2 (0.5 FTE) and support legal and hearings officer fees needed to support the enhanced criminal background checks and the increase in investigative/disciplinary caseload anticipated as a result. This will bring the total staff to 2.5 FTE.

**No General Funds are used to fund the Board program or functions.** Licensing fees provide 98% of Board revenue; the remainder comes from civil penalties or delinquent fees for violations of Board statutes and rules, interest income and sales of mailing lists. These are all Other Funds.

For 2015-2017, projected revenue (all Other Funds) is \$522,590. Total expenditures are \$529,895, and the ending balance is projected at \$149,506. The projected ending balance is expected to sustain agency operations throughout the revenue cycle and through 2015-17 without fee increases.

### *Environmental Factors*

- Growth and aging of the state population is increasing the demand for SLP and audiology services. According to the *U.S. Occupational Outlook*, the number of audiologists is expected to grow 10% during 2006-2016, and the number of SLPs is projected to increase 11%. BSPA has already seen a 26% increase in licensees from 2006-14.
- Pacific University has added graduate programs in audiology and SLP, and PSU has increased its SLP graduate program capacity by 50%. These changes increased the number of Oregon graduates qualified for licensing beginning in 2013.

## BUDGET NARRATIVE

- A shortage of qualified SLPs has existed in all geographical areas of the state; particularly in rural areas. This appears to be subsiding with increased in-migration, the slow economic recovery, and the increased capacity of the Oregon training programs. There remains a problem in recruitment and retention of SLPs in rural areas. The Board is engaging in ongoing discussions with ODE, TSPC, and the professional association (OSHA) to address these issues.
- Increased awareness of the law requiring speech-language pathology assistant (SLPA) certification and use of SLPAs due to the shortage of SLPs has contributed to the use of SLPAs. The Board responded in September 2013 by creating a Provisional SLPA license to allow individuals *not* enrolled in a university program to legally complete clinical fieldwork required for SLPA certification.
- SLPAs are required to be supervised by a SLP licensed by the Board, or by an SLP certified by TSPC who has agreed to follow the supervision rules adopted by the Board. This maintains supervision standards and provides the Board with jurisdiction over all aspects of SLPA practice.
- Improved awareness of the Board's role in consumer protection has resulted in increased administrative and legal costs associated with investigations and disciplinary actions. From 1989-2006, the Board received only 2-3 outside complaints per year. The Board now engages in more compliance investigations and communicates regularly with other jurisdictions regarding complaints filed elsewhere. Recent statistics demonstrate a striking increase in caseload.
- The number of SLPs licensed by TSPC has declined from 1,007 in November 2009 to 512 in July 2014. The number of TSPC's SLPs who do not currently hold Board licensure, or have never held Board licensure is fewer than 200. This is the maximum number of individuals who would need to be grandfathered with TSPC after the proposed legislative concept would be in effect. .
- In ORS 694 and OAR 333-025, the State of Oregon requires hearing aid dealers to be licensed through the Oregon Health Licensing Agency. Legislative changes in 2009 recognized hearing aid dispensing as part of the scope of practice of audiologists. Board-licensed audiologists are no longer required to be licensed by OHLA; regulation of this function is now under the aegis of this Board. However, there remain issues of mutual interest and cooperation between BSPA and OHLA regarding these related license types. A recent example is the need to clarify scope of practice issues regarding tinnitus evaluation.

# BUDGET NARRATIVE

## *Agency Initiatives & Accomplishments*

### **BSPA Goals 2015-17**

#### **Draft 7/8/14 – to be finalized at 8/8/14 Board Meeting**

#### **I. Strategic**

- A. Collaborate with school districts, TSPC, and other stakeholders regarding any transition issues related to Legislative Concept eliminating exemption from Board licensure for SLPs licensed by TSPC prior to July 1, 2016
- B. Review ORS and OARs (including code of conduct) and propose changes as needed based upon best practices and current cases
- C. Monitor and participate in efforts to increase “efficiencies” among HRLBs, including support of semi-independent model as appropriate
- D. Monitor professional shortages and work with licensees, employers, and training programs to develop appropriate responses
- E. Continue collaboration with OSHA, OAA, ODE, school administrators, and training program directors

#### **II. Financial**

- A. Develop and present 2017-19 Agency Request Budget, including policy packages for needed fees and expenditures to meet workload and carry out mission
- B. Operate agency within approved budget; consider requesting additional allocation at E-Board if needed

#### **III. Policy Development**

- A. Refine and implement Board policy regarding criminal background checks, as appropriate for resources and risk management
- B. Collaborate with OAA on potential development of legislative concept for licensing Audiology Assistants in 2017 or later
- C. Continue to monitor statewide and national developments in policy regarding impaired professionals and propose policy as needed

#### **IV. Investigation/Discipline**

- A. Conduct investigations and sanction licensees and non-licensees as needed to ensure compliance with Board regulations and protect the public
- B. Develop tool to assess priorities for complaint review/investigation, as time permits
- C. Develop standardized report formats, file conventions, and task management/communication systems to support investigative functions, as time permits
- D. Complete HIPDB reporting and website postings within 30 days of Board action
- E. Process complaint caseload on a timely and cost-effective basis

## BUDGET NARRATIVE

### **V. Compliance/Evaluation**

- A. Review Board effectiveness in accordance with Key Performance Measures
  - 1. SLPA supervision audits (annual);
  - 2. Professional Development audits (biennial);
  - 3. Customer service survey data (annual)
- B. Complete annual reports as requested by Governor's Office
- C. Continue to participate in HRLB peer review process
- D. Develop Board self-evaluation tool to address communication, decision-making, training, and succession planning, as time permits

### **VI. Operations**

- A. Work with IT Consultant to expand functionalities of new CRM system as needed
- B. Improve statistical tracking system to create timely and useful management reports
- C. Continue to update operations manual to document Board policies and office procedures
- D. Update website content to provide timely, user-friendly information to licensees and public
- E. Develop backup staffing arrangements to support BSPA operations
- F. Complete biennial Affirmative Action/Diversity & Inclusion Plan and meet policy goals

### ***Legislative Concepts***

As already mentioned, one legislative concept is proposed for 2015.

While ORS Chapter 681 requires Board licensure for the practice of speech-language pathology and audiology in Oregon, there are certain exemptions from licensure. The most significant exemption allows SLPs practicing *solely* in public school districts to be licensed by the Teacher Standards and Practices Commission (TSPC) instead of the Board. Board licenses authorize speech and hearing professionals to work in any setting, and licensing standards are based on those for national certification by the American Speech-Language Hearing Association (ASHA), which also accredits graduate programs. TSPC requirements for educator licensure with an endorsement in speech impaired or communications disorders are lower than Board standards. Collaboration with TSPC and other stakeholders has led to the development of a Legislative Concept for 2015 to eliminate the exemption from Board licensure for SLPs initially licensed by TSPC before June 30, 2016.

## BUDGET NARRATIVE

### *Key Accomplishments July 2013-June 2014*

#### **Financial**

Managed agency significantly under budget during 2013- 14, while still providing administrative services at effective levels:

- Revenues: Revenue collected in first year matches the biennial budget; expected to end biennium approximately \$58,000 over budget.
- Expenditures currently under budget. If current levels continue, would end biennium approximately \$18,000 under expenditures budget.
- Implemented staff increase to 2.0 FTE as approved

#### **Operations**

- Personnel management:
  - Continued training/mentoring of Administrative Assistant hired December 2012.
  - Customer service survey shows significant improvement in all measures—and overall from 83% to 88% over last year. This included a renewal period.
  - Engaged licensed private investigator to support Board caseload, with professional services contract issued in October 2013. Contractor is a minority-owned business.
  - Worked with DAS Procurement Officer to extend investigator contract beyond first \$5,000 of services. Explored concept of combining bid process with Social Work Board and/or other HRLBs. Bid proposal finalized in June 2014.
  - Executive Director received Special Recognition Award from NCSB, based on nomination of Board leaders.
- Reviewed all policies and procedures in July 2013.
- Provided and oversaw support for over 2,331 licensees as of January 2014—a record high number of licensees and renewals.
- Communications
  - Continued to update and codify Board policies and office procedures.
  - Updated Board orientation manual in June 2014 for new Board members.
  - Issued customer service survey in October 2013, reviewed with Board, and followed up on issues identified.
  - Improved webpages on licensing, PD, and forms. Continued work to refine/improve general navigation and the FAQ page. Indexed past newsletters to more easily find content.
  - Continued outreach meetings to SLP students, including University of Oregon.

## **BUDGET NARRATIVE**

- Reviewed and updated all application forms for rule changes and to further clarify requirements. Asking for employment history to match against reported licensure. Developed and implemented provisional SLPA application forms, including revised clinical competency checklist to reflect periodic evaluations.

### **Investigation/Discipline**

- Spent significant time and legal/clinical consultant resources on one major contested case, including lengthy settlement negotiations, followed by orienting new AAG, filing a Motion for Summary Determination, and preparing for and appearing at hearing conducted March 5-6, 2014.
- Investigated and managed expanded complaint caseload (54 cases opened in 2013; 49 in first half of 2013).
- Conducted investigations and drafted documents to sanction licensees as directed by Board, including 12 final orders.
- Met requirement for reporting Board actions to HIPDB within 30 days of action in 9 out of 12 cases.

### **Compliance/Evaluation**

- Underwent Secretary of State Audit in August-December 2013. Major issue identified was criminal background checks.
- Underwent HRLB Peer Review Audit in August/September 2013. Issues identified related to staffing limitations, and have been addressed in the response.
- Revised Affirmative Action Plan for 2013-15 to meet expanded requirements, and conducted agency operations in accordance with Plan.
- Close evaluation of application materials has revealed multiple cases of unlicensed practice by applicants and others. Cases addressed by Board in Executive Session.
- Continued to communicate TSPC and Board licensure requirements to multiple stakeholders, and licensees through educational contacts and follow-up on unlicensed practice cases.
- Conducted Professional Development and SLPA supervision audits, and with results reviewed by Board for potential action.

## **BUDGET NARRATIVE**

### **Strategic**

- Collaborated with OSHA, ODE, TSPC, OEA, university program leaders to gain support for a Legislative Concept to eliminate the TSPC exemption and move towards universal licensure. Identified solutions for grandfathering and timing this transition.
- Worked with Governor's Executive Appointments Office to complete the plan to stagger Board terms to meet statutory and operational requirements. Proactively recruited three new Board members to replace outgoing members, and facilitated re-appointment of two members, so that transition occurred without any vacancies.
- Met regularly with other Health Related Licensing Boards to share best practices and consider further operational efficiencies.
- Developed new temporary license category (Provisional SLPA) to address issues related to applicants with bachelor's degrees in SLP. Drafted and implemented new rules (temporary September 2013, permanent November 2013), policies and procedures to create compliance with licensing statute. Reached out to employers to solicit input and educate them about new requirements.
- Outreach to ODE resulted in ongoing meetings to address SLP shortage and licensing issues.

### **Policy Development**

- Researched other agencies' policies and rules to draft temporary rules to implement enhanced criminal background checks. Worked closely with Oregon State Police to identify and overcome implementation barriers. Rules implemented May 2014.
- Engaged clinical consultant to research and present findings on telepractice; Board concluded that no specific rule-making needed at this time.
- Collaborated with Oregon Academy of Audiology (OAA) to develop and implement survey regarding Audiology Assistants in April 2014.
- Board leaders attended CLEAR and NCSB annual conferences to learn about telepractice, audiology assistants and other national issues.

## **BUDGET NARRATIVE**

### **1.d. Criteria for 2013-2015 Budget Development**

In developing the 2013-2015 budget, the Board considered the following criteria:

1. Is it required for basic licensing, investigation, and disciplinary functions?
2. Does it enhance customer service?
3. Does it improve public safety?
4. Does it move the Board towards its long-term strategic plan?
5. Does it support one or more of the Board initiatives?
6. Does it resolve current or potential problems, or otherwise improve agency operations?
7. Can it be implemented within existing statutes and rules? If not, consider statute/rule amendments.

### **1.e. Performance Measures**

See Annual Performance Progress Report to be included in Special Reports of the Governor's Budget.

### **1.f. Major IT Projects/Initiatives**—None.

2. **Summary of 2015-17 Budget**—See ORBITS report BDV104 on page B14.
3. **Program Prioritization for 2015-17**—Form 107BF23 not applicable. Agency has only one program.
4. **Reduction Options**—ORS 291.216 Reduction Option Form (Form 107BF17) follows on page B27.
5. **Organization Chart 2013-15**—Follows on page B28.
6. **Organization Chart 2015-17**—Follows on page B29.

**Summary of 2015-17 Biennium Budget**

Health Related Licensing Boards  
 Speech-Language Path. and Audio.  
 2015-17 Biennium

Agency Request Budget  
 Cross Reference Number: 83300-028-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
2013-15 Leg Adopted Budget	2	2.00	529,895	-	-	529,895	-	-	-
2013-15 Emergency Boards	-	-	14,337	-	-	14,337	-	-	-
<b>2013-15 Leg Approved Budget</b>	<b>2</b>	<b>2.00</b>	<b>544,232</b>	-	-	<b>544,232</b>	-	-	-
<b>2015-17 Base Budget Adjustments</b>									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	-	-	2,626	-	-	2,626	-	-	-
Estimated Cost of Merit Increase	-	-	-	-	-	-	-	-	-
Base Debt Service Adjustment	-	-	-	-	-	-	-	-	-
Base Nonlimited Adjustment	-	-	-	-	-	-	-	-	-
Capital Construction	-	-	-	-	-	-	-	-	-
<b>Subtotal 2015-17 Base Budget</b>	<b>2</b>	<b>2.00</b>	<b>546,858</b>	-	-	<b>546,858</b>	-	-	-
<b>Essential Packages</b>									
010 - Non-PICS Pers Svc/Vacancy Factor									
Non-PICS Personal Service Increase/(Decrease)	-	-	1,290	-	-	1,290	-	-	-
<b>Subtotal</b>	-	-	<b>1,290</b>	-	-	<b>1,290</b>	-	-	-
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	-	-	-	-	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	-	-	-	-	-	-	-
<b>Subtotal</b>	-	-	-	-	-	-	-	-	-
030 - Inflation & Price List Adjustments									
Cost of Goods & Services Increase/(Decrease)	-	-	16,166	-	-	16,166	-	-	-
State Gov't & Services Charges Increase/(Decrease)	-	-	6,810	-	-	6,810	-	-	-
<b>Subtotal</b>	-	-	<b>22,976</b>	-	-	<b>22,976</b>	-	-	-

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**Summary of 2015-17 Biennium Budget**

Health Related Licensing Boards  
 Speech-Language Path. and Audio.  
 2015-17 Biennium

Agency Request Budget  
 Cross Reference Number: 83300-028-00-00-00000

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
040 - Mandated Caseload									
040 - Mandated Caseload	-	-	-	-	-	-	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									
060 - Technical Adjustments	-	-	-	-	-	-	-	-	-
<b>Subtotal: 2015-17 Current Service Level</b>	<b>2</b>	<b>2.00</b>	<b>571,124</b>	-	-	<b>571,124</b>	-	-	-

BIS

**Summary of 2015-17 Biennium Budget**

Health Related Licensing Boards  
Speech-Language Path. and Audio.  
2015-17 Biennium

Agency Request Budget  
Cross Reference Number: 83300-028-00-00-00000

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
<b>Subtotal: 2015-17 Current Service Level</b>	<b>2</b>	<b>2.00</b>	<b>571,124</b>	-	-	<b>571,124</b>	-	-	-
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	-	-	-	-	-	-	-	-	-
<b>Modified 2015-17 Current Service Level</b>	<b>2</b>	<b>2.00</b>	<b>571,124</b>	-	-	<b>571,124</b>	-	-	-
080 - E-Boards									
080 - May 2014 E-Board	-	-	-	-	-	-	-	-	-
<b>Subtotal Emergency Board Packages</b>	-	-	-	-	-	-	-	-	-
Policy Packages									
101 - Indigent Dispo Fund Admin & Records Inspection	-	-	-	-	-	-	-	-	-
110 - Improving Customer Service	-	-	-	-	-	-	-	-	-
120 - Increased Administrative Workload	-	-	-	-	-	-	-	-	-
121 - Increased Therapists Investigative Workload	-	-	-	-	-	-	-	-	-
130 - Fingerprint Background Check Fee	-	-	-	-	-	-	-	-	-
131 - Expanded Access to Fluoroscopy Permits	-	-	-	-	-	-	-	-	-
140 - Investigative Workload & Background Checks	1	0.50	134,554	-	-	134,554	-	-	-
150 - Increased Veterinary Investigative Workload	-	-	-	-	-	-	-	-	-
<b>Subtotal Policy Packages</b>	<b>1</b>	<b>0.50</b>	<b>134,554</b>	-	-	<b>134,554</b>	-	-	-
<b>Total 2015-17 Agency Request Budget</b>	<b>3</b>	<b>2.50</b>	<b>705,678</b>	-	-	<b>705,678</b>	-	-	-
Percentage Change From 2013-15 Leg Approved Budget	50.00%	25.00%	29.70%	-	-	29.70%	-	-	-
Percentage Change From 2015-17 Current Service Level	50.00%	25.00%	23.60%	-	-	23.60%	-	-	-

**Health Related Licensing Boards**

**Agency Number: 83300**

Agency Worksheet - Revenues & Expenditures  
 2015-17 Biennium  
 Speech-Language Path. and Audio.

Version: V - 01 - Agency Request Budget  
 Cross Reference Number: 83300-028-00-00-00000

DESCRIPTION	2011-13 Actuals	2013-15 Leg Adopted Budget	2013-15 Emergency Boards	2013-15 Leg Approved Budget	2015-17 Base Budget	2015-17 Current Service Level
<b>BEGINNING BALANCE</b>						
<b>0025 Beginning Balance</b>						
3400 Other Funds Ltd	351,072	243,063	-	243,063	332,594	332,594
<b>0030 Beginning Balance Adjustment</b>						
3400 Other Funds Ltd	-	88,798	-	88,798	-	-
<b>TOTAL BEGINNING BALANCE</b>						
3400 Other Funds Ltd	351,072	331,861	-	331,861	332,594	332,594
<b>TOTAL BEGINNING BALANCE</b>	<b>\$351,072</b>	<b>\$331,861</b>	<b>-</b>	<b>\$331,861</b>	<b>\$332,594</b>	<b>\$332,594</b>

**REVENUE CATEGORIES**

**LICENSES AND FEES**

**0205 Business Lic and Fees**

    3400 Other Funds Ltd                      364,488              456,858              -              456,858              517,302              517,302

**FINES, RENTS AND ROYALTIES**

**0505 Fines and Forfeitures**

    3400 Other Funds Ltd                      6,000              5,000              -              5,000              1,275              1,275

**INTEREST EARNINGS**

**0605 Interest Income**

    3400 Other Funds Ltd                      4,875              2,500              -              2,500              4,013              4,013

**OTHER**

**0975 Other Revenues**

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**Health Related Licensing Boards**

**Agency Number: 83300**

Agency Worksheet - Revenues & Expenditures  
 2015-17 Biennium  
 Speech-Language Path. and Audio.

Version: V - 01 - Agency Request Budget  
 Cross Reference Number: 83300-028-00-00-00000

DESCRIPTION	2011-13 Actuals	2013-15 Leg Adopted Budget	2013-15 Emergency Boards	2013-15 Leg Approved Budget	2015-17 Base Budget	2015-17 Current Service Level
3400 Other Funds Ltd	228	-	-	-	-	-
<b>REVENUES</b>						
3400 Other Funds Ltd	375,591	464,358	-	464,358	522,590	522,590
<b>AVAILABLE REVENUES</b>						
3400 Other Funds Ltd	726,663	796,219	-	796,219	855,184	855,184
<b>EXPENDITURES</b>						
<b>PERSONAL SERVICES</b>						
<b>SALARIES &amp; WAGES</b>						
<b>3110 Class/Unclass Sal. and Per Diem</b>						
3400 Other Funds Ltd	166,670	236,724	7,233	243,957	245,028	245,028
<b>3160 Temporary Appointments</b>						
3400 Other Funds Ltd	2,423	-	-	-	-	-
<b>3190 All Other Differential</b>						
3400 Other Funds Ltd	226	-	-	-	-	-
<b>TOTAL SALARIES &amp; WAGES</b>						
3400 Other Funds Ltd	169,319	236,724	7,233	243,957	245,028	245,028
<b>TOTAL SALARIES &amp; WAGES</b>	<b>\$169,319</b>	<b>\$236,724</b>	<b>\$7,233</b>	<b>\$243,957</b>	<b>\$245,028</b>	<b>\$245,028</b>
<b>OTHER PAYROLL EXPENSES</b>						
<b>3210 Empl. Rel. Bd. Assessments</b>						
3400 Other Funds Ltd	-	80	-	80	88	88

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**Health Related Licensing Boards**

**Agency Number: 83300**

**Agency Worksheet - Revenues & Expenditures**  
**2015-17 Biennium**  
**Speech-Language Path. and Audio.**

**Version: V - 01 - Agency Request Budget**  
**Cross Reference Number: 83300-028-00-00-00000**

<i>DESCRIPTION</i>	<i>2011-13 Actuals</i>	<i>2013-15 Leg Adopted Budget</i>	<i>2013-15 Emergency Boards</i>	<i>2013-15 Leg Approved Budget</i>	<i>2015-17 Base Budget</i>	<i>2015-17 Current Service Level</i>
<b>3220 Public Employees' Retire Cont</b>						
3400 Other Funds Ltd	24,128	34,543	1,042	35,585	38,491	38,491
<b>3221 Pension Obligation Bond</b>						
3400 Other Funds Ltd	9,960	9,776	4,576	14,352	14,352	15,165
<b>3230 Social Security Taxes</b>						
3400 Other Funds Ltd	12,704	18,111	553	18,664	18,746	18,746
<b>3250 Worker's Comp. Assess. (WCD)</b>						
3400 Other Funds Ltd	81	118	-	118	138	138
<b>3260 Mass Transit Tax</b>						
3400 Other Funds Ltd	1,010	950	43	993	993	1,470
<b>3270 Flexible Benefits</b>						
3400 Other Funds Ltd	47,319	61,056	890	61,946	61,056	61,056
<b>TOTAL OTHER PAYROLL EXPENSES</b>						
3400 Other Funds Ltd	95,202	124,634	7,104	131,738	133,864	135,154
<b>TOTAL OTHER PAYROLL EXPENSES</b>	<b>\$95,202</b>	<b>\$124,634</b>	<b>\$7,104</b>	<b>\$131,738</b>	<b>\$133,864</b>	<b>\$135,154</b>
<b>P.S. BUDGET ADJUSTMENTS</b>						
<b>3465 Reconciliation Adjustment</b>						
3400 Other Funds Ltd	-	10,359	-	10,359	-	-
<b>3991 PERS Policy Adjustment</b>						
3400 Other Funds Ltd	-	(9,788)	-	(9,788)	-	-

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**Health Related Licensing Boards**

**Agency Number: 83300**

Agency Worksheet - Revenues & Expenditures  
 2015-17 Biennium  
 Speech-Language Path. and Audio.

Version: V - 01 - Agency Request Budget  
 Cross Reference Number: 83300-028-00-00-00000

DESCRIPTION	2011-13 Actuals	2013-15 Leg Adopted Budget	2013-15 Emergency Boards	2013-15 Leg Approved Budget	2015-17 Base Budget	2015-17 Current Service Level
<b>TOTAL P.S. BUDGET ADJUSTMENTS</b>						
3400 Other Funds Ltd	-	571	-	571	-	-
<b>TOTAL P.S. BUDGET ADJUSTMENTS</b>	-	<b>\$571</b>	-	<b>\$571</b>	-	-
<b>TOTAL PERSONAL SERVICES</b>						
3400 Other Funds Ltd	264,521	361,929	14,337	376,266	378,892	380,182
<b>TOTAL PERSONAL SERVICES</b>	<b>\$264,521</b>	<b>\$361,929</b>	<b>\$14,337</b>	<b>\$376,266</b>	<b>\$378,892</b>	<b>\$380,182</b>
<b>SERVICES &amp; SUPPLIES</b>						
<b>4100 Instate Travel</b>						
3400 Other Funds Ltd	5,537	6,656	-	6,656	6,656	6,856
<b>4125 Out of State Travel</b>						
3400 Other Funds Ltd	4,731	3,686	-	3,686	3,686	3,797
<b>4150 Employee Training</b>						
3400 Other Funds Ltd	3,207	3,277	-	3,277	3,277	3,375
<b>4175 Office Expenses</b>						
3400 Other Funds Ltd	4,701	6,914	-	6,914	6,914	7,121
<b>4200 Telecommunications</b>						
3400 Other Funds Ltd	1,649	3,419	-	3,419	3,419	3,522
<b>4225 State Gov. Service Charges</b>						
3400 Other Funds Ltd	20,670	23,714	-	23,714	6,756	13,566
<b>4250 Data Processing</b>						

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**Health Related Licensing Boards**

**Agency Number: 83300**

Agency Worksheet - Revenues & Expenditures

Version: V - 01 - Agency Request Budget

2015-17 Biennium

Cross Reference Number: 83300-028-00-00-00000

Speech-Language Path. and Audio.

DESCRIPTION	2011-13 Actuals	2013-15 Leg Adopted Budget	2013-15 Emergency Boards	2013-15 Leg Approved Budget	2015-17 Base Budget	2015-17 Current Service Level
3400 Other Funds Ltd	-	-	-	-	-	728
<b>4275 Publicity and Publications</b>						
3400 Other Funds Ltd	839	1,843	-	1,843	1,843	1,898
<b>4300 Professional Services</b>						
3400 Other Funds Ltd	2,839	25,303	-	25,303	25,303	26,138
<b>4315 IT Professional Services</b>						
3400 Other Funds Ltd	5,568	4,112	-	4,112	4,112	4,247
<b>4325 Attorney General</b>						
3400 Other Funds Ltd	33,988	38,283	-	38,283	38,283	45,633
<b>4400 Dues and Subscriptions</b>						
3400 Other Funds Ltd	1,280	1,536	-	1,536	1,536	1,582
<b>4425 Facilities Rental and Taxes</b>						
3400 Other Funds Ltd	16,490	19,171	-	19,171	19,171	19,746
<b>4575 Agency Program Related S and S</b>						
3400 Other Funds Ltd	-	19,358	-	19,358	19,358	19,939
<b>4650 Other Services and Supplies</b>						
3400 Other Funds Ltd	3,303	7,652	(462)	7,190	24,148	29,185
<b>4675 Undistributed (S.S.)</b>						
3400 Other Funds Ltd	-	(462)	462	-	-	-
<b>4700 Expendable Prop 250 - 5000</b>						

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**Health Related Licensing Boards**

**Agency Number: 83300**

Agency Worksheet - Revenues & Expenditures

Version: V - 01 - Agency Request Budget

2015-17 Biennium

Cross Reference Number: 83300-028-00-00-00000

Speech-Language Path. and Audio.

DESCRIPTION	2011-13 Actuals	2013-15 Leg Adopted Budget	2013-15 Emergency Boards	2013-15 Leg Approved Budget	2015-17 Base Budget	2015-17 Current Service Level
3400 Other Funds Ltd	996	-	-	-	-	-
<b>4715 IT Expendable Property</b>						
3400 Other Funds Ltd	2,108	3,504	-	3,504	3,504	3,609
<b>TOTAL SERVICES &amp; SUPPLIES</b>						
3400 Other Funds Ltd	107,906	167,966	-	167,966	167,966	190,942
<b>TOTAL SERVICES &amp; SUPPLIES</b>	<b>\$107,906</b>	<b>\$167,966</b>	-	<b>\$167,966</b>	<b>\$167,966</b>	<b>\$190,942</b>
<b>EXPENDITURES</b>						
3400 Other Funds Ltd	372,427	529,895	14,337	544,232	546,858	571,124
<b>ENDING BALANCE</b>						
3400 Other Funds Ltd	354,236	266,324	(14,337)	251,987	308,326	284,060
<b>TOTAL ENDING BALANCE</b>	<b>\$354,236</b>	<b>\$266,324</b>	<b>(\$14,337)</b>	<b>\$251,987</b>	<b>\$308,326</b>	<b>\$284,060</b>
<b>AUTHORIZED POSITIONS</b>						
8150 Class/Unclass Positions	2	2	-	2	2	2
<b>AUTHORIZED FTE POSITIONS</b>						
8250 Class/Unclass FTE Positions	1.40	2.00	-	2.00	2.00	2.00

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**Health Related Licensing Boards**

**Agency Number: 83300**

**Detail Revenues & Expenditures - Requested Budget  
2015-17 Biennium  
Speech-Language Path. and Audio.**

**Version: V - 01 - Agency Request Budget  
Cross Reference Number: 83300-028-00-00-00000**

Description	2015-17 Base Budget	Essential Packages	2015-17 Current Service Level	Policy Packages	2015-17 Agency Request Budget
<b>BEGINNING BALANCE</b>					
<b>0025 Beginning Balance</b>					
3400 Other Funds Ltd	332,594	-	332,594	-	332,594
<b>REVENUE CATEGORIES</b>					
<b>LICENSES AND FEES</b>					
<b>0205 Business Lic and Fees</b>					
3400 Other Funds Ltd	517,302	-	517,302	-	517,302
<b>FINES, RENTS AND ROYALTIES</b>					
<b>0505 Fines and Forfeitures</b>					
3400 Other Funds Ltd	1,275	-	1,275	-	1,275
<b>INTEREST EARNINGS</b>					
<b>0605 Interest Income</b>					
3400 Other Funds Ltd	4,013	-	4,013	-	4,013
<b>TOTAL REVENUES</b>					
3400 Other Funds Ltd	522,590	-	522,590	-	522,590
<b>AVAILABLE REVENUES</b>					
3400 Other Funds Ltd	855,184	-	855,184	-	855,184
<b>EXPENDITURES</b>					
<b>PERSONAL SERVICES</b>					
<b>SALARIES &amp; WAGES</b>					
<b>3110 Class/Unclass Sal. and Per Diem</b>					
3400 Other Funds Ltd	245,028	-	245,028	37,668	282,696
<b>OTHER PAYROLL EXPENSES</b>					

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**Health Related Licensing Boards**

**Agency Number: 83300**

**Detail Revenues & Expenditures - Requested Budget**

**Version: V - 01 - Agency Request Budget**

**2015-17 Biennium**

**Cross Reference Number: 83300-028-00-00-00000**

**Speech-Language Path. and Audio.**

Description	2015-17 Base Budget	Essential Packages	2015-17 Current Service Level	Policy Packages	2015-17 Agency Request Budget
<b>3210 Empl. Rel. Bd. Assessments</b>					
3400 Other Funds Ltd	88	-	88	44	132
<b>3220 Public Employees' Retire Cont</b>					
3400 Other Funds Ltd	38,491	-	38,491	5,948	44,439
<b>3221 Pension Obligation Bond</b>					
3400 Other Funds Ltd	14,352	813	15,165	-	15,165
<b>3230 Social Security Taxes</b>					
3400 Other Funds Ltd	18,746	-	18,746	2,882	21,628
<b>3250 Worker's Comp. Assess. (WCD)</b>					
3400 Other Funds Ltd	138	-	138	69	207
<b>3260 Mass Transit Tax</b>					
3400 Other Funds Ltd	993	477	1,470	226	1,696
<b>3270 Flexible Benefits</b>					
3400 Other Funds Ltd	61,056	-	61,056	30,528	91,584
<b>TOTAL OTHER PAYROLL EXPENSES</b>					
3400 Other Funds Ltd	133,864	1,290	135,154	39,697	174,851
<b>TOTAL PERSONAL SERVICES</b>					
3400 Other Funds Ltd	378,892	1,290	380,182	77,365	457,547
<b>SERVICES &amp; SUPPLIES</b>					
<b>4100 Instate Travel</b>					
3400 Other Funds Ltd	6,656	200	6,856	5,000	11,856
<b>4125 Out of State Travel</b>					
3400 Other Funds Ltd	3,686	111	3,797	-	3,797

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**Health Related Licensing Boards**

**Agency Number: 83300**

**Detail Revenues & Expenditures - Requested Budget**

**Version: V - 01 - Agency Request Budget**

**2015-17 Biennium**

**Cross Reference Number: 83300-028-00-00-00000**

**Speech-Language Path. and Audio.**

Description	2015-17 Base Budget	Essential Packages	2015-17 Current Service Level	Policy Packages	2015-17 Agency Request Budget
<b>4150 Employee Training</b>					
3400 Other Funds Ltd	3,277	98	3,375	-	3,375
<b>4175 Office Expenses</b>					
3400 Other Funds Ltd	6,914	207	7,121	500	7,621
<b>4200 Telecommunications</b>					
3400 Other Funds Ltd	3,419	103	3,522	600	4,122
<b>4225 State Gov. Service Charges</b>					
3400 Other Funds Ltd	6,756	6,810	13,566	-	13,566
<b>4250 Data Processing</b>					
3400 Other Funds Ltd	-	728	728	250	978
<b>4275 Publicity and Publications</b>					
3400 Other Funds Ltd	1,843	55	1,898	-	1,898
<b>4300 Professional Services</b>					
3400 Other Funds Ltd	25,303	835	26,138	15,000	41,138
<b>4315 IT Professional Services</b>					
3400 Other Funds Ltd	4,112	135	4,247	500	4,747
<b>4325 Attorney General</b>					
3400 Other Funds Ltd	38,283	7,350	45,633	28,863	74,496
<b>4375 Employee Recruitment and Develop</b>					
3400 Other Funds Ltd	-	-	-	200	200
<b>4400 Dues and Subscriptions</b>					
3400 Other Funds Ltd	1,536	46	1,582	-	1,582
<b>4425 Facilities Rental and Taxes</b>					

B25

**Health Related Licensing Boards**

**Agency Number: 83300**

**Detail Revenues & Expenditures - Requested Budget  
2015-17 Biennium  
Speech-Language Path. and Audio.**

**Version: V - 01 - Agency Request Budget  
Cross Reference Number: 83300-028-00-00-00000**

Description	2015-17 Base Budget	Essential Packages	2015-17 Current Service Level	Policy Packages	2015-17 Agency Request Budget
3400 Other Funds Ltd	19,171	575	19,746	4,176	23,922
<b>4575 Agency Program Related S and S</b>					
3400 Other Funds Ltd	19,358	581	19,939	-	19,939
<b>4650 Other Services and Supplies</b>					
3400 Other Funds Ltd	24,148	5,037	29,185	400	29,585
<b>4700 Expendable Prop 250 - 5000</b>					
3400 Other Funds Ltd	-	-	-	400	400
<b>4715 IT Expendable Property</b>					
3400 Other Funds Ltd	3,504	105	3,609	1,300	4,909
<b>TOTAL SERVICES &amp; SUPPLIES</b>					
3400 Other Funds Ltd	167,966	22,976	190,942	57,189	248,131
<b>TOTAL EXPENDITURES</b>					
3400 Other Funds Ltd	546,858	24,266	571,124	134,554	705,678
<b>ENDING BALANCE</b>					
3400 Other Funds Ltd	308,326	(24,266)	284,060	(134,554)	149,506
<b>AUTHORIZED POSITIONS</b>					
8150 Class/Unclass Positions	2	-	2	1	3
<b>AUTHORIZED FTE</b>					
8250 Class/Unclass FTE Positions	2.00	-	2.00	0.50	2.50

B26

## 10% REDUCTIONS OPTIONS (ORS 291.216)

ACTIVITY OR PROGRAM	DESCRIBE REDUCTION	AMOUNT AND FUND TYPE	RANK AND JUSTIFICATION
(WHICH PROGRAM OR ACTIVITY WILL NOT BE UNDERTAKEN)	(DESCRIBE THE EFFECTS OF THIS REDUCTION. INCLUDE POSITIONS AND FTE IN 2011-13 AND 2013-15)	(GF, LF, OF, FF. IDENTIFY REVENUE SOURCE FOR OF, FF)	(RANK ACTIVITIES NOT UNDERTAKEN IN ORDER OF LOWEST COST FOR BENEFIT OBTAINED)
Capture savings in State Government Service Charges	LESS 10% STATEWIDE REDUCTION	\$1,357 OF	1
Telecommunications	REDUCTION OF TELECOMMUNICATIONS COSTS	\$2,000 OF	2
Reduce Other Services & Supplies	TO BRING SGSCs to 2013-15 LAB + 3% INFLATION LESS 10% STATEWIDE REDUCTION LEVEL	\$13,365 OF	3
Reduce Publicity & Publications	REDUCE PUBLICATIONS EDUCATING LICENSEES	\$ 1,000 OF	4
Eliminate Dues & Subscriptions	REDUCE TRAINING & BOARD COMPETENCE	\$1,536 OF	5
Reduce/delay Office Supply Purchases	INABILITY TO APPROPRIATELY FILE & SAFEGUARD CONFIDENTIAL INFORMATION	\$3,000 OF	6
Cut In-State Travel by 10%	DIRECTOR & BOARD MEMBERS UNABLE TO CONDUCT BUSINESS; PROBLEMS RECRUITING BOARD MEMBERS; MEETINGS HELD BY PHONE LIMIT PUBLIC INPUT	\$ 686 OF	7
Eliminate Employee Training	BOARD & DIRECTOR CANNOT BE ADEQUATELY TRAINED OR CURRENT WITH NATIONAL BEST PRACTICES	\$3,375 OF	8
Eliminate Out of State Travel	BOARD & DIRECTOR CANNOT BE ADEQUATELY TRAINED OR CURRENT WITH NATIONAL BEST PRACTICES	\$3,686 OF	9
Revert Attorney General Fees to 2013-15 LAB Level	LIMITS BOARD'S ABILITY TO CARRY OUT MISSION OF PUBLIC PROTECTION; RISKS LEGALLY INDEFENSIBLE BOARD ACTIONS; INCREASES BACKLOG OF BOARD ACTIONS	\$ 7, 168 OF	10
<b>Total</b>	10% OF 2015-17 MODIFIED CURRENT SERVICE LEVEL BUDGET=\$57,112	\$57,112 OF	

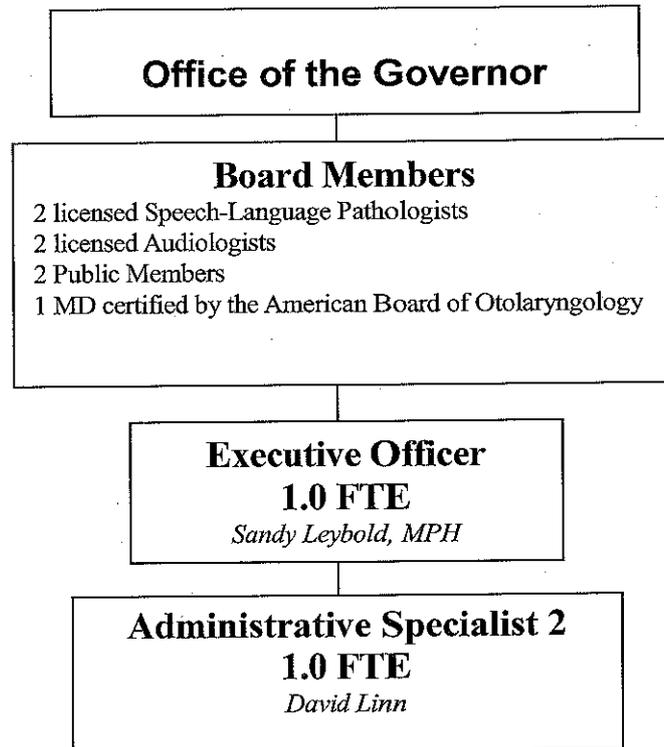
# BUDGET NARRATIVE

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## Agency Summary: Organization Chart 2013-15

### *Oregon Board of Examiners for Speech-Language Pathology and Audiology*

#### ORGANIZATION CHART

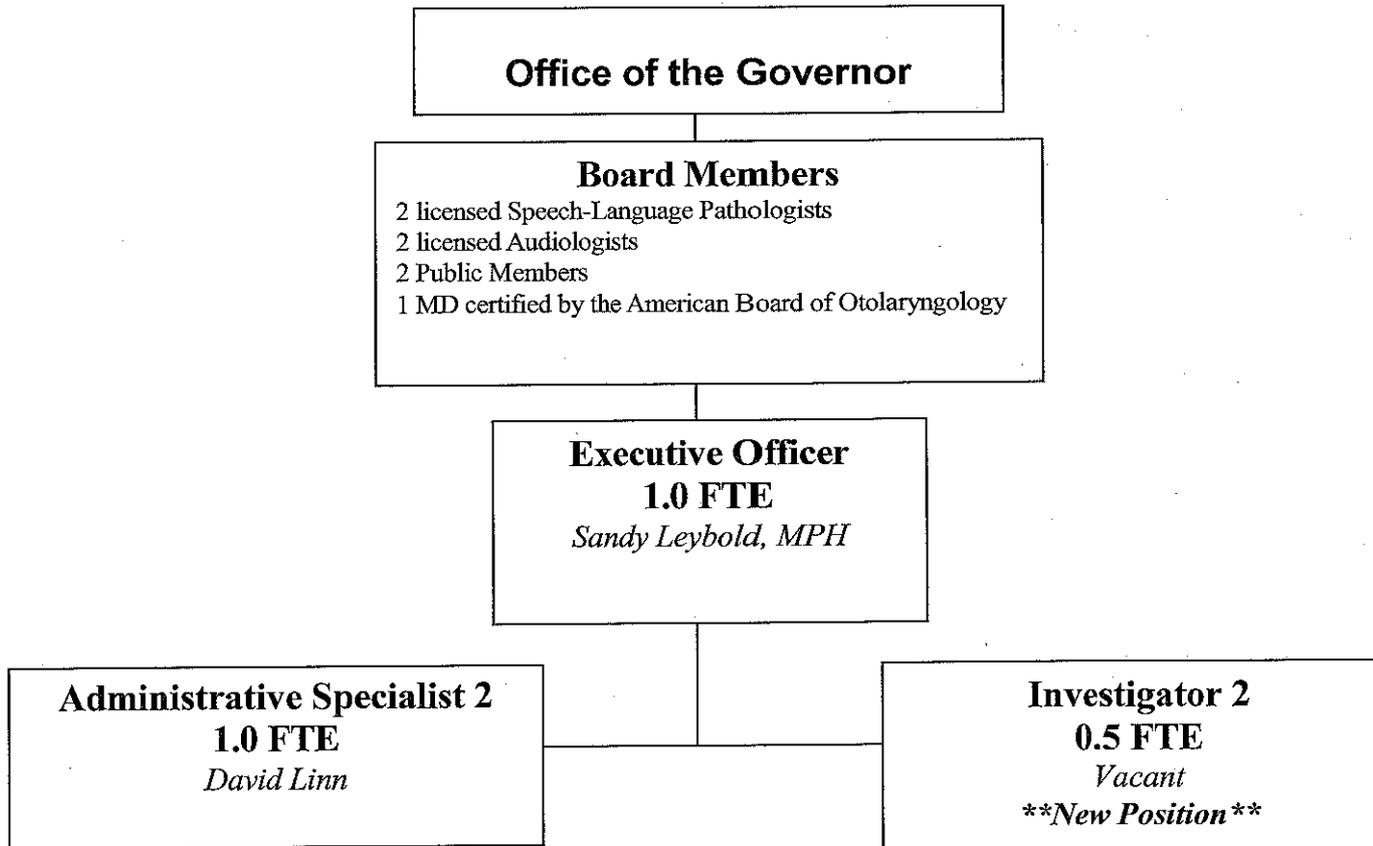


# BUDGET NARRATIVE

## Agency Summary: Organization Chart, Proposed 2015-17

### *Oregon Board of Examiners for Speech-Language Pathology and Audiology*

#### ORGANIZATION CHART



# BUDGET NARRATIVE

## REVENUES

### 1. Revenue Forecast Narrative

**Source:** The Board of Examiners for Speech-Language Pathology & Audiology is supported solely by Other Funds. Licensing fees are about 98% of revenue, with the remainder provided through delinquent fees, civil penalties, interest income, and sales of mailing lists.

**Matching Funds:** None

**Agency Programs Funded with Revenue:** This agency has one program: regulating speech pathology and audiology practice.

**General Limits on Use of Funds:** Funds are appropriated for administration and enforcement of ORS 681.205 through 681.991, and OAR 335-001-0000 through 335-070-0095.

#### **Basis for 2015-17 Estimates:**

Agency revenue is almost exclusively driven by licensing fees and volume. Licensing volume is affected by the supply and demand for SLPs, SLPAs, and audiologists in Oregon.

Supply is a function of in-migration of qualified professionals and the number of graduates of training programs. In-migration is affected by optimism of migrants to the state seeking jobs, the overall employment outlook, and the housing market. These factors have likely reduced the supply over the last few years. There continues to be uncertainty about the fundamentals of the national economy and Oregon lags national trends in the weak recovery—these factors would discourage in-migration in 2013-15. Historically, the number of Oregon graduates has been stable, with only two programs training SLPs and one preparing SLPAs. Beginning in 2013, Portland State University expanded to 50 SLPs per year (up from 30), and in 2014 and 2015, Pacific University's new SLP and audiology programs begin graduating students. However, BSPA licensee growth has exceeded the federal projections for these occupations, and the job market (at least in metropolitan areas), may be saturated. Some Oregon grads are now seeking jobs out of state.

Demand for hearing and speech professionals is increased by natural population growth and the aging of the population. However, school funding limitations have reduced employment opportunities for SLPs and SLPAs. Demand for SLPAs would be expected to decrease as the supply of SLPs increases, since many school districts would rather hire an SLP if one is available; this could mean that increases in SLP licensees would be offset by decreases in SLPA licensees. The impact of retirement of professionals currently working is not known—although baby boomers are reaching retirement age, the weak economy has caused many people to defer expected retirement, so that jobs may not be vacated for new licensees. Revenue projected for the current biennium (2013-15) has been updated to reflect the recent renewal cycle which included a fee increase (implemented July 1, 2013) and continued growth in licensing volume. BSPA is projected to generate revenue of \$522,590 this biennium, which is

## BUDGET NARRATIVE

\$58,232 higher than LAB. Although the licensee volume has grown over the last several biennia, the conflicting factors in the supply and demand analysis led to conservative estimates of volume for 2015-17. The revenue budgeted for 2015-17 is the same as that projected for 2013-15 actual--or \$522,590.

Adequate revenue is needed to provide funding for both operations and cash flow. Approximately 90% of the Board's revenue is derived from license renewals, which are tied to the license expiration date of January 30<sup>th</sup> of each even-numbered year. The Agency Request Budget equals \$705,678, which represents a monthly run rate of \$29,403. The projected ending balance of \$149,506 is 5 months' expenditures.

BSPA previously budgeted 7 months of operations for the ending balance. However, in 2011, the renewal deadline was moved 30 days earlier (to December 31<sup>st</sup> of odd-numbered years), and the agency has seen a positive impact on cash flow. After analyzing the 2011 and 2013 monthly revenue patterns, we now believe that we can meet cash flow needs for the beginning of each biennium with an ending balance equaling 5-6 months of operating costs. This is because the agency receives revenue in May-September from new graduates and licensees moving from other states to take K-12 jobs. Also, since renewals open in November (and peak in the last half of December, right before the December 31<sup>st</sup> deadline), 5-6 months of ending balance is deemed appropriate.

When projecting needed ending balance, it would be prudent to include an amount to cover extraordinary case costs, for which BSPA is self-insured. A reasonable estimate would be \$20,000 per year or \$40,000 per biennium. While this amount has not been included the ending balance projections in this budget request, it is important to recognize that this business risk is uncovered.

As the volume and complexity of cases has increased, legal and investigative costs have grown. BSPA is totally supported by licensing fees paid by licensees, with no "reinsurance" provided by the General Fund or any third party policy. The Board must have sufficient reserves to cover actions it takes to protect the public. In one recent case, the Board discovered that another state did not revoke an individual's license because they lacked funds. We want to avoid similar poor public policy.

BSPA's cash reserves must be used to pay investigative, legal, and hearing costs that exceed budget. The Board has statutory authority to charge licensees for the costs of disciplinary proceedings. Nevertheless, at times it may be inappropriate to charge the licensee for legal costs, such as when seeking to avoid hearing costs by entering into a Stipulated Agreement with the licensee. One Board case in which a license limitation was achieved through a Stipulated Agreement consumed over \$10,000 in AAG and OAH fees.

## BUDGET NARRATIVE

### Proposed Changes in Revenue Sources or Fees

The Board has statutory authority in ORS 681.340 to impose fees for license fees and renewal thereof.

*The agency is not requesting a fee increase in 2015-17*, although it is expected to be necessary in 2017-19 to support projected CSL. It is reasonable to expect that fees will be raised about every 4 years to accommodate inflation and increased workload.

### History of BSPA Licensing Fees

The following tables summarize fee changes, their rationale, and amounts over the last 19 years.

Year	Action	Rationale
1995	Licensing fees increased	Support operations
2003	SLPA certificate fees established	New category of licensee: SLPA
2005	Licensing fees increased	Support operations
2008	Permissions fee established	New registration of SLPA supervisors licensed by TSPC; discontinued in 2009
2009	Licensing fees increased administratively	Support operations; generate 2007-09 ending balance needed to maintain agency operations through 2011-13
2011	Requested legislative approval of 2009 fee schedule; request denied and fees reverted to 2005 level	Request supported increased staffing to meet increased administrative/investigative caseload, as approved by December 2010 E-Board
2013	Fee increase approved	Fee increase was requested to support increased staff required to meet increased administrative/investigative caseload as approved by December 2010 E-Board, and to implement fingerprint-based criminal background checks as authorized by 2009 Legislature. However, this fee increase was lowered in the LAB based on legislative denial of requested 0.5 FTE investigator. Also, new fees were approved for temporary and limited license fee categories and for fingerprinting fees to be passed through to the Oregon State Police.

## BUDGET NARRATIVE

BSPA Licensing Fee Schedule								
Fee	Fee Amount 1995	Fee Amount 2005	Fee Amount 2008	Fee Amount 2009	Fee Amount 2011	Fee Amount 2013-15 2015-17	Who Pays?	Biennial/One Time/ Annual
Application Fee	30	40	40	200	40	75	ALL	One Time
Biennial Active License/Renewal Fee	100	160	160	275	160	210	SLP/AUD	Biennial
Biennial Inactive License/Renewal Fee	20	50	50	50	50	50	SLP/AUD	Biennial
Conditional License/Renewal Fee	50	50	50	125	50	50	SLP/AUD	One Time/ Annual
Biennial Certificate/Renewal Fee	--	50	50	150	50	65	SLPA	Biennial
Biennial Inactive Certificate/Renewal Fee	--	20	20	20	20	20	SLPA	Biennial
Delinquent Fee	10	50	50	200	50	100	ALL	When Applicable
Permissions Fee	--	--	80	NA	NA	NA	SLP	Annual
Temporary License	--	--	--	--	--	100	SLP/AUD	When Applicable
Temporary Certificate	--	--	--	--	--	30	SLPA	When Applicable
Limited Term License	--	--	--	--	--	100	SLP/AUD	When Applicable
Limited Term Certificate	--	--	--	--	--	30	SLPA	When Applicable
OSP Background Check	--	--	--	--	--	44.50	ALL	One Time

# **BUDGET NARRATIVE**

## **Types of Licenses and Who Pays**

- Licensing fees are paid on a biennial basis by active speech-language pathologists (SLPs), speech-language pathology assistants (SLPAs), and audiologists (AUDs). Individuals dually licensed in both SLP and AUD pay only a single fee.
- Delinquent fees are levied on licensees who are late in renewing, re-activating after a lapse, and for other reasons specified in our rules (including late or inadequate reporting of professional development).
- The application fee is a one-time, non-refundable fee for initial licenses of all types.
- The conditional license fee is for a special one-year license for newly graduated SLPs during their clinical fellowship year which is renewable for one year if needed while the individual completes their fellowship requirements.
- Miscellaneous fees are charged for sales of mailing lists to licensees or members of the public.

Temporary license fees were approved as part of the 2013-15 budget process. The Board adopted OAR 335-085-0010 to implement this license category, effective July 1, 2013. Temporary licenses are valid for up to 6 months, and its current uses are:

- To allow an applicant to be licensed while awaiting final transcripts to be issued in the event that all degree requirements have been met, but the university only confers degrees at certain dates in the year.
- To allow applicants who are licensed after May 1<sup>st</sup> of odd-numbered years to be issued a lower-cost limited term initial license, since they will need to renew it by December 31<sup>st</sup>. This makes the initial costs fairer for licensees applying within a short time before the renewal deadline.
- Effective September 13, 2013, the Board created a new temporary Provisional SLPA license. This license allows an SLPA candidate to complete their clinical fieldwork outside of an academic practicum course without engaging in unlicensed practice.

## **Proposals for New Legislation**

Board licensee volume is impacted by SLPs who choose to be licensed by TSPC rather than BSPA to work exclusively for a public school district. If the Board's proposed Legislative Concept is adopted, the exemption from BSPA licensure for SLPs licensed by TSPC will be eliminated for those licensed after June 30, 2016. Since 2009, the number of SLPs licensed by TSPC has dropped dramatically. It is estimated that only about 100 remaining TSPC licensees may seek new or reactivated Board licenses in 2015-16, therefore the impact on BSPA revenue is expected to be minimal.

## **2. Detail of Fee, License or Assessment Revenue Proposed for Increase**

No change in fees is requested for 2015-17.

## **3. Detail of Lottery Funds, Other Funds, and Federal Funds Revenue—See ORBITS BPR012 (same as 107BF07) on page C6.**

The Board has one source of funds: Other Funds.

**DETAIL OF LOTTERY FUNDS, OTHER FUNDS, AND FEDERAL FUNDS REVENUE**

Health Related Licensing Boards  
2015-17 Biennium

Agency Number: 83300  
Cross Reference Number: 83300-028-00-00-00000

Source	2011-13 Actuals	2013-15 Leg Adopted Budget	2013-15 Leg Approved Budget	2015-17 Agency Request Budget	2015-17 Governor's Budget	2015-17 Leg Adopted Budget
<b>Other Funds</b>						
Business Lic and Fees	364,488	456,858	456,858	517,302	-	-
Fines and Forfeitures	6,000	5,000	5,000	1,275	-	-
Interest Income	4,875	2,500	2,500	4,013	-	-
Other Revenues	228	-	-	-	-	-
<b>Total Other Funds</b>	<b>\$375,591</b>	<b>\$464,358</b>	<b>\$464,358</b>	<b>\$522,590</b>	-	-

# BUDGET NARRATIVE

## PROGRAM UNITS

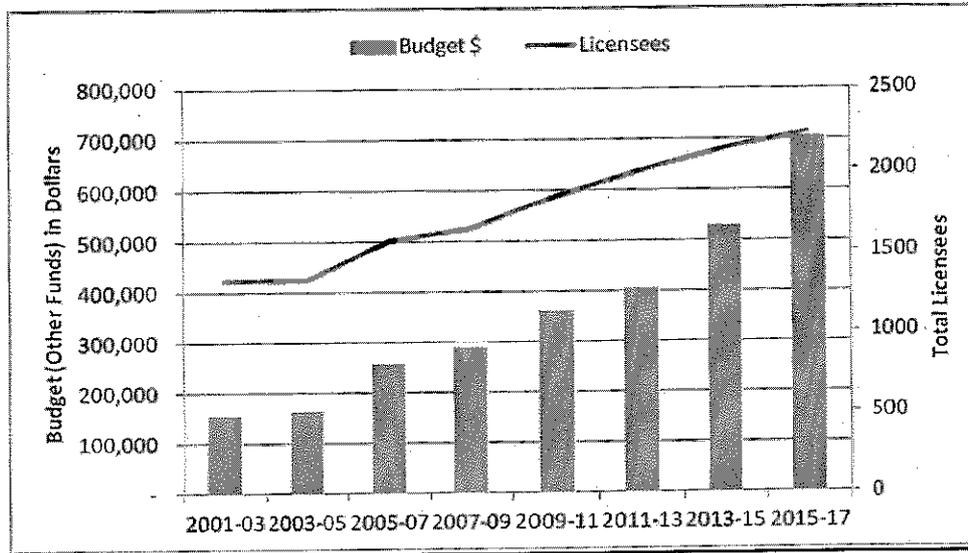
1. **Program Unit Organization Charts**--The agency has only one program; see Section 1 for current and proposed organization charts.

## 2. Program Unit Executive Summary

2.a. **Outcome Areas:** Primary—Safety; Secondary—Not applicable.

2.b. **Agency/Program Contact:** Sandy Leybold, Executive Director, 971-673-0087

2.c. **Total Funds Budget over Time:**



## 2.d. Program (Agency) Overview

The Oregon State Board of Examiners for Speech-Language Pathology & Audiology (BSPA) is the agency that protects the public through the regulation of the practice of speech-language pathologists (SLPs), speech-language pathology assistants (SLPAs) and audiologists in Oregon. The agency comprises one program. The Board has seven members who are appointed by the Governor, and consist of two audiologists, two SLPs, one physician specializing in otolaryngology, and two public members. The agency has two full-time staff: an Executive Director and an Administrative Assistant.

## **BUDGET NARRATIVE**

### **2.e. Program Funding Request**

BSPA is entirely funded through Other Funds. Budgeted expenditures for 2015-17 are \$705,678. This will fund the existing full-time executive director and full-time administrative assistant, and a new part-time (0.5 FTE) investigator to carry out BSPA's licensing, compliance, complaint investigation, outreach, and policy initiatives given the increased volume of licensees and cases. These expenditures will be funded by projected revenue of \$522,590 and drawing on the 2015-17 beginning balance of \$332,594.

Importantly, BPSA plans to enhance its criminal background checks to include fingerprint-based FBI checks, implementing the statutory authority granted in the 2009 Legislative Session. Currently BSPA relies on self-reported criminal history in reviewing applicants for initial licensure and renewals. The Board established an objective of enhancing criminal background checks in 2010, but it has not obtained approval for needed resources to support this function in the past two biennia. The lack of a robust criminal background check function was pointed out during the Secretary of State's audit of Health Professional Regulatory Boards in its 2014 report. A Policy Package outlines the staff costs and associated legal, administrative hearings, and clinical consulting fees needed to support the agency's already increasing disciplinary caseload, the implementation of enhanced background checks, and the further increase in investigative and other costs associated with a further increased caseload resulting from such checks.

### **2.f. Program Description**

BSPA regulates the professional practice of speech-language pathology and audiology through reviewing credentials for licensure, ongoing monitoring of licensees through compliance audits, and investigating complaints regarding professional competence and conduct. BSPA issues licenses to qualified applicants on an ongoing basis, and renews licenses biennially.

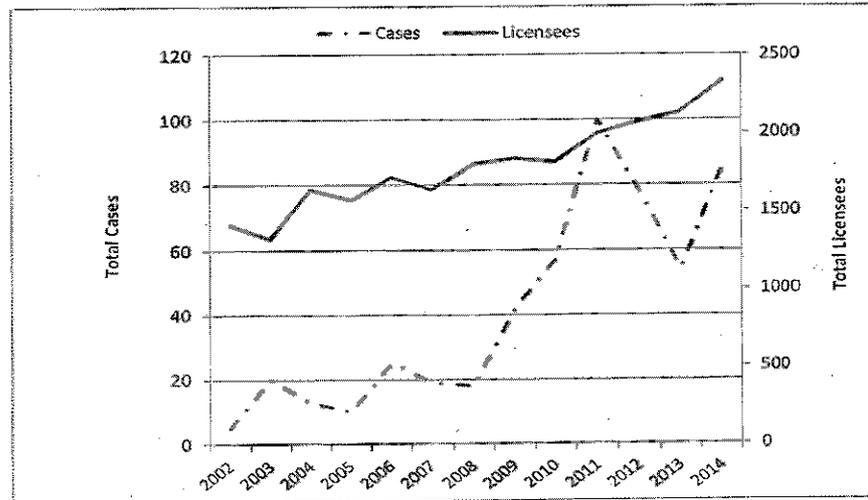
BSPA references national standards developed by the American Speech-language Hearing Association (ASHA) regarding scope of practice, required education and training, and professional and ethical standards. BSPA also solicits input from the Oregon Academy of Audiology (OAA) and Oregon Speech-language Hearing Association (OSHA) regarding issues important to licensees.

#### *Cost Drivers*

- **Licensee Volume:** As of January 2014, BSPA had a record high of 2,331 licensees, up 12.5% from 2012. This impacts licensing, customer service, and investigation/compliance workload.
- **Volume of Complaints & Disciplinary Actions:** Complaints are investigated by the Executive Director, with input from clinical consultants. As of October 2013, BSPA also contracts with a licensed private investigator, but the professional services budget only provides for about a half-day a week of investigator time. The Board reviews the investigative report and relevant records, and may vote to revoke, suspend, reprimand, or deny a license, and/or to impose a civil penalty. The Board also is authorized to impose legal costs on a licensee. Investigative cases have increased five-fold since 2008, due to improved public education and awareness of the Board's role in public

## BUDGET NARRATIVE

protection, and increased Board-initiated compliance activities. This has increased investigative, administrative and legal costs, and slowed down the time to complete investigations and issue disciplinary notices. Implementation of enhanced criminal background checks will further increase the investigative caseload.



- **Statewide Initiatives:** Efforts such as information security and other planning and budgeting processes require significant agency administrative resources.
- **Policy Initiatives:** Researching and adopting best practices in the regulation of these professions requires administrative and legal resources. BSPA statute and rules were updated significantly in 2010-11. Until July 2013, the Board's Executive Director and Administrative Assistant were both part-time (for a total of 1.4 FTE). As a result, Board policy goals were scaled back in light of limited staffing.

### *Stakeholders and Partners*

BSPA works with applicants, licensees, national and state professional associations, other Oregon health professional regulatory boards, licensing boards in other states, members of the public, professional training programs, insurance companies, and state Medicaid representatives. Collaboration with these partners helps inform the Board's policy decisions, rule-making and compliance activities, and adoption of best practices. Since many Board licensees work in public schools, BSPA also works regularly with Oregon's Teacher Standards and Practices Commission (TSPC) and Department of Education (ODE) on issues of mutual interest. Significantly, BSPA is proposing a Legislative Concept for 2015 to eliminate the exemption

## **BUDGET NARRATIVE**

from Board licensure for TSPC-licensed SLPs who are initially licensed after June 30, 2016. This is the culmination of 5 years of policy work to standardize the licensure and professional development requirements for SLPs licensed in Oregon.

### **2.g. Program Justification and Link to 10-Year Outcome**

Safety Outcome Strategy 5 is to “Provide education, advocacy and regulatory efforts to ensure the safety, soundness and availability of markets for goods, services, financial products and labor”. BSPA’s mission is to protect the public as it relates to the practice of speech-language pathology and audiology. Board functions address professional competence and professional conduct, focusing on remediation and prevention.

SLPs, SLPAs, and audiologists provide services to children, seniors, and disabled and/or vulnerable adults. SLPs treat swallowing disorders in patients with traumatic brain injury or stroke, and their clinical judgment can mean life or death for these patients at risk for aspiration. Incompetent hearing and speech professionals can have a significant negative impact on the appropriate development or rehabilitation of patients in their care. Any licensee exhibiting inappropriate behavior such as client abuse, boundary issues, and professional impairment can endanger or otherwise victimize Oregonians. Recent Board actions have addressed all these issues. For example, in one case of endangerment of elderly patients in a skilled nursing facility through incompetent care by an SLP, the Board acted swiftly to issue an emergency suspension and license revocation.

### ***Professional Competence***

The Board has established educational and training standards for initial and renewed licensure for all licensees and audits the professional supervision of SLPAs by SLPs. Board rules also require licensees to accurately represent their credentials to their clients and the public.

BSPA has adopted ASHA standards for licensing SLPs and audiologists, who must hold graduate degrees (a master’s for SLPs and a clinical doctorate for audiologists), complete a year of supervised clinical experience, and pass a national examination. Holders of the ASHA credential experience streamlined processing of their Oregon license application. ASHA has developed national guidelines for SLP and Audiology practice, and the Board frequently refers to ASHA policy statements and scope of practice when determining whether licensees meet the Board rule requiring that licensees perform all services competently. There is no national credential for SLPAs. SLPA licensure began in Oregon in 2003 as a response to SLP workforce and recruiting concerns, especially in rural areas. Oregon SLPA certification standards include the equivalent of an associate’s degree, plus a 100-hour supervised clinical practicum. These measures support Strategy 5 by coordinating state regulations with national guidelines to improve mobility of the workforce.

Ongoing competence is addressed through Board rules for professional development (PD) for all licensees. BSPA monitors compliance through random biennial audits. Licensees failing an audit are sanctioned and re-audited. Also, licenses are not renewed unless licensees attest to required PD. Competence is also addressed through Board rules regarding the SLPA scope of practice and ongoing professional supervision of SLPAs by qualified SLPs. Compliance is monitored through an annual audit, and violations are subject to disciplinary action.

## **BUDGET NARRATIVE**

### ***Professional Conduct***

Board rules define unprofessional conduct and prohibit acts that abuse, defraud, mislead, or endanger clients or the public. BSPA monitors professional conduct by screening applicants for criminal or disciplinary history and by investigating complaints against licensees. BSPA conducts a rudimentary background check based on self-reported behavior of applicants for initial or renewed licenses, and the verification of good standing from other reported licensing jurisdictions for new applicants. No independent verification occurs. Raising Board standards for background checks through fingerprint based checks and verification of Oregon law enforcement history is a priority to improve the Board's role in public protection.

### ***Education/Outreach Efforts***

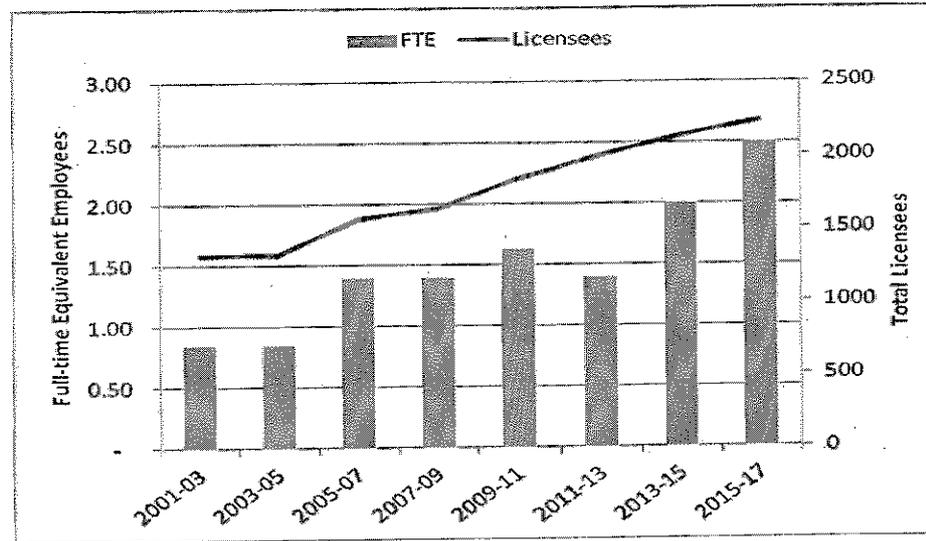
A complaint form is available on line for members of the public, patients, or professionals to complete. Frequently concerns are reported via phone, then documented in writing and submitted to the Board. Complaints are investigated by the Executive Director, with input from clinical consultants. The Board reviews the investigative report and relevant records, and may vote to revoke, suspend, reprimand, or deny a license, and/or to impose a civil penalty. The Board also is authorized to impose legal costs on a licensee. Legal fees paid to the Department of Justice are a significant and rising budget line item.

The Executive Director and Board members regularly present information at professional meetings and training programs to educate speech and hearing professionals and students about the Board's standards and its role in public protection. The Executive Director publishes a newsletter for all licensees and stakeholders 2-3 times per year, to educate interested parties about policy matters and to help prevent violations of Board rules.

### **2.h. Program Performance**

Staffing remained constant between 2005 and 2013, with the exception of a temporary increase approved in December 2010 by the E-Board. As of January 2012, the number of licensees was up 32% since 2005, and the number of cases was up almost eight-fold through 2011. After two requests, the administrative staff was made full-time in 2013, bringing the staffing from 1.4 to 2.0 FTE. However, an additional 0.5 FTE and other related non-salary resources are now required to deal with increased volumes, the need to meet quality benchmarks for background checks, and increasing compliance activities.

## BUDGET NARRATIVE



### **2.i. Enabling Legislation/Program Authorization**

Statutory authority for this regulation is provided in ORS Chapter 681 and ORS Chapter 676 (for Health Professions Generally), and implemented through OAR Chapter 335.

### **2.j. Funding Streams**

**BSPA's functions are entirely supported by Other Funds.** Licensing fees provide 98% of agency revenue; the remainder is from delinquent/late fees, civil penalties, interest income, and sales of licensee mailing lists.

### **2.k. Significant Proposed Program Changes from 2013-15**

To implement fingerprint-based criminal background checks for applicants for licensure and support the increased case volume, an investigator will be hired for 0.5 FTE. This will bring the total agency staff from 2.0 FTE to 2.5 FTE.

An increase in licensing and delinquent fees was implemented in 2013-15, which provided revenue for the 2.0 full-time staff. The 2013 Legislature also approved BSPA to charge licensees the cost of the Oregon State Police fingerprint search, with all new revenue passed through to OSP. No new fees or fee increases are necessary to support the part-time investigator and other expenses in the proposed Policy Package.

## **BUDGET NARRATIVE**

**3. Program Unit Narrative**—The agency has only one program; see Section 1

### **4. Packages**

The Board is requesting both essential packages and one policy package:

#### **a. Package Narrative**

##### ***Essential Packages***

**010 Non-PICS Personal Services/ Vacancy Factor**—This package reflects an increase in Public Employees' Retirement System pension obligation bond payment calculated by the state, and an adjustment to the mass transit tax. These items total \$1,290. Vacancy savings is not anticipated.

**031 Standard Inflation and State Government Service Charges**—This package increases most Service and Supplies costs by 3.0%. Attorney General fees were increased by a factor of 19.2%, although the price list shows an increase in DOJ fees of 20.8%. This means that if AAG hourly fees go up as projected, this agency will need to reduce usage by almost 2% just to maintain the current service level. The total standard inflation amount is \$17,849.

Total State Government Service Charges are projected to increase astronomically—from \$23,714 in the 2013-15 LAB to \$35,346 in this ARB. These charges are now spread out into the SGSC line item (the "assessments") and in Other S&S. This represents a 49% increase in overhead charged to this two-person agency. The Board continues to be interested in semi-independent status or other relief in order to more cost-effectively meet the agency's needs for payroll, accounting, banking, and other services.

**032 Above Standard Inflation**—This includes a new \$728 State Data Center charge and additional inflation of 0.3% applied to Professional Services and IT Professional Services per DAS CFO direction, as well as \$4,313 of the State Government Service Charges that are mentioned in total above. The total amount above standard inflation is \$5,129.

## BUDGET NARRATIVE

### *Policy Package*

#### **140—Investigative Workload & Background Checks SCR 83300-028-00-00-00000**

**Purpose**—To conduct timely and professional investigations of complaints and compliance issues, and to implement enhanced criminal background checks, the Board needs to have trained professional investigative staff that is knowledgeable about Board and other State rules and expectations. This work is intrinsic to the Board’s mission of public protection.

**Increased Caseload**—The Board’s investigative caseload based on complaints and compliance issues, as well as criminal history reported on application, has increased dramatically over the past several years:

Year	Number of Cases Investigated
2006	3
2007	18
2008	16
2009	41
2010	58
2011	100
2012	72
2013	54
2014	49 through July 17th

This increase is attributed to the public being better educated in consumerism, professionals being more diligent about reporting practice concerns, and licensees becoming more aware of their obligations to self-report incidents. It is also higher because the overall licensing volume has increased 36% since 2006. BSPA’s investigative workload is expected to further increase over the next biennium.

Not only have the number of investigations increased, but several cases have addressed serious patient care and safety issues. In 2009, the Board revoked two licenses for ethical concerns regarding appropriate relationships with minors, and limited two licenses due to concern about professional competence in diagnosing and treating hearing disorders in infants and pre-school children. In July 2010, the Board issued an emergency suspension due to concerns about professional competence of an SLP and the risk to the public of her continuing to treat dysphagia patients (those with swallowing disorders). Other complex recent cases involve dysphagia patients and children with auditory processing disorders.

## BUDGET NARRATIVE

At the same time, the Board has become more diligent about compliance with Board regulations that most impact public safety, such as appropriate SLPA supervision, ongoing professional development, and unlicensed practice.

Currently a significant amount of investigative work is performed by the Executive Director. Contracted SLP and audiologist clinical consultants are called upon for their professional expertise to assess the severity of complaints involving patient care, review patient records and assess clinical competence. Since October 2013, BSPA has also contracted with a licensed private investigator with health regulatory experience, but the resources available for these services are limited. Sometimes BSPA has been able to “piggy-back” on investigations conducted by other agencies to achieve Board goal, although confidentiality laws limit the amount of inter-agency collaboration possible. Increased workload and limited resources have caused delays in investigating complaints, implementing Board actions, and monitoring compliance with Board orders.

*Dedicated, trained investigative staff is needed to manage this caseload efficiently and effectively.*

**Enhanced Criminal & Disciplinary Background Checks**—In 2009, the Legislature provided statutory authority for all Health Professional Regulatory Boards to perform criminal background checks (including fingerprinting) on applicants, employees, and licensees.

In 2010, the Board established a goal of enhancing its criminal background check procedures in 2010. Later that year, in December 2010, BSPA approached the E-Board to increase the Executive Director (historically only 0.6 FTE) to full-time and to add a 0.5 FTE Investigator. This was approved for the last 6 months of the 2009-11 biennium, but similar staff requests were denied in the 2011-13 budget. When denying the request for a staff investigator in 2011, the Legislature approved approximately \$25,000 of professional services to buy investigator time. This is the equivalent of only 22 hours per month (about a half-day per week).

Again, in 2013-15, BSPA requested the Executive Director and Administrative Assistant positions to be made full-time, and the addition of a 0.5 FTE Investigator. The administrative staff increases were approved, but the Investigator was again denied by the Legislature. The \$25,000 intended for contract investigator services was continued.

Not only has the amount of resources been insufficient to implement criminal background checks, but the contract investigator was not a feasible solution for another reason. Importantly, until early 2014, OSP has required anyone accessing LEDS to be a State of Oregon employee (for security reasons), not a contractor. Even with the additional flexibility now being granted by OSP, having a contracted investigator rather than a staff investigator presents continuity and security issues that must be resolved before a contract investigator can conduct such checks.

## BUDGET NARRATIVE

Currently, the Board relies on applicants to self-report criminal and licensing history. If criminal history or licensure in another jurisdiction is reported, then legal or other documents are requested and evaluated before licenses are issued or renewed. Licensees applying to renew their licenses are only reviewed for criminal incidents they report.

Other health professional boards that perform third-party background checks report that 6-10% of licensees or applicants fail to self-report relevant history. Speech and hearing professionals work predominantly with children, seniors, and disabled individuals, and practice in multiple settings, including schools, hospitals, home health agencies, skilled nursing facilities, and solo private practice. In addition, many SLPs now practice across state lines through telepractice or “traveling” with staffing agencies, which means that current Oregon licensees are more likely to have criminal or licensing history in other states. For these reasons, the Board determined that it needs to increase its standards for background checks to protect the public. This has been a goal of the Board since 2010.

In fall 2013, the Secretary of State’s Audits Division conducted a performance audit (2014-06) of all Health Professional Regulatory Boards, and made the following recommendation: “We recommend boards give further consideration to background check policies for professionals who handle drugs or interact with vulnerable populations”. This finding adds further impetus to the Board’s goal of enhancing criminal background check procedures.

***How achieved***—The proposed plan would require all initial applicants to undergo a fingerprint-based FBI background check that is administered through the Oregon State Police (OSP). Licensees applying for renewal will be checked either before or after their renewal is completed to ensure that their self-reporting is accurate, and investigate any unreported incidents. Licensees would be checked through Oregon LEDS (Law Enforcement Data System) and a national database, which do not require fingerprinting. ***Enhanced background checks cannot be implemented without additional investigative resources, in the form of dedicated staff.***

This policy package includes funds requested to:

- Establish a new 0.5 FTE Investigator 2 position, budgeted at step 2 of the range, with benefits, for a total of \$77,365, based on the following workload calculations:

## BUDGET NARRATIVE

### Staff Investigator Budget Assumptions

144	Cases per year
5	Assume 5 cases/year are intensive; 2.5 are contested
444	Hrs for routine cases, at 3 hrs per case
50	Hours at additional 10 hours/intensive case
75	Hours for screening of background check info@ 15 mins/applicant for for 300 new applicants/year
50	Hours for screening of background check info@ 3 mins/renewal for 2000 renewals per biennium
20	Hrs for policy & procedures update
120	Hours for planning and coordinating investigations
44	Bd meetings--4 @ 11 hrs each to prep and attend
<hr/>	
803	Total Working Hours for contract investigator/year
803	worked hours per year
60	vacation and personal business leave @ 3 weeks
40	holidays
48	sick @ 12 days/year
<hr/>	
951	Total paid annual hours
0.46	FTE

**1040 is 0.5 FTE**

- Provide necessary non-salary startup and ongoing support for the Investigator position. A cost estimate for office space and supplies, phone, laptop, IT setup services, training and recruitment. Non-salary expenses budgeted for this position includes in-state travel funds to cover investigation-related travel. Altogether, these expenses are estimated at \$13,326. This is less than the \$17,983 which DAS uses as a standard estimate for similar positions.

## BUDGET NARRATIVE

- Add \$28,863 in incremental legal fees to pay the Department of Justice (DOJ) for the agency's higher caseload. This is based on the following calculation:

37	Assume .25 hour per routine case
50	Assume 10 hours per intensive case
75	Additional 30 hours per contested case
32	Bd mtgs--4@8 hrs each to prep and attend
194	Hours per year
388	Hours per biennium
\$74,496	Fees at \$192/hour (per DOJ price list)
\$28,863	INCREMENTAL vs. \$45,633 CSL

For comparison, note the following history of this budget line item:

	2007-09 Actual	2009-11 LAB	2011-13 LAB	2013-15 LAB
AAG Fees	\$29,987	\$27,329	\$34,995	\$38,323

- Add \$5,000 in professional services to address contract clinical consultant needs. This is based on an estimate of 5 cases per year and 10 hours per case at \$50 per hour.
- Add \$10,000 in professional services to pay incremental hearing officer fees to the Office of Administrative Hearings (OAH), based on the assumption of 5 additional contested cases per biennium, at \$2,000 per case.

Even with the additional expenditures outlined in this policy package, BSPA will absorb additional expenses and workload into our CSL budget:

- The cost of the actual OSP/FBI search will be borne directly by the applicant, based on the legislative approval in 2013 for BSPA to charge applicants a fingerprinting fee. However, the amount charged applicants is identical to the amount OSP will charge BSPA.
- BSPA staff workload will increase, since the criminal background checks will increase significantly the tasks and timeframe involved in processing license applications. The Administrative Assistant will need to collect another fee from each applicant, issue a fingerprint card, receive the completed

## BUDGET NARRATIVE

card, forward it to OSP, and track these procedural steps. (Note: it may be that statewide efforts to change fingerprinting to an electronic scan system will be in effect by July 2015, and these procedures will be different.) The investigator will review the OSP report according to Board-established criteria. A similar LEDS-based query will be made by the investigator for renewal applicants. Concerns will be investigated by obtaining personal statements from the applicant and other relevant persons. The investigator will also assess the veracity of information on the application as compared to the information obtained from external sources (for instance, disciplinary history from a jurisdiction that the applicant did not report). After coordination and review by the Executive Director, the investigator will present cases to the Board for adjudication before applicants are approved for initial or renewed licensure.

- BSPA also intends to obtain access to a “data mining” subscription service to look for out-of-state addresses, different names used, etc., to support investigations. We are exploring sharing this subscription with one or more other boards, and therefore expect to cover the cost within the Other Services and Supplies expenses included in CSL.
- Based on other agencies’ experiences, the number of incidences of criminal or disciplinary history requiring investigation is expected to double the investigation caseload. The Investigator will need to develop systems to handle this caseload in an efficient manner, and work with the Executive Director and Administrative Assistant on enhanced policies and procedures for investigation, record-keeping, correspondence, case-tracking to make sure that licensing functions and communications with applicants and licensees are handled effectively.
- The Board will need to develop explicit criteria for evaluating criminal background, again to handle this increased volume in a cost-effective way without adding Board meetings and their associated costs. The Investigator and Executive Director will need to provide recommendations and systems to support this as part of staff support for the Board’s work.
- Overall, the time between application and issuing a license is expected to increase from the current average of 4 weeks to 6-8 weeks. The Administrative Assistant will need to track the fingerprinting and review processes, and respond to more frequent status inquiries from applicants. Background checks of existing licensees will add to the complexity and time needed to process renewal applications, or will add administrative work in the form of a retrospective audit of reported criminal behavior on renewal applications. Each of these processes will take significant additional administrative support time. There is only 1.0 FTE to handle all administrative support tasks, including license application review and processing, accounts payable and receivable, three biennial Key Performance Measure audits, daily correspondence and phone inquiries, website management, maintaining operational statistics, and other administrative tasks.

## **BUDGET NARRATIVE**

***Alternatives to the Proposed Solution***—Without a dedicated, trained investigator, BSPA has tried a number of approaches to getting investigative needs met. However, these efforts have not yielded consistent, competent support.

***Executive Director*** – Historically, the Executive Director has drafted all subpoenas, legal notices, and prepares all investigation materials for each Board meeting. With limited time and training, the Executive Director has usually performed desk reviews, and conducted interviews via telephone without them being recorded. The ED also maintains a spreadsheet tracking the status of cases, enters information into the licensing database, and creates case summaries for posting on the agency’s website. The Executive Director also posts Board actions on the national data bank (HIPDB) as required by federal law. The Executive Director has completed 6 days of training in investigation techniques, and frequently consults with the agency’s AAG on investigation strategy and tasks. This is an expensive use of both the attorney and executive director. The requested Investigator 2 would give the agency the skills and time to perform field investigations and interviews, and would free the executive director from the investigative tracking and record-keeping functions.

However, an Investigator 2 is not expected to write legal notices. To keep AAG costs and investigator costs as low as possible, the Executive Director will still need to draft most legal notices. The Executive Director cannot perform investigative work and provide the administrative and policy-level oversight the agency needs.

***Contractors***—A Professional Services Contract was issued in October 2013 with a licensed private contract investigator with experience working for other state agencies, including other health professional regulatory boards. Prior to identifying this individual, BSPA was unsuccessful in finding a contractor with sufficient time and experience to take on the Board’s work. Also, the amount granted in two biennial budgets for this function is insufficient, providing for only about one-half day per week. Any outside consultant has to juggle multiple clients’ needs and may not be available when needed by BSPA.

***Clinical Consultants***—Currently the Board contracts with three speech and hearing professionals who participate in some interviews of complainants and licensees and provide clinical consultation regarding scope of practice issues. However, their time is limited to a few hours per month (they are moonlighting from their professional jobs), they are off-site, and they are not trained in legal or investigative procedures.

***Shared Staff***—The Executive Director has sought contracts with investigators who are currently working part-time at other agencies. However, without an approved position, such inter-agency arrangements are difficult at best. Services & Supplies dollars cannot be used to buy an FTE unless the other agency has unfilled positions. The other health licensing boards are all small agencies with little or no excess capacity in their staffing patterns. When approved by E-Board to hire a limited duration part-time Investigator, BSPA was able to share a position with another health professional regulatory board. This arrangement only existed for a few months, and was of limited success.

## **BUDGET NARRATIVE**

*Piggy-backing on Other Investigative Resources*—In a few cases, the Board was able to take disciplinary action partly based on investigative work done by a licensee's employer, another state agency, or another interested third party. However, confidentiality and security issues make this a difficult practice.

*Staffing Impact*—The Board proposes to establish a new, part-time (0.5 FTE) regular Investigator 2 position. This level of position was determined by evaluating the Board's needs, reviewing job specifications, and consulting with other licensing boards. Salary and benefits for this additional staff is \$77,365 for the biennium. Related Services and Supplies add \$57,189. The total package cost is \$134,554.

*Quantifying Results*—The Board tracks all expenditures monthly, and pays particular attention to Attorney General Legal Fees. The staff Investigator is expected to help develop better statistical tracking systems for investigative functions and to support closer tracking of the licensure process as it relates to the background checks.

*Revenue Source*—Revenue to support this package is to be provided by licensing and fingerprinting fees already included in CSL.

### **b. Essential and Policy Package Fiscal Impact Summary**

ORBITS BPR013 follows on page D16.

### **c. Policy Packages Involving IT Projects**

Not applicable.

### **5. Detail of Lottery Funds, Other Funds, and Federal Funds Revenue**

See ORBITS BPR012 on page C6.

**ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY**

Health Related Licensing Boards  
 Pkg: 140 - Investigative Workload & Background Checks

Cross Reference Name: Speech-Language Path. and Audio.  
 Cross Reference Number: 83300-028-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
<b>Personal Services</b>							
Class/Unclass Sal. and Per Diem	-	-	37,668	-	-	-	37,668
Empl. Rel. Bd. Assessments	-	-	44	-	-	-	44
Public Employees' Retire Cont	-	-	5,948	-	-	-	5,948
Social Security Taxes	-	-	2,882	-	-	-	2,882
Worker's Comp. Assess. (WCD)	-	-	69	-	-	-	69
Mass Transit Tax	-	-	226	-	-	-	226
Flexible Benefits	-	-	30,528	-	-	-	30,528
<b>Total Personal Services</b>	-	-	<b>\$77,365</b>	-	-	-	<b>\$77,365</b>
<b>Services &amp; Supplies</b>							
Instate Travel	-	-	5,000	-	-	-	5,000
Office Expenses	-	-	500	-	-	-	500
Telecommunications	-	-	600	-	-	-	600
Data Processing	-	-	250	-	-	-	250
Professional Services	-	-	15,000	-	-	-	15,000
IT Professional Services	-	-	500	-	-	-	500
Attorney General	-	-	28,863	-	-	-	28,863
Employee Recruitment and Develop	-	-	200	-	-	-	200
Facilities Rental and Taxes	-	-	4,176	-	-	-	4,176
Other Services and Supplies	-	-	400	-	-	-	400
Expendable Prop 250 - 5000	-	-	400	-	-	-	400
IT Expendable Property	-	-	1,300	-	-	-	1,300
<b>Total Services &amp; Supplies</b>	-	-	<b>\$57,189</b>	-	-	-	<b>\$57,189</b>

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**ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY**

Health Related Licensing Boards  
 Pkg: 140 - Investigative Workload & Background Checks

Cross Reference Name: Speech-Language Path. and Audio.  
 Cross Reference Number: 83300-028-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
<b>Total Expenditures</b>							
Total Expenditures	-	-	134,554	-	-	-	134,554
<b>Total Expenditures</b>	-	-	<b>\$134,554</b>	-	-	-	<b>\$134,554</b>
<b>Ending Balance</b>							
Ending Balance	-	-	(134,554)	-	-	-	(134,554)
<b>Total Ending Balance</b>	-	-	<b>(\$134,554)</b>	-	-	-	<b>(\$134,554)</b>
<b>Total Positions</b>							
Total Positions	-	-	-	-	-	-	1
<b>Total Positions</b>	-	-	-	-	-	-	<b>1</b>
<b>Total FTE</b>							
Total FTE	-	-	-	-	-	-	0.50
<b>Total FTE</b>	-	-	-	-	-	-	<b>0.50</b>

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**ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY**

Health Related Licensing Boards  
Pkg: 031 - Standard Inflation

Cross Reference Name: Speech-Language Path. and Audio.  
Cross Reference Number: 83300-028-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
<b>Ending Balance</b>							
Ending Balance	-	-	(17,847)	-	-	-	(17,847)
<b>Total Ending Balance</b>	-	-	<b>(\$17,847)</b>	-	-	-	<b>(\$17,847)</b>

## ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Health Related Licensing Boards  
Pkg: 032 - Above Standard Inflation

Cross Reference Name: Speech-Language Path. and Audio.  
Cross Reference Number: 83300-028-00-00-00000

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
<b>Services &amp; Supplies</b>							728
Data Processing	-	-	728	-	-	-	728
Professional Services	-	-	76	-	-	-	76
IT Professional Services	-	-	12	-	-	-	12
Other Services and Supplies	-	-	4,313	-	-	-	4,313
<b>Total Services &amp; Supplies</b>	-	-	<b>\$5,129</b>	-	-	-	<b>\$5,129</b>
<b>Total Expenditures</b>							5,129
Total Expenditures	-	-	5,129	-	-	-	5,129
<b>Total Expenditures</b>	-	-	<b>\$5,129</b>	-	-	-	<b>\$5,129</b>
<b>Ending Balance</b>							(5,129)
Ending Balance	-	-	(5,129)	-	-	-	(5,129)
<b>Total Ending Balance</b>	-	-	<b>(\$5,129)</b>	-	-	-	<b>(\$5,129)</b>

**ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY**

Health Related Licensing Boards  
 Pkg: 010 - Non-PICS Psnl Svc / Vacancy Factor

Cross Reference Name: Speech-Language Path. and Audio.  
 Cross Reference Number: 83300-028-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
<b>Personal Services</b>							
Pension Obligation Bond	-	-	813	-	-	-	813
Mass Transit Tax	-	-	477	-	-	-	477
<b>Total Personal Services</b>	-	-	<b>\$1,290</b>	-	-	-	<b>\$1,290</b>
<b>Total Expenditures</b>							
Total Expenditures	-	-	1,290	-	-	-	1,290
<b>Total Expenditures</b>	-	-	<b>\$1,290</b>	-	-	-	<b>\$1,290</b>
<b>Ending Balance</b>							
Ending Balance	-	-	(1,290)	-	-	-	(1,290)
<b>Total Ending Balance</b>	-	-	<b>(\$1,290)</b>	-	-	-	<b>(\$1,290)</b>

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**ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY**

Health Related Licensing Boards  
Pkg: 031 - Standard Inflation

Cross Reference Name: Speech-Language Path. and Audio.  
Cross Reference Number: 83300-028-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
<b>Services &amp; Supplies</b>							
Instate Travel	-	-	200	-	-	-	200
Out of State Travel	-	-	111	-	-	-	111
Employee Training	-	-	98	-	-	-	98
Office Expenses	-	-	207	-	-	-	207
Telecommunications	-	-	103	-	-	-	103
State Gov. Service Charges	-	-	6,810	-	-	-	6,810
Publicity and Publications	-	-	55	-	-	-	55
Professional Services	-	-	759	-	-	-	759
IT Professional Services	-	-	123	-	-	-	123
Attorney General	-	-	7,350	-	-	-	7,350
Dues and Subscriptions	-	-	46	-	-	-	46
Facilities Rental and Taxes	-	-	575	-	-	-	575
Agency Program Related S and S	-	-	581	-	-	-	581
Other Services and Supplies	-	-	724	-	-	-	724
IT Expendable Property	-	-	105	-	-	-	105
<b>Total Services &amp; Supplies</b>	-	-	<b>\$17,847</b>	-	-	-	<b>\$17,847</b>
<b>Total Expenditures</b>							
Total Expenditures	-	-	17,847	-	-	-	17,847
<b>Total Expenditures</b>	-	-	<b>\$17,847</b>	-	-	-	<b>\$17,847</b>

Health Related Licensing Boards

Agency Number 83300

BDV004B

Version: V - 01 - Agency Request Budget

2015-17 Biennium

Cross Reference Number: 83300-028-00-00-00000

Speech-Language Path. and Audio.

Description	Total Essential Packages	Pkg: 010 Non-PICS Psnl Svc / Vacancy Factor	Pkg: 031 Standard Inflation	Pkg: 032 Above Standard Inflation		
		Priority: 00	Priority: 00	Priority: 00		

EXPENDITURES

PERSONAL SERVICES

OTHER PAYROLL EXPENSES

3221 Pension Obligation Bond

3400 Other Funds Ltd 813 813 - -

3260 Mass Transit Tax

3400 Other Funds Ltd 477 477 - -

OTHER PAYROLL EXPENSES

3400 Other Funds Ltd 1,290 1,290 - -

TOTAL OTHER PAYROLL EXPENSES

\$1,290 \$1,290 - -

SERVICES & SUPPLIES

4100 Instate Travel

3400 Other Funds Ltd 200 - 200 -

4125 Out of State Travel

3400 Other Funds Ltd 111 - 111 -

4150 Employee Training

3400 Other Funds Ltd 98 - 98 -

4175 Office Expenses

3400 Other Funds Ltd 207 - 207 -

4200 Telecommunications

3400 Other Funds Ltd 103 - 103 -

4225 State Gov. Service Charges

3400 Other Funds Ltd 6,810 - 6,810 -

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Health Related Licensing Boards

Agency Number 83300

BDV004B

Version: V - 01 - Agency Request Budget

2015-17 Biennium

Cross Reference Number: 83300-028-00-00-00000

Speech-Language Path. and Audio.

Description	Total Essential Packages	Pkg: 010	Pkg: 031	Pkg: 032		
		Non-PICS Psnl Svc / Vacancy Factor	Standard Inflation	Above Standard Inflation		
		Priority: 00	Priority: 00	Priority: 00		
<b>4250 Data Processing</b>						
3400 Other Funds Ltd	728	-	-	728		
<b>4275 Publicity and Publications</b>						
3400 Other Funds Ltd	55	-	55	-		
<b>4300 Professional Services</b>						
3400 Other Funds Ltd	835	-	759	76		
<b>4315 IT Professional Services</b>						
3400 Other Funds Ltd	135	-	123	12		
<b>4325 Attorney General</b>						
3400 Other Funds Ltd	7,350	-	7,350	-		
<b>4400 Dues and Subscriptions</b>						
3400 Other Funds Ltd	46	-	46	-		
<b>4425 Facilities Rental and Taxes</b>						
3400 Other Funds Ltd	575	-	575	-		
<b>4575 Agency Program Related S and S</b>						
3400 Other Funds Ltd	581	-	581	-		
<b>4650 Other Services and Supplies</b>						
3400 Other Funds Ltd	5,037	-	724	4,313		
<b>4715 IT Expendable Property</b>						
3400 Other Funds Ltd	105	-	105	-		
<b>SERVICES &amp; SUPPLIES</b>						
3400 Other Funds Ltd	22,976	-	17,847	5,129		
<b>TOTAL SERVICES &amp; SUPPLIES</b>	<b>\$22,976</b>	<b>-</b>	<b>\$17,847</b>	<b>\$5,129</b>		

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**Health Related Licensing Boards**

**Agency Number 83300**

BDV004B

Version: V - 01 - Agency Request Budget

2015-17 Biennium

Cross Reference Number: 83300-028-00-00-00000

Speech-Language Path. and Audio.

Description	Total Essential Packages	Pkg: 010 Non-PICS Psnl Svc / Vacancy Factor  Priority: 00	Pkg: 031 Standard Inflation  Priority: 00	Pkg: 032 Above Standard Inflation  Priority: 00		
<b>EXPENDITURES</b>						
3400 Other Funds Ltd	24,266	1,290	17,847	5,129		
<b>TOTAL EXPENDITURES</b>	<b>\$24,266</b>	<b>\$1,290</b>	<b>\$17,847</b>	<b>\$5,129</b>		
<b>ENDING BALANCE</b>						
3400 Other Funds Ltd	(24,266)	(1,290)	(17,847)	(5,129)		
<b>TOTAL ENDING BALANCE</b>	<b>(\$24,266)</b>	<b>(\$1,290)</b>	<b>(\$17,847)</b>	<b>(\$5,129)</b>		

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**Health Related Licensing Boards**

**Agency Number 83300**

BDV004B  
2015-17 Biennium  
Speech-Language Path. and Audio.

Version: V - 01 - Agency Request Budget  
Cross Reference Number: 83300-028-00-00-00000

Description	Total Policy Packages	Pkg: 140 Investigative Workload & Background Checks  Priority: 00				
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**EXPENDITURES**

**PERSONAL SERVICES**

**SALARIES & WAGES**

**3110 Class/Unclass Sal. and Per Diem**

3400 Other Funds Ltd 37,668 37,668

**OTHER PAYROLL EXPENSES**

**3210 Empl. Rel. Bd. Assessments**

3400 Other Funds Ltd 44 44

**3220 Public Employees Retire Cont**

3400 Other Funds Ltd 5,948 5,948

**3230 Social Security Taxes**

3400 Other Funds Ltd 2,882 2,882

**3250 Workers Comp. Assess. (WCD)**

3400 Other Funds Ltd 69 69

**3260 Mass Transit Tax**

3400 Other Funds Ltd 226 226

**3270 Flexible Benefits**

3400 Other Funds Ltd 30,528 30,528

**OTHER PAYROLL EXPENSES**

3400 Other Funds Ltd 39,697 39,697

**TOTAL OTHER PAYROLL EXPENSES \$39,697 \$39,697**

**PERSONAL SERVICES**

3400 Other Funds Ltd 77,365 77,365

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Health Related Licensing Boards

Agency Number 83300

BDV004B

Version: V - 01 - Agency Request Budget

2015-17 Biennium

Cross Reference Number: 83300-028-00-00-00000

Speech-Language Path. and Audio.

Description	Total Policy Packages	Pkg: 140 Investigative Workload & Background Checks				
<b>TOTAL PERSONAL SERVICES</b>	<b>\$77,365</b>	<b>\$77,365</b>				

**SERVICES & SUPPLIES**

<b>4100 Instate Travel</b>						
3400 Other Funds Ltd	5,000	5,000				
<b>4175 Office Expenses</b>						
3400 Other Funds Ltd	500	500				
<b>4200 Telecommunications</b>						
3400 Other Funds Ltd	600	600				
<b>4250 Data Processing</b>						
3400 Other Funds Ltd	250	250				
<b>4300 Professional Services</b>						
3400 Other Funds Ltd	15,000	15,000				
<b>4315 IT Professional Services</b>						
3400 Other Funds Ltd	500	500				
<b>4325 Attorney General</b>						
3400 Other Funds Ltd	28,863	28,863				
<b>4375 Employee Recruitment and Develop</b>						
3400 Other Funds Ltd	200	200				
<b>4425 Facilities Rental and Taxes</b>						
3400 Other Funds Ltd	4,176	4,176				
<b>4650 Other Services and Supplies</b>						
3400 Other Funds Ltd	400	400				
<b>4700 Expendable Prop 250 - 5000</b>						

**Health Related Licensing Boards**

**Agency Number 83300**

**BDV004B**

**Version: V - 01 - Agency Request Budget**

**2015-17 Biennium**

**Cross Reference Number: 83300-028-00-00-00000**

**Speech-Language Path. and Audio.**

Description	Total Policy Packages	Pkg: 140 Investigative Workload & Background Checks  Priority: 00				
3400 Other Funds Ltd	400	400				
<b>4715 IT Expendable Property</b>						
3400 Other Funds Ltd	1,300	1,300				
<b>SERVICES &amp; SUPPLIES</b>						
3400 Other Funds Ltd	57,189	57,189				
<b>TOTAL SERVICES &amp; SUPPLIES</b>	<b>\$57,189</b>	<b>\$57,189</b>				
<b>EXPENDITURES</b>						
3400 Other Funds Ltd	134,554	134,554				
<b>TOTAL EXPENDITURES</b>	<b>\$134,554</b>	<b>\$134,554</b>				
<b>ENDING BALANCE</b>						
3400 Other Funds Ltd	(134,554)	(134,554)				
<b>TOTAL ENDING BALANCE</b>	<b>(\$134,554)</b>	<b>(\$134,554)</b>				
<b>AUTHORIZED POSITIONS</b>						
8150 Class/Unclass Positions	1	1				
<b>AUTHORIZED FTE</b>						
8250 Class/Unclass FTE Positions	0.50	0.50				

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REPORT: PACKAGE FISCAL IMPACT REPORT

2015-17

PROD FILE

AGENCY: 83300 HEALTH RELATED LICENSING BRDS

PICS SYSTEM: BUDGET PREPARATION

SUMMARY XREF: 028-00-00 Speech-Language Path. and Audi

PACKAGE: 140 - Investigative Workload & Backg

POSITION NUMBER	CLASS	COMP	CLASS NAME	POS CNT	FTE	MOS	STEP	RATE	GF SAL/OPE	OF SAL/OPE	FF SAL/OPE	LF SAL/OPE	AF SAL/OPE
0000235	UA	C5232	AA INVESTIGATOR 2	1	.50	12.00	02	3,139.00		37,668			37,668
										39,471			39,471
TOTAL PICS SALARY										37,668			37,668
TOTAL PICS OPE										39,471			39,471

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TOTAL PICS PERSONAL SERVICES =	1	.50	12.00							77,139			77,139
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## **BUDGET NARRATIVE**

### **Special Reports**

#### **Information Technology-related Projects/Initiatives in 2015-17**

Not applicable.

#### **Annual Performance Progress Report**

The Board's Annual Self-Evaluation will be conducted at its August 8, 2014 meeting. The 2013-14 APPR will be completed in August 2014, and will be included in the Governor's Budget submission.

#### **Facility Proposal Impact on Work Space Requirements**

To accommodate the requested 0.5 FTE Investigator, space is expected to be sub-leased from another licensing Board within Suite 407 of the Portland State Office Building.

**Audit Response:** BSPA was included in the Secretary of State's audit of all Health Professional Regulatory Boards (SOS 2014-06). The joint response is included in this document. This Agency Request Budget includes a Policy Package to add a 0.5 FTE Investigator position and the other legal and professional services fees required to support the agency's current workload and the enhanced criminal background check function. This position was requested originally at the December 2010 E-Board, and in the budget requests for 2011-13 and 2013-15.

The other recommendation is for expanded Board training. BSPA's Executive Director has developed and maintained a Board Orientation Manual that is reviewed with each incoming Board member in person before their first meeting. In addition, the Executive Director has successfully obtained and utilized additional resources over the last few biennia for Employee (and Board member) Training and Out-of-State Travel to support Board members' attendance at the excellent one-day Board member training session provided at the annual meeting of the National Council of State Boards of Speech-Language Pathology & Audiology. Both the Executive Director and Chair attended the recent training provided by the Executive Appointment's Office as well. If other quality training offerings become available, BSPA would gladly take advantage of collaboration with other State agencies (including DOJ) to offer these to its Board members.

#### **Affirmative Action Report**

BSPA's affirmative action policy provides that any appointments or hiring of employees for the Board of Examiners for Speech-Language Pathology and Audiology will be free of discrimination. Board members and the Executive Officer will provide a work environment free of harassment based on religion, race, age, disability status, gender, sexual orientation, or any other factor prohibited by law.

## **BUDGET NARRATIVE**

The Affirmative Action Plan is on file in the Board office. It will accompany recruitment materials supplied to applicants seeking employment with the Board. The Affirmative Action Report is submitted biennially to the Affirmative Action Director, Office of the Governor.

The Board currently employs only two individuals for a total of 2.0 FTE, so the opportunity to set a goal for hiring disabled or minority individuals is limited. The Board exercises impartial and unbiased evaluation of applications and interviews for employment when vacancies occur or any temporary or permanent positions are authorized. The Board will provide a reasonable accommodation if such accommodation is needed to adequately and equally perform job tasks.

*2013-14 Compliance* - Currently, agency staff consists of one white female manager and one white male support staff.

ORS 659A.015 requires agencies to report awards of construction, service and personal service contracts awarded to minority businesses. BSPA currently contracts with white male and white female hearing and speech professionals selected to serve as clinical consultants in Board investigations. Very few hearing and speech professionals in Oregon or nationally are ethnic minorities, and most are women.

In October 2013, the Board entered into a professional services contract with a minority-owned private investigator company.

In recruiting for three vacancies on the Board, the Board members and Executive Director reached out to individuals in a variety of geographic settings, ages, genders, and ethnic minority groups.

### **Senate Bill 786 Compliance**

Senate Bill 786 mandated the Health-Related Licensing Boards to:

1. Establish programs to increase the representation of people of color and bilingual people on the boards and in the professions that they regulate.
2. Maintain records of the racial and ethnic makeup of applicants and professionals regulated by the board.
3. Report biennially to the legislature on the above two.

### *Statement on Board Position Opening Advertisement*

Board members are appointed by the Governor. The Governor may take ethnicity, multilingual skills, geographic diversity, gender, or other factors into consideration as he sees fit. The new Governor's appointees are two white females from the Portland metro area and one Asian-American female from Central Oregon. Other Board members are white females from the Oregon Coast, Portland area, and Eastern Oregon. When Board

## BUDGET NARRATIVE

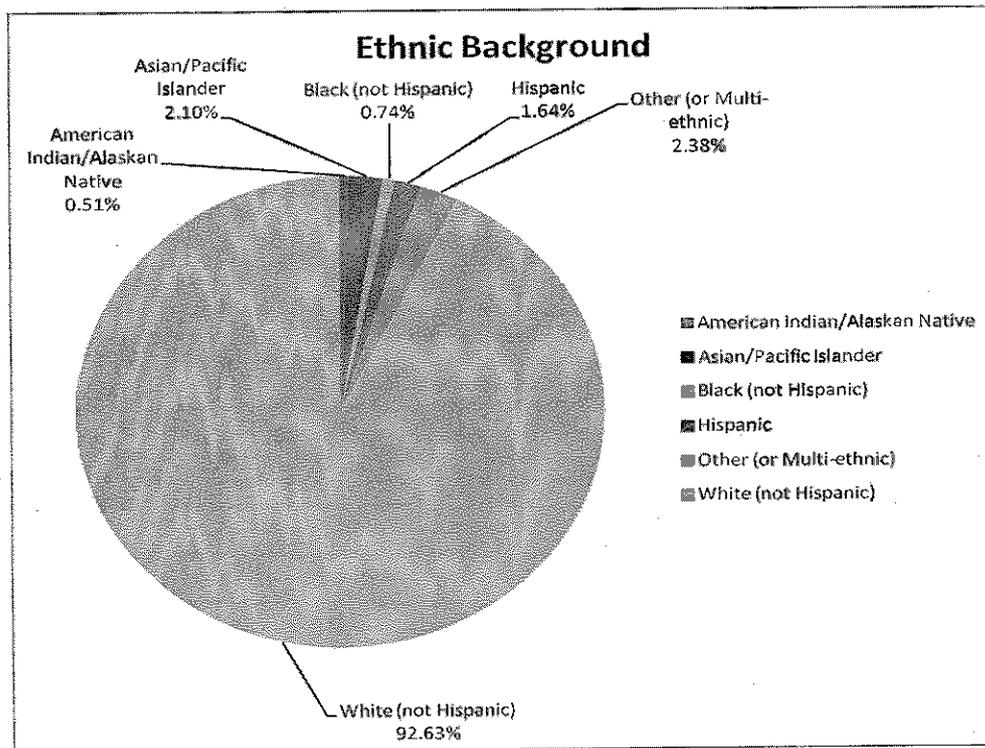
member vacancies are announced on the Board's website and newsletter, the following statement is included: *"the Board encourages people of color and bilingual people to apply for member positions"*.

### *OHWI*

The Board is awaiting the results of a pilot project between the Oregon Healthcare Workforce Initiative and certain other health professional licensing boards to identify characteristics of existing licensees in the professions we regulate, and to identify issues and actions for future recruiting.

### *Racial, Ethnic, and Linguistic Characteristics of Licensees*

BSPA has tracked ethnicity and multilingualism of our applicants since 2002, although some applicants decline to provide the information. July 2014 data show the following breakdown of ethnicity and language fluency for active licensees who are audiologists, speech pathologists, or SLPAs:



## BUDGET NARRATIVE

A total of 233 licensees (up from 169 in 2012 and 149 in 2010) report being bilingual, in the languages listed below.

Arabic	3	Icelandic	1
Armenian	1	Illongo	1
ASL	24	Italian	5
Bulgarian	1	Japanese	6
Chinese	2	Swahilli	1
Chinuk Wawa	1	Korean	2
Dutch	3	Lithuanian	1
Filipino	2	Maylay/Tamil	3
Finnish	1	Norwegian	4
French	33	Tagalog	2
German	22	Polish	1
Greek	2	Portuguese	2
Hebrew	3	Russian	10
Hindi	7	Spanish	116
Hmong	1	Swedish	2

Portland State University's SLP graduate program has a specialty offering in bilingual SLP, focusing on Spanish. This may be contributing to the increasing number of licensees reporting fluency in Spanish, which is up 38% from two years ago.

### **Regulatory Streamlining**

Per Executive Order 03-01, the Board regularly reviews regulations and regulatory processes to identify opportunities to streamline these processes to reduce regulatory burdens without compromising standards.

#### *Methods to Identify Streamlining Opportunities*

The methods for identifying opportunities for streamlining include:

- Regularly reviewing licensing and disciplinary processes to seek efficiencies and reduce burdens to licensees and staff
- Continuing collaboration with other health licensing boards

## BUDGET NARRATIVE

- Monitoring national trends in licensing speech and hearing professionals
- Monitoring customer service surveys completed by licensees
- Encouraging stakeholder input during legislative and administrative processes for making new regulations

### *Tracking Progress on Reducing Regulatory Barriers*

Collaborative Efforts—The Board’s collaboration with other Health Related Licensing Boards, especially those co-located in Suite 407 of the Portland State Office Building, demonstrates our commitment to streamlining operations and thereby reducing regulatory burdens to our licensees. Our shared services include Information Technology (including servers, fax, copier), conferencing capabilities (critical for Board meetings), and other support services such as document shredding. Joint purchasing contracts provide volume discounts and stability in service capabilities. Some examples include:

- Agency Performance Measures: Through the shared IT consultant, the Boards developed an on-line customer service survey which automatically collates and calculates responses electronically. Other custom reports allow tracking of licensing throughput. Further discussion is underway regarding the development of common operational measures.
- IT System Development & Support (operational support, asset management, database development, shared hardware and software, data security): The shared IT consultant provides low cost, yet customized, solutions to agency needs.
- Business Continuity Plan: The Boards have jointly developed an effective plan to address emergencies related to weather, security, or facility contingencies.
- Employee Safety and Human Resources Issues
- Tenant Issues
- Document Handling and Information Security: Suite 407 is key-carded to create more security for staff and confidential documents. This system provides one layer of security, which is supplemented by one or two other layers for different types of information.
- The Boards presented proposals to DOJ and to DAS to “embed” an AAG and a staff accountant, respectively, in Suite 407 to streamline operations and communications with these service providers. Neither agency approved this request.

The directors of all the Health Professional Regulatory Boards (including larger agencies such as medical, dental, and nursing boards, as well as medium- and small-sized agencies) also meet monthly. This collaboration facilitates coordinated responses to initiatives of other state agencies and discussions of best practices among boards. Importantly, it also provides the mechanisms for a peer review audit that was initiated through HB2118 in 2009, and has provided valuable feedback to the agencies that have participated to date, including this agency, in fall 2013.

PKG	CLASS	COMP	DESCRIPTION	POS CNT	FTE	MOS	AVERAGE RATE	GF SAL	OF SAL	FF SAL	LF SAL	AF SAL
000	B	Y7500	AE BOARD AND COMMISSION MEMBER		.00	.00	0.00		1,260			1,260
000	MEAHZ7004	HA	PRINCIPAL EXECUTIVE/MANAGER C	1	1.00	24.00	6,768.00		162,432			162,432
000	MENNZ0108	AA	ADMINISTRATIVE SPECIALIST 2	1	1.00	24.00	3,389.00		81,336			81,336
000				2	2.00	48.00	1,128.55		245,028			245,028

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07/09/14 REPORT NO.: PPDPLBUDCL  
 REPORT: SUMMARY LIST BY PKG BY SUMMARY XREF  
 AGENCY: 83300 HEALTH RELATED LICENSING BRDS  
 SUMMARY XREF: 028-00-00 140 Speech-Language Path

DEPT. OF ADMIN. SVCS. -- PPDB PICS SYSTEM

2015-17

PICS SYSTEM: BUDGET PREPARATION

PKG	CLASS	COMP	DESCRIPTION	POS CNT	FTE	MOS	AVERAGE RATE	GF SAL	OF SAL	FF SAL	LF SAL	AF SAL
140	UA	C5232 AA	INVESTIGATOR 2	1	.50	12.00	3,139.00		37,668			37,668
140				1	.50	12.00	3,139.00		37,668			37,668
				3	2.50	60.00	1,329.60		282,696			282,696

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REPORT: DETAIL LISTING BY SUMMARY XREF AGENCY

2015-17

PROD FILE

AGENCY: 83300 HEALTH RELATED LICENSING BRDS

PICS SYSTEM: BUDGET PREPARATION

SUMMARY XREF: 028-00-00 140 Speech-Language Path

POSITION NUMBER	AUTH NO	ORG STRUC	F POS	PKG Y TYP	CLASS COMP	RNG	S T P	POS CNT	FTE	BUDGET RATE	MOS	GF SAL	OF SAL	FF SAL	LF SAL	T R K	
0000235	001228430	028-01-00-00000	140	0 PP	UA C5232 AA	21	02	1	.50	3,139.00	12.00				37,668		
EST DATE: 2015/07/01			EXP DATE: 9999/01/01														
			140					1	.50		12.00				37,668		

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February 28, 2014

Mr. Will Garber, CGFM, MPA  
Deputy Director, Audits Division  
Oregon Secretary of State Audits Division  
255 Capitol Street NE, Suite 500  
Salem, OR 97310

RE: Health Professional Regulatory Boards Report

Dear Mr. Garber,

The Health Professional Regulatory Boards thank the Secretary of State Audits Division for its comprehensive review of the governance and delivery of services by the 17 boards reviewed. As concluded in the team's report, all boards are actively engaged in promoting quality health services while providing an objective way for consumers to seek resolution of grievances. The boards also regularly collaborate with one another and achieve transparency through outreach efforts.

Board members are actively involved in key board business and contribute significantly to patient safety in Oregon. The public and professional members of these health boards contribute an important public service on an essentially volunteer basis.

The boards agree with the report's recommendations and are taking the following actions.

*Give Further Consideration to Criminal Background Checks*

Thorough background checks represent one of the many important methods boards use to ensure that applicants meet the ethical and safety standards of the profession. The report finds that most boards perform thorough initial administrative and criminal background checks of applicants, including a fingerprint-based FBI criminal background check; and the few that do not will continue to explore the feasibility.

In checking with other entities around the country the reviewers found that the Oregon boards' criminal background checks are similar to those of other states; however, the boards will continue to evaluate the benefits and challenges of performing additional checks on professionals at license renewal. Boards will seek any necessary increase in budget limitations, fees or legislation in the 2015 session.

*Consider More Operational Support and Board Member Training*

Health regulatory boards have the benefit of actively engaged board members. There are a dozen accountability mechanisms in place for boards through the executive and legislative branches as well as the Secretary of State Audits Division. Accountability

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begins with enabling legislation and the appointment process for board members as identified in the report. The boards agree that additional resources and better coordination with the Governor's Office, supporting the role of boards and commissions in the State overall, would be of benefit. New members are given board-specific orientations. However, given the scope and complexity of these roles, the health regulatory boards welcome additional training and support.

In reviewing best practices and operations and in comparing the effectiveness of various agency models, several boards have voted to move to a semi-independent model if the option is available. The semi-independent model offers a nimble and cost-effective way of administering health regulatory boards while ensuring accountability. The boards would like to further explore this model and its potential benefits for the state, licensees and the public.

In closing, thank you for your Division's work, insights and openness. We appreciate the collaborative approach in achieving the audit's objective.

Sincerely,

- Oregon Board of Chiropractic Examiners
- Oregon Board of Dentistry
- Oregon Board of Examiners for Speech-Language Pathology and Audiology
- Oregon Board of Licensed Professional Counselors and Therapists
- Oregon Board of Licensed Social Workers
- Oregon Board of Massage Therapists
- Oregon Board of Medical Imaging
- Oregon Board of Naturopathic Medicine
- Oregon Board of Optometry
- Oregon Board of Pharmacy
- Oregon Health Licensing Agency
- Oregon Medical Board
- Oregon Mortuary and Cemetery Board
- Oregon Occupational Therapy Licensing Board
- Oregon Physical Therapist Licensing Board
- Oregon State Board of Nursing
- Oregon Veterinary Medical Examining Board



JOHN A. KITZHABER, MD  
Governor

March 4, 2014

Secretary Kate Brown  
State Capitol Building  
900 Court Street NE, Suite 136  
Salem, Oregon 97310

The Governor's Office would like to thank the Secretary of State Audits Division for their detailed and comprehensive audit of Oregon health licensing boards and commissions.

As noted in the report, health licensing boards, commissions, councils, and similar entities play a vital role here in Oregon, as they allow for direct public participation in the administration of health care policy areas. The opportunity for subject matter expertise and direct stakeholder engagement in government makes the end result better. Therefore, it is essential that we pay close attention to the overall purpose and function of health licensing boards, so that they—like all public entities—are accountable, effective and transparent. This importance is highlighted by the regular focus on the creation, structure and function of boards in administration after administration, for over a hundred years. Simply put, boards are an essential part of what makes for effective government.

The Governor's Office agrees with and is prepared to continue addressing the underlying recommendation in the report. The Governor's Office is actively working to develop a "deliberate and cohesive" governance structure for Oregon boards in partnership with the Department of Administrative Services (DAS) and the Legislature, as well as other stakeholders. The following are a few examples of ways in which the Governor's Office is actively working to address the audit's recommendations:

In response to the issue related to the flow of information from the Governor's Office to the Administrators of health licensing boards, the Governor's Office is very open to a collaborative approach to recruitment with the understanding that the decision to appoint is ultimately up to the Governor. While appointments that are made by the Governor may not always provide Administrators with their preferred candidate, the Governor's Office has established a process of information sharing that creates opportunities for Administrators to provide the Governor with their perspective on their particular needs for specialists, skill sets and work styles for new board members.

Since moving from a strictly paper-based appointments process to a largely electronic-based appointments process, the Governor's Office can now provide Administrators with complete electronic folders that includes all applications to their respective boards or commissions. Administrators have been invited to make suggestions about current applicants as well as providing the Governor's Office with additional candidates who are a better fit for their needs. Board Administrators are now invited to and encouraged to contact the final candidate prior to their confirmation hearings.

The Governor's Office has also begun including Administrators who are receiving new board members in all information that is sent to board candidates during and after their confirmation process. This includes

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the board candidate's confirmation packet, dates and times of confirmation hearings, and information regarding the required paperwork that follows confirmation.

As noted in the audit report, the Governor's Office is currently developing a template for a quarterly report that will be used by all boards so that accurate and consistent information regarding the performance and expectations of boards and commissions can be tracked and documented. Additionally, the Governor's Office, in partnership with the Department of Administrative services, will gather a group of four Administrators for two meetings to help create the report template. We are working to generate these meetings before April 11, 2014 in order to consolidate information and prepare documents for large trainings for board administrators and Commission Chairs in late April. These trainings are designed to provide an understanding of Executive Appointment process and clarify board expectations by all Executive Directors and Commission Chairs. This will include issues that are:

Procedural: Relating to appointments and board members

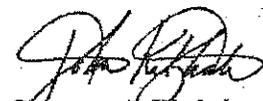
Operational: Relating to Executive Directors and the agencies

Policy: Relating to an agency's rules or procedures

Finally, regarding issues related to increasing the oversight of boards and commissions, the Governor's Office is in the process of determining the most appropriate and efficient pathway to solving this issue. Because over 50% of the Governor's appointments require Senate confirmation, it is critical that our office works in concert with the Oregon Legislature and the Department of Administrative Services to make decisions about this issue. As noted in the audit report, the Governor's Office currently has a significant staff capacity issue which will need to be thoughtfully analyzed as we examine oversight questions. We will work with legislative and administrative partners to determine the right procedural and fiscal fixes to providing greater oversight to our health licensing and other boards in the future.

The Governor's Office will also work with DAS and the Legislature, as well as stakeholders, to clarify or establish enabling legislation and practices that accomplish the recommended outcomes contained in the audit. We look forward to this process, and the outcomes of our responses to the Secretary of State's audit.

Sincerely,

  
Governor A. Kitzhaber M.D.  
Governor