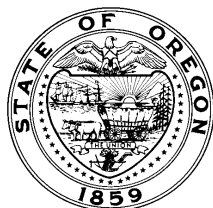


# **Review of Semi-independent Agency Reports**



**Legislative Fiscal Office  
December 2010**



**STATE OF OREGON  
LEGISLATIVE FISCAL OFFICE**

900 COURT STREET NE  
STATE CAPITOL, ROOM H-178  
SALEM OR 97301-4048  
PHONE 503-986-1828  
FAX 503-373-7807



KEN ROCCO  
LEGISLATIVE FISCAL OFFICER

DARON HILL  
DEPUTY LEGISLATIVE FISCAL OFFICER

To the Members of the Seventy-Sixth Oregon Legislative Assembly:

Enclosed is the third Legislative Fiscal Office report on review of semi-independent agencies' biennial reports, in accordance with ORS 182.472. This report is the means by which the Legislative Assembly receives budgetary and administrative information on agencies whose budgets are not subject to Executive Branch review, or approval or modification by the Legislative Assembly.

Ken Rocco  
Legislative Fiscal Officer



# Review of Semi-independent Agency Reports

## Table of Contents

	Page
Summary .....	1
Background .....	2
Authority .....	2
Review Process .....	2
Required Content .....	3
Findings.....	4
Conclusions and Recommendations .....	10
Appendix A – Operations Summary for 2007-09 Biennium.....	A-1
Appendix B – Fund Balance Summary / Budget Analysis.....	B-1
Appendix C – Sample of Licensing and Enforcement Activity Spreadsheet.....	C-1
Appendix D – Updated Reporting Guidelines .....	D-1
Appendix E – Proposed Changes to Statutes .....	E-1



## Summary

This review fulfills the Legislative Fiscal Office's (LFO) requirement to provide the Joint Legislative Audit Committee and the Joint Committee on Ways and Means with a statement of findings and conclusions related to the semi-independent agency reports submitted pursuant to ORS 182.472.

The review covers agency performance for the 2007-09 biennium and the adopted budget for the 2009-11 biennium. For this review cycle, LFO corresponded via email and telephone, and met in person with agencies as needed to verify report content and discuss each agency's future financial reporting plans. During this process, LFO asked for additional data and explanatory information to close information gaps and resolve issues identified so that all affected agencies would be in compliance with ORS 182.472. Throughout the review process, agencies were very cooperative and open to improving the quality and consistency of future reports.

For future reports, LFO recommends:

1. Agencies follow the updated reporting guidelines prepared by LFO.
2. If agencies pilot the use of financial reviews, in addition to the guidelines for financial reviews recommended by the Secretary of State, LFO recommends that agencies also include a risk assessment, and an agreed upon procedure for an appraisal of internal controls. The risk assessment and the appraisal of internal controls should include, but not be limited to, the following:
  - information technology systems security
  - licensing processes
  - rulemaking process
  - requests for proposals
  - procurement contracts
  - vendor relationships
3. Adding the Legislative Fiscal Officer to the statutes (ORS 284.335 and ORS 377.838) requiring the Travel Information Council, and the Oregon Film and Video Office, respectively, to file a report on activities and operations with the Governor and the Legislative Assembly.

## **Background**

ORS 182.454 requires the following eleven semi-independent agencies to submit a biennial report to the Governor, the President of the Senate, the Speaker of the House, and the Legislative Fiscal Officer by April 1 of each even-numbered year:

- Oregon Board of Architect Examiners
- Appraiser Certification and Licensure Board
- Oregon State Board of Examiners for Engineering and Land Surveying
- Board of Geologist Examiners
- State Landscape Architect Board
- State Landscape Contractors Board
- Oregon Board of Massage Therapists
- Oregon Board of Optometry
- Physical Therapist Licensing Board
- Oregon Patient Safety Commission
- Oregon Wine Board

Appendix A provides a summary profile for each of these semi-independent agencies.

## **Authority**

ORS 182.472 requires the Legislative Fiscal Office to review the reports and issue a statement of findings and conclusions to the Joint Legislative Audit Committee and the Joint Committee on Ways and Means. This report fulfills the requirement.

## **Review Process**

The review is focused on the provisions of ORS 182.472 and covers reports submitted for the April 1, 2010 deadline. Reports were reviewed for completeness and compliance with statutory requirements. This review should not be considered an audit as findings and conclusions are limited to the information provided by agencies in response to ORS 182.472.

As part of this review, LFO corresponded via email and telephone, and met in person with agencies as needed to collect missing information, provide feedback on report content, and to discuss proposed recommendations for future reports. In all cases, agencies were responsive to requests for information and appreciative of LFO's efforts at providing more specific structure and guidance to improve the quality of future reports.



## Required Content

The required content of agency reports is detailed in ORS 182.472. During the 2010 special session, the Legislative Assembly modified the statute to: [1] extend the statutory due date for the reports from January 1 to April 1 of even numbered years, and [2] specify consistently the prior biennium as the report timeframe for each subsection (HB 3696). These changes ensure that each agency's financial audit corresponds to the same timeframe as the report, and that the timeframe is consistent for all the information required by ORS 182.472. Modified portions are in ***bold italics*** in the excerpt below.

***182.472 Reports.*** *Not later than April 1 of each even-numbered year, each board subject to ORS 182.456 to 182.472 shall submit a report to the Governor, the President of the Senate, the Speaker of the House of Representatives and the Legislative Fiscal Officer. The Legislative Fiscal Officer shall review the reports and shall prepare and submit a statement of findings and conclusions to the Joint Legislative Audit Committee and the Joint Committee on Ways and Means. The report must include the following:*

- (1) A copy of the most recent audit or financial review of the board.*
- (2) A copy of the actual budget for the prior biennium and a copy of the board's adopted budget for the biennium in which the report is made. The budget documents must show:
  - (a) The beginning balance and ending balance for each of the two biennia;*
  - (b) A description of material changes between the two biennia;*
  - (c) A description of the public hearing process used to establish the budget adopted for the current biennium; and*
  - (d) A description of current fees and proposed changes to fees, along with information supporting the amounts of the current fees and any proposed changes to the fees.**
- (3) A description of all temporary and permanent rules adopted by the board **during the prior biennium.***
- (4) A description of board actions promoting consumer protection that were taken **during the prior biennium.***
- (5) If the board issues licenses, a description of the board's licensing activities performed **during the prior biennium** that is adequate to allow evaluation of the*

*board's performance of its licensing responsibilities, including:*

- (a) The number of license applications;*
- (b) The number of licenses issued;*
- (c) The number of examinations conducted;*
- (d) The average time between application for and issuance of licenses;*
- (e) The number and types of complaints received about persons holding licenses;*
- (f) The number and types of investigations conducted;*
- (g) The number and types of resolutions of complaints;*
- (h) The number and type of sanctions imposed; and*
- (i) The number of days between beginning an investigation and reaching a resolution.*

*(6) A description of all other actions taken **during the prior biennium** in the performance of the board's statutory responsibilities that is adequate to allow evaluation of the board's performance.*

## **Findings**

LFO's review identified the following key findings:

- **General Reporting:** All eleven agencies submitted a report that generally complied with the content requirements specified in ORS 182.472. However, there were a few cases where information provided was insufficient and/or the range and type of information provided was inconsistent. This is the first year that agencies used the reporting guidelines created by LFO. Although the use of these guidelines significantly improved the consistency and quality of information reported overall, for a few agencies the information regarding licensing activities still varied significantly from each reporting period. This variance appears to be the result of inconsistent data collection (shifting definitions of licensure, processing time, complaints, investigations, resolutions, and sanctions for each reporting period) making it difficult to glean reliable trending information, context, and insight from the data provided.
- **Summary of Financial Audits:** The statute requires that "the most recent audit or financial review of the board" be submitted. All eleven agencies submitted the Secretary of State Audit Report for the biennium

ended June 30, 2009. LFO's review of audits identified that all eleven agencies received an unqualified opinion that the agency appropriately followed accounting rules and that the financial reports are an accurate representation of the agency's financial condition. There were no instances of noncompliance. The audits noted some deficiencies including lack of internal controls and management education about Generally Accepted Accounting Principles (GAAP) in preparation of financial statements. All eleven boards stated in their management response that they would take steps to assess policies and procedures and design appropriate controls to rectify any inadequacies, including exploring ways to collaborate with Semi-Independent Board Administrators and other appropriate entities.

- **Moving from Financial Audit to Financial Review:** SB 70 (2007) modified ORS 182.472 to enable semi-independent agencies to contract for a financial review instead of a financial audit. A financial review can include a detailed assessment of operational processes and practices. Costs of a financial review are dependent upon the scope of the review.

If agencies pilot the use of financial reviews, in addition to the guidelines for financial reviews recommended by the Secretary of State, LFO recommends that agencies also include a risk assessment, and an agreed upon procedure for an appraisal of internal controls. The risk assessment and the appraisal of internal controls should include, but not be limited to, the following:

- information technology systems security
- licensing processes
- rulemaking process
- requests for proposals
- procurement contracts
- vendor relationships

As of October 2010, seven of the agencies anticipate proceeding with a financial review by the 2012 reporting period, three are awaiting the decision from their boards, and the Oregon State Board of Examiners for Engineering and Land Surveying will most likely continue with a financial audit.

- **Budget and Fund Analysis:** Agencies, in most cases, provided: [1] a balance sheet for the 2007-09 biennium; [2] comparison of budgeted to actual revenues and expenditures for the 2005-07 and 2007-09 biennia; [3] projected/adopted budget for 2009-11 biennium; and [4] forecasted balance sheet for the 2009-11 biennium. In general, agencies clearly identified beginning and ending balances, and variances between reported and audited numbers were adequately explained.

#### 2007-09 Budget

The 2007-09 budgets for Semi-Independent Agencies ranged from around \$3.5 million for the Oregon Wine Board to just under \$300,000 for the State Landscape Architect Board. Eight of the eleven agencies performed under budget for the biennium while the three remaining agencies exceeded budgeted expenditures by less than 3%.

Additionally, for the 2007-09 biennium, revenue exceed budgeted projections for eight of the eleven agencies. These revenue increases were a result of increased numbers of licensees, or in the case of one board, a result of changing from an annual renewal cycle to a two-year renewal cycle for licensees.

#### 2009-11 Budget

Eight of the eleven agencies have budget increases between 2007-09 and 2009-11. Changes above the inflationary increases to agency budgets included rising costs of employee benefits and legal fees, as well as investments to update telephone and computer systems.

Only one board projected a reduction in revenue between 2007-09 and 2009-11. This reduction is due to the continued struggles of the housing economy.

See Appendix B for:

1. A summary of budgeted and actual fund balance, revenue, and expenditure numbers for the 2007-09 and 2009-11 biennium.
2. A brief budget analysis for each of the eleven agencies.

- **Public Hearing Process:** Each agency provided a description of the public hearing process used to establish the adopted 2009-11 budget, including dates and descriptions of actions taken.
- **Permanent Rules:** All agencies provided a “description of all temporary and permanent rules adopted by the board,” and process dates in their descriptions of board rules. Agencies are generally complying with public hearing requirements and rule making processes.
- **Fees:** During the 2007-09 biennium, six of the eleven agencies increased fees, and one agency established new fees. During the 2009-11 biennium, one agency budgeted a fee increase, and four agencies plan to implement new fees for new services. Agencies included sufficient information on the board deliberations and evaluation processes that resulted in the need for a new fee or fee increase. Fee increases ensured the continued solvency of the board, and new fees were implemented to offer new, optional, value-added services.
- **Additional Board Actions Promoting Consumer Protection:** Typically, agencies provided consumer information and outreach using websites, newsletters, email alerts, training, speaking engagements, and attendance at conferences. In addition, agencies developed partnerships with educators and practitioners to foster ethical behavior and professional conduct. The Appraiser Certification and Licensure Board adopted new education criteria set forth by the Appraiser Qualifications Board, worked in cooperation with the FBI in mortgage fraud investigations, and received national attention for a program to provide training and oversight to supervising appraisers. The Oregon State Board of Geologist Examiners, Oregon State Landscape Architect Board, and the Oregon State Board of Examiners for Engineering and Land Surveying introduced legislation to close loopholes, streamline business, and better meet the needs of customers and consumers. The Oregon State Landscape Architect Board fully implemented an auditing system for continuing education. The Oregon Board of Massage

Therapists created and posted standards on Craigslist and similar sites.

- **Licensing and Enforcement Activities:** The intent of collecting and reporting the data required by ORS 182.472 (5) is to provide reliable and accurate indicators of workforce (licensees) and performance (exams proctored, processing time, complaints received, investigations conducted, backlog risk, sanctions imposed), in order to ensure each agency's responsiveness to its constituents and market forces. While the statute does not specifically require that agencies include multiple years of data, LFO's previous reports recommended that agencies include multiple years of data (10 years or 5 biennia) so trending would be possible. To help ensure that multiple years of data are provided, in 2008, LFO worked with each agency to develop a spreadsheet template to use in future reports (Appendix C). For this reporting period, most agencies provided data for the 2005-07 and 2007-09 biennia. A few agencies were able to provide consistent and complete data for the 2003-05. Although most agencies followed the LFO recommendations and template, the data still varied significantly from each reporting period for some agencies. This inconsistent data collection appears to be the result of shifting definitions and parameters. For example, one agency included both active and inactive licenses issued for one biennium, but only counted active licenses for the next biennium. LFO acknowledges that data collection and processing methods often change over time. For example, various activity status codes are added or removed by semi-independent agencies, and at times, a determination may be made to begin to count licensees with a particular license or status code which may not have been counted in previous years. Conversely, at times a determination is made to cease to include licensees with a particular license or status code. Although these types of changes may make sound business sense and result in more accurate data at that specific time, they also skew the trend lines when doing an analysis of trends over a period of time when different collection methods are used. To prevent faulty analysis resulting from these types of changes in future reports, LFO will work with

agencies to revise the reporting guidelines and spreadsheet template to ensure sufficient documentation of each agency's data collection process. The establishment of consistent definitions and parameters along with additional years of reporting will allow for more complete, accurate, and reliable data collection, and therefore more meaningful insights and trends to be gleaned from the data provided.

- **Other Performance Indicators:** The Oregon Wine Board and the Oregon Patient Safety Commission do not provide licensing services, and the Wine Board does not have consumer protection as part of its mission. In accordance with LFO recommendations, these agencies provided information that enables LFO to review board performance in line with the expectations of ORS 182.472. The Oregon Wine Board submitted its 2007-08 and 2008-09 Annual Reports. The Oregon Patient Safety Commission uses sound metrics developed from national benchmarks to track its performance. One of the metrics includes an accounting of the number of hospitals, ambulatory surgery centers, nursing homes, retail pharmacies, and renal dialysis centers participating in the Commission's fee-based voluntary reporting program. LFO recommends the Commission include a copy of the most recent Public Health Officer Certification with future reports.
- **Other Semi-Independent Agencies:** The 2006 and 2008 reports to the Legislature identified three additional semi-independent agencies (Oregon Tourism Commission, Travel Information Council, and Oregon Film and Video Office) and recommended that the Legislative Assembly may wish to further examine the semi-independent governance model to determine whether consistent reporting and audit requirements would be appropriate.

The Oregon Tourism Commission is funded from the 1% state transient lodging tax. ORS 284.126 stipulates that the Commission adopt budgets on a biennial basis, and those portions of the budget funded by appropriations from the General Fund or Lottery Funds are subject to approval and/or modifications by

the Legislative Assembly and the Emergency Board. In addition, the remainder of the budget is subject to review and recommendation by the Legislative Assembly.

The Travel Information Council is funded by fees charged for voluntary participation in travel-related highway signage. The Travel Information Council is required by ORS 377.838 to file an annual report of the activities and operations of the council with the Governor and the Legislative Assembly.

The Oregon Film and Video Office receives Lottery Funds passed through the Oregon Business Development Department (OBDD) for agency operations and certifies up to \$1 million of income tax credits per year. The Oregon Film and Video Office is required by ORS 284.335 to file with the Governor and the Legislative Assembly a biennial report of the activities and operations of the office.

For consistent oversight of semi-independent agencies, LFO recommends adding the Legislative Fiscal Officer to the statutes (ORS 284.335 and ORS 377.838) requiring the Travel Information Council, and the Oregon Film and Video Office, respectively, to file a report on activities and operations with the Governor and the Legislative Assembly.

## Conclusions and Recommendations

The findings of this review point to several key conclusions (*identified by italic text*) and related recommendations (**identified by bold text**).

*This is the first year the agencies used the reporting guidelines created by LFO. Although the use of these guidelines noticeably improved the consistency and quality of information reported overall, for a few agencies, the information regarding licensing activities still varied considerably from each reporting period. This variance appears to be the result of inconsistent data collection (shifting definitions of licensure, processing time, complaints, investigations, resolutions, and sanctions for each reporting period) making it difficult to glean trending information, context and insight from the data provided. Given*



*these issues, LFO has revised the reporting guidelines to recommend that each agency include documentation of its data collection process (See Appendix D), and will work with each agency to ensure that consistent and reliable data are captured and reported. **LFO recommends that agencies follow these updated guidelines when preparing future reports.***

*Agencies now may contract for financial reviews instead of a financial audit. If a financial review can provide more detailed information on financial processes, practice deficiencies, and opportunities for improvement, this information may be more valuable for improving agency performance results. LFO assumes that the scope of these reviews would be monitored by agency boards and the Secretary of State. **If an agency pilots a financial review, in addition to the guidelines recommended by the Secretary of State for semi-independent agency financial review, LFO recommends that agencies also include a risk assessment, and an agreed upon procedure for an appraisal of internal controls. The risk assessment and the appraisal of internal controls should include, but not be limited to, the following:***

- **information technology systems security**
- **licensing processes**
- **requests for proposals**
- **rulemaking process**
- **procurement contracts**
- **vendor relationships**

*LFO identified three additional semi-independent agencies (Oregon Tourism Commission, Travel Information Council, and Oregon Film and Video Office). Currently, the Travel Information Council is required by ORS 377.838 to file an annual report of the activities and operations of the council with the Governor and the Legislative Assembly. Similarly, the Oregon Film and Video Office is required by ORS 284.335 to file with the Governor and the Legislative Assembly a biennial report of the activities and operations of the office. **For consistent oversight of semi-independent agencies, LFO recommends adding the Legislative Fiscal Officer to the statutes***

**(ORS 284.335 and ORS 377.838) requiring the Travel Information Council, and the Oregon Film and Video Office, respectively, to file a report on activities and operations with the Governor and the Legislative Assembly**

See Appendix E for proposed changes to statutes.

# APPENDIX A

## Semi-Independent Agencies: Operations Summary for 2007-2009 Biennium

	Pos.	FTE	Board Members		2007-2009 Board Meetings	Approximate # Licensees 6/30/2009		Board Stipend	Director Monthly Salary on 6/30/2009
			Industry	Public		Individuals	Firms/ Business		
Oregon Board of Architect Examiners	5	3.50	5	2	13	2,767	589	\$30/day	\$5,671
Appraiser Certification and Licensure Board	6	5.50	6	1	11	1,755	-	\$30/day	\$6,565
Oregon State Board of Examiners for Engineering and Land Surveyors	13	12.00	9	2	15	17,560	-	\$30/day	\$7,700
Oregon Board of Geologist Examiners	2	2.00	4+	1	12	1,250	-	\$100/day	\$5,772
State Landscape Architect Board	◆	◆	4	3	12	489	220	\$50/day	◆
State Landscape Contractors Board	6	5.50	5	2	12 in person 10 phone	1,630	1,240	\$30/day	\$6,045
Oregon Board of Massage Therapists	5	5.00	4	3	21	6,566	-	\$100/month	\$7,881
Oregon Board of Optometry	3	2.20	4	1	9	1,212	-	\$50/day	\$8,869
Physical Therapist Licensing Board	3	2.80	6	1	19	4,043	-	\$30/day	\$8,106
Oregon Patient Safety Commission	4	3.75	17	0	15	□	□	None Paid	\$6,968
Oregon Wine Board	7	6.50	9	0	16	□	□	None Paid	\$10,860

+ Plus one *ex officio* member (State Geologist)

◆ Contracted services from Oregon State Board of Geologist Examiners

□ Not a licensing agency



# APPENDIX B

## Semi-Independent Agencies: Budget to Actual Summary

	2007-2009 Actual Beginning Fund Balance	2007-2009 Budgeted Revenues	2007-2009 Actual Revenues	2007-2009 Budgeted Expenditures	2007-2009 Actual Expenditures	2007-2009 Budgeted Ending Fund Balance	2007-2009 Actual Ending Fund Balance	2009-2011 Budgeted Revenues	2009-2011 Budgeted Expenditures	2009-2011 Budgeted Ending Fund Balance
Oregon Board of Architect Examiners	\$784,595	\$744,269	\$965,235	\$710,000	\$716,260	\$818,864	\$1,033,570	\$846,500	\$846,500	\$1,033,570
Appraiser Certification and Licensure Board	\$620,486	\$1,303,610	\$1,179,109	\$1,426,474	\$1,146,447	\$497,622	\$653,148	\$1,213,900	\$1,465,421	\$401,627
Oregon State Board of Examiners for Engineering and Land Surveyors	\$334,012	\$1,801,000	\$2,828,810	\$2,060,432	\$2,087,546	\$74,580	\$1,075,276	\$3,359,250	\$2,577,970	\$1,856,556
Oregon Board of Geologist Examiners	\$184,454	\$481,115	\$485,370	\$481,115	\$454,286	\$184,454	\$215,538	\$483,975	\$474,297	\$225,216
State Landscape Architect Board	\$213,189	\$294,360	\$318,199	\$291,165	\$270,318	\$216,384	\$261,070	\$310,682	\$315,082	\$256,670
State Landscape Contractors Board	*\$551,723	\$1,236,347	\$1,206,060	\$1,454,556	\$1,368,187	*\$333,514	\$389,596	\$1,346,025	\$1,346,025	\$389,596
Oregon Board of Massage Therapists	\$358,979	\$1,097,763	\$1,212,254	\$1,287,346	\$1,163,448	\$169,396	\$407,785	\$1,222,000	\$1,300,000	\$329,785
Oregon Board of Optometry	\$192,634	\$607,945	\$633,562	\$617,904	\$610,781	\$182,675	\$215,415	\$648,125	\$648,125	\$215,415
Physical Therapist Licensing Board	\$510,975	\$900,000	\$947,142	\$859,000	\$886,098	\$551,975	\$572,019	\$900,000	\$938,000	\$534,019
Oregon Patient Safety Commission	\$173,853	\$1,044,375	\$969,996	\$997,933	\$821,569	\$220,295	\$322,280	\$1,126,159	\$993,281	\$455,158
Oregon Wine Board	\$260,537	\$3,362,790	\$3,394,042	\$3,459,544	\$3,378,254	\$163,783	\$276,325	\$3,924,224	\$4,017,346	\$183,203

\* With Prior period adjustment

## 1. Board of Architect Examiners

	2005-07 Budget	2005-07 Actual	2007-09 Budget	2007-09 Actual	2009-11 Budget
<b>Total Funds</b>	<b>\$650,200</b>	<b>\$646,580</b>	<b>\$710,000</b>	<b>\$716,260</b>	<b>\$846,500</b>
Positions	5	5	5	5	5
FTE	3.50	3.50	3.50	3.50	3.50

### Agency Overview

The mission of the Board of Architect Examiners is to protect the public through licensing and regulating the practice of architecture in Oregon. The Board administers the examinations and licenses individual architects and firms. The Board is responsible for investigating complaints, renewing licenses, and monitoring the continued education of its licensees. The seven-member board is composed of five professionals and two public members.

### Revenue Sources

The Board is funded by revenue generated from application, examination, and license fees. Other miscellaneous sources include civil penalties, late fees, and interest income. Revenue in 2009-11 is projected to be \$846,500, which is 13.7% more than 2007-09 estimates, and the projected ending cash balance of \$1,033,570 equals approximately 29 months of operating costs.

During the 2007-09 biennium, the agency changed from an annual renewal cycle to a two-year renewal cycle for licensees. In 2009, licensees holding an odd-numbered license renewed for two years, while licensees holding an even numbered license renewed for one year. This change will allow for one half of all licensees to renew each year for a two-year period but also resulted in increased revenues and a large ending cash balance.

### Budget Environment / Licensing and Enforcement Activities

Examinations, applications, and licensees have increased approximately 7.5% from 2005-07 to 2007-09. The Board anticipates the base of licensees to remain relatively consistent in the near future as renewal rates are consistently above 90% for both firms and individual licensees over the past five years. The Board currently regulates over 3,000 licensees between individuals and firms. The number of complaints received and investigated has decreased from the 2005-07 and 2007-09 biennium, however the number of civil penalties issued and number of cases involving legal representation has increased.

Please refer to page 8 of the main report under the subheading "Licensing and Enforcement Activities" pertaining to the Legislative Fiscal Office's concerns regarding the quality and reliability of licensing, complaints, investigation, and resolution data reported by the agency.

### 2007-09 Budget to Actual

The Board's 2007-09 actual revenue was \$965,235, a 29.7% increase from budgeted revenue. This is a result of the aforementioned change in renewal cycles that took effect mid-way through the biennium. The Board's 2007-09 actual expenditures were \$716,260, less than one percent over budget.

### 2009-11 Budget

The 2009-11 Board adopted budget of \$846,000 represents a 19.2% increase from the 2007-09 Board adopted budget. This includes increased costs for personal services salary and benefits, one-time upgrades of computer technology and telephone systems, and establishing an online renewal system and ability to process electronic payments. It also includes increases for the rising costs of legal fees related to compliance investigations and an increase for dues paid to national accreditation organizations.

## 2. Appraiser Certification and Licensure Board

	2005-07 Budget	2005-07 Actual	2007-09 Budget	2007-09 Actual	2009-11 Budget
<b>Total Funds</b>	<b>\$1,081,030</b>	<b>\$1,426,474</b>	<b>\$291,165</b>	<b>\$270,318</b>	<b>\$315,082</b>
Positions	5	5	6	6	6
FTE	5.50	5.50	5.50	5.50	5.50

### Agency Overview

The mission of the Appraiser Certification and Licensure Board is to protect the public through licensing and regulating the practice of real estate appraisal in Oregon. The Board is responsible for administering examinations, issuing licenses, investigating complaints, discipline, renewing licenses, and monitoring the continuing education of its licensees. The seven-member board is composed of five professionals, one representative of a financial institution, and one public member.

### Revenue Sources

The Board is funded by revenue generated from application, licensure, and renewal fees for individuals. Other miscellaneous sources include civil penalties, late fees, and interest income. Revenue in 2009-11 is projected to be \$1,213,900, which is 6.9% decrease from the 2007-09 budget, and the projected ending cash balance of \$401,627 equals approximately 6 months of operating costs.

### Budget Environment / Licensing and Enforcement Activities

The Board anticipates a reduction in the number of new applicants and licensees as well as a reduction in the renewal rate due to the current economic climate. The number of applicants and subsequent licenses issued decreased from 2005-07 to 2007-09. The Board currently regulates approximately 2,234 individuals, including permanent, temporary non-resident, and appraiser assistant license holders. The Board anticipates a continued downward trend in new applicants, new licensees, and renewals given the current economic climate. The number of complaints and investigations conducted increased from the 2005-07 and 2007-09 biennium. The Board has been able to resolve a majority of the cases within a one-year time period as required by the Federal Appraisal Subcommittee recommended guidelines.

Please refer to page 8 of the main report under the subheading "Licensing and Enforcement Activities" pertaining to the Legislative Fiscal Office's concerns regarding the quality and reliability of licensing, complaints, investigation, and resolution data reported by the agency.

### 2007-09 Budget to Actual

The Board's 2007-09 actual revenue was \$1,179,109, a 9.6% decrease from budgeted revenue reflected in the decrease in applications and licenses issued. The Board increased both the initial license certification fee and the license certification renewal fee by \$100 to help offset rising expenditures and diminishing revenue. The Board's 2007-09 actual expenditures were \$1,146,447, which is 19.6% less than budget. Due to the economic downturn's effects on revenue, the Board undertook strict cost controls and delayed development of a new license database.

### 2009-11 Budget

The 2009-11 Board adopted budget of \$1,465,421 represents a 2.7% increase from the 2007-09 Board adopted budget reflected in increased personal services costs. The Board intends to operate at a deficit for the biennium, but has sufficient ending balance to offset the reduced revenue projections.

### 3. Board of Examiners for Engineering & Land Surveying

	2005-07 Budget	2005-07 Actual	2007-09 Budget	2007-09 Actual	2009-11 Budget
<b>Total Funds</b>	<b>\$1,814,012</b>	<b>\$1,870,286</b>	<b>\$2,060,432</b>	<b>\$2,087,546</b>	<b>\$2,577,970</b>
Positions	11.5	11.5	13	13	13
FTE	9.50	9.50	12.00	12.00	12.00

#### Agency Overview

The mission of the Board of Examiners for Engineering and Land Surveying is to protect the public through licensing and regulating the practice of engineering and land surveying in Oregon. The Board is responsible for administering examinations, issuing licenses, investigating complaints, and renewing licenses. The eleven-member board is composed of nine professionals and two public members.

#### Revenue Sources

The Board is funded by revenue generated from application and annual registration fees for individuals. Other miscellaneous sources include civil penalties, late fees, and interest income. The Board raised fees in 2007-09 for applications, temporary permits, renewals, and reinstatements for inactive or retired registrants. This was the first fee increase for the Board since 1999. The Board states that the fee increase was necessary to maintain an appropriate level of service and provide a sufficient ending balance reserve. Revenue in 2009-11 is projected to be \$3,359,250, which is an 86.5% increase from the 2007-09 budget, and the projected ending cash balance of \$1,856,556 equals approximately 17 months of operating costs.

#### Budget Environment / Licensing and Enforcement Activities

The number of registration (+32%) and certification (+49%) applications increased from 2005-07 to 2007-09. The number of registrations and certifications issued increased 19% and 24% respectively over the same time period. In total, the Board currently regulates approximately 17,500 individuals. The number of complaints received (-9%) and investigations (-16%) conducted has decreased from the previous biennium.

Please refer to page 8 of the main report under the subheading "Licensing and Enforcement Activities" pertaining to the Legislative Fiscal Office's concerns regarding the quality and reliability of licensing, complaints, investigation, and resolution data reported by the agency.

#### 2007-09 Budget to Actual

The Board's 2007-09 actual revenue was \$2,828,810, a 57.1% increase from budgeted revenue, due to the increase in applicants and licenses issued, as well as the increases to application and renewal fees.

The Board's 2007-09 actual expenditures were \$2,087,546, which is 1.3% over budget. The Board experienced increases in personal services with the addition of new positions, increased office expenses and rent from moving into new facilities, and increased Attorney General fees. Additionally, the Board restructured its financial chart of accounts in order to provide more accuracy and transparency with budget development and implementation.

#### 2009-11 Budget

The 2009-11 Board adopted budget of \$2,577,970 represents a 25.1% increase from the 2007-09 Board adopted budget. The budget includes a \$642,078 increase in personal services.



#### 4. Board of Geologist Examiners

	2005-07 Budget	2005-07 Actual	2007-09 Budget	2007-09 Actual	2009-11 Budget
<b>Total Funds</b>	<b>\$330,076</b>	<b>\$364,299</b>	<b>\$481,115</b>	<b>\$454,286</b>	<b>\$474,297</b>
Positions	2	2	2	2	2
FTE	1.50	1.50	2.00	2.00	2.00

##### Agency Overview

The mission of the Board of Geologist Examiners is to protect the public through licensing and regulating the practice of geology in Oregon. The Board is responsible for administering examinations, issuing licenses, investigating complaints, and renewing licenses. The six-member board is composed of five professionals and one public member.

##### Revenue Sources

The Board is funded by revenue generated from an annual fee for registrants, an examination fee, and an initial registration fee. Other miscellaneous sources include civil penalties, late fees, interest income, and an interagency agreement with the State Landscape Architect Board for shared administration activities. Revenue in 2009-11 is projected to be \$483,975, which is less than one percent above 2007-09 estimates, and the projected ending cash balance of \$225,216 equals approximately 11 months of operating costs.

##### Budget Environment / Licensing and Enforcement Activities

The total number of licensees remained constant from 2005-07 to 2007-09, while the number of new license applications and licenses issued have declined. The Board currently regulates approximately 1,250 licensees. The number of complaints received and investigations conducted remained fairly constant from the 2005-07 and 2007-09 biennium. Please refer to page 8 of the main report under the subheading "Licensing and Enforcement Activities" pertaining to the Legislative Fiscal Office's concerns regarding the quality and reliability of licensing, complaints, investigation, and resolution data reported by the agency.

##### 2007-09 Budget to Actual

The Board's 2007-09 actual revenue was \$485,370, a less than one percent increase from budgeted revenue. The Board increased the annual fees for registrants and imposed an initial registration fee in 2007-09 to offset rising costs for personal services and legal fees. The initial registration fee is applied to applicants that have completed the examination and desire to register to practice in Oregon. The Board implemented this fee to differentiate between applicants that take the examination in Oregon, but do not intend to practice in the state, and those applicants that do intend to practice in the state and wish to be registered.

The Board's 2007-09 actual expenditures were \$454,286, which is 5.6% less than budget. The budget included increased costs for personal services through the interagency agreement with the State Landscape Architect Board and had a one-time \$15,000 expense for development of a Task Analysis and new examination forms jointly with the Washington Geology Board. The Board also had increased Attorney General fees largely due to one particular revocation case that was sent to the Oregon Court of Appeals where the Board's decision was upheld. The Board experienced savings in out-of-state travel, office supplies, and delaying major upgrades to database software.

##### 2009-11 Budget

The 2009-11 Board adopted budget of \$474,297 represents a 1.4% decrease from the 2007-09 Board adopted budget including reductions in out-of-state travel, office supplies, information technology, and Attorney General fees. The Board anticipates a 5% decline in renewal fees and a significant reduction in interest income as a result of the economic climate; however, the Board does not anticipate the need to increase fees.

The 2009-11 budget approved by the Board included reductions for Attorney General fees under the assumption that the costly revocation case had been completed. However, the Board has since been informed that the revocation case has been referred to the Oregon Supreme Court. The Board anticipates that there are sufficient reserves to cover increased legal costs not included in the 2009-11 budget.

## 5. Landscape Architect Board

	2005-07 Budget	2005-07 Actual	2007-09 Budget	2007-09 Actual	2009-11 Budget
<b>Total Funds</b>	<b>\$215,450</b>	<b>\$254,251</b>	<b>\$291,165</b>	<b>\$270,318</b>	<b>\$315,082</b>
Positions	*	*	*	*	*
FTE	*	*	*	*	*

### Agency Overview

The mission of the Landscape Architect Board is to protect the public through licensing and regulating the practice of landscape architecture in Oregon. The Board is responsible for administering examinations, issuing licenses, investigating complaints, renewing licenses, and monitoring the continuing education of its licensees. The Board does not retain full-time regular staff, but contracts administrative services with the Board of Geologist Examiners. The seven-member board is composed of four professionals and three public members.

### Revenue Sources

The Board is funded by revenue generated from application and annual registration fees for individuals and businesses. The Board collects examination fees to proctor two national exams; however, those fees are passed through to the respective national offices. Other miscellaneous sources include civil penalties, late fees, and interest income. Revenue in 2009-11 is projected to be \$310,682, which is a 5.5% increase from the 2007-09 budget, and the projected ending cash balance of \$256,670 equals approximately 19 months of operating costs.

### Budget Environment

The number of applicants and subsequent licenses issued increased 8.5% from 2005-07 to 2007-09. The Board currently regulates approximately 400 individuals and 220 businesses. The Board does not anticipate continued growth in new applicants and licensees given the current economic climate and experienced a 6% decrease in renewals during the 2007-09 biennium. The number of complaints and investigations conducted more than doubled from the 2005-07 and 2007-09 biennium. The majority of these cases were involving improper advertising of landscape architect services and were quickly resolved through education and proper registration.

Please refer to page 8 of the main report under the subheading "Licensing and Enforcement Activities" pertaining to the Legislative Fiscal Office's concerns regarding the quality and reliability of licensing, complaints, investigation, and resolution data reported by the agency.

### 2007-09 Budget to Actual

The Board's 2007-09 actual revenue was \$318,199, an 8.1% increase from budgeted revenue. This is a direct result of the increased number of applicants and licenses issued. The Board did not issue any fee increases in 2007-09, however, the national examination fees were increased by the national organizations that provide them. This revenue is passed through directly to the respective national offices.

The Board's 2007-09 actual expenditures were \$270,318, which is 7.2% less than budget. The Board experienced budget savings in Attorney General legal fees, risk management insurance rates, training, auditing, and board stipends.

### 2009-11 Budget

The 2009-11 Board adopted budget of \$315,082 represents an 8.2% increase from the 2007-09 Board adopted budget. The budget includes an increase in the interagency agreement with the Board of Geologist Examiners for contracted administrative services, an increase for board stipends from \$30 per meeting to \$50 per meeting, and an increase in facility rent for new office facilities that include space for proctoring examinations.

## 6. Landscape Contractors Board

	2005-07 Budget	2005-07 Actual	2007-09 Budget	2007-09 Actual	2009-11 Budget
<b>Total Funds</b>	<b>\$1,021,167</b>	<b>\$1,014,422</b>	<b>\$1,454,556</b>	<b>\$1,368,187</b>	<b>\$1,346,025</b>
Positions	6	6	7	7	7
FTE	5.50	5.50	7.00	7.00	7.00

### Agency Overview

The mission of the Landscape Contractors Board is to protect the public through licensing and regulating the practice of landscape contracting in Oregon. The Board is responsible for administering examinations, issuing licenses, investigating complaints, renewing licenses, and monitoring the continuing education of its licensees. The seven-member board is composed of five professionals and two public members.

### Revenue Sources

The Board is funded by revenue generated from application and annual licensure fees for individuals and businesses. Other miscellaneous sources include civil penalties, late fees, and interest income. Revenue in 2009-11 is projected to be \$1,346,025, which is an 8.9% increase from the 2007-09 budget, and the projected ending cash balance of \$389,596 equals approximately 7 months of operating costs.

### Budget Environment

The number of applicants and subsequent licenses issued increased 1.9% from 2005-07 to 2007-09. The Board currently regulates approximately 1,630 individuals and 1,240 businesses. New legislation took effect in 2007, creating new requirements for Owners and Managing employees, probationary licenses, and requiring continued education for renewals. As a result, the Board implemented three new fees in 2007-09; a business application fee (\$75), owner/managing employee application fee (\$30), and a probationary license application fee (\$50).

The number of complaints and investigations conducted increased from the 2005-07 and 2007-09 biennium as a result of the Board's decision to increase investigative staff and enforcement. The Board opened 190 more cases in 2007-09.

Please refer to page 8 of the main report under the subheading "Licensing and Enforcement Activities" pertaining to the Legislative Fiscal Office's concerns regarding the quality and reliability of licensing, complaints, investigation, and resolution data reported by the agency.

### 2007-09 Budget to Actual

The Board's 2007-09 actual revenue was \$1,236,347, a 2.4% decrease from budgeted revenue. The Board began 2007-09 with the intent to operate at a budget deficit in lieu of raising the existing fees. The Board did implement the new fees for business, owner/managing employee, and probationary applications based on legislation from 2007. The Board's 2007-09 actual expenditures were \$1,368,187, which is 5.9% less than budget. Despite the increase in staff investigators and personal services costs, the Board was able to reduce overall expenditures by contracting out the process of proctoring examinations and having savings in the computer database configuration.

### 2009-11 Budget

The 2009-11 Board adopted budget of \$1,346,025 represents a 7.5% reduction from the 2007-09 Board adopted budget. The Board operated at a budget deficit in 2007-09 and chose to increase application and licensing fees for individuals and businesses in order to maintain a 7 month working capital reserve. The budget includes reductions of investigative staff, as the Board intends to use more contract investigators, and the aforementioned reduction for examination proctoring.

## 7. Board of Massage Therapists

	2005-07 Budget	2005-07 Actual	2007-09 Budget	2007-09 Actual	2009-11 Budget
<b>Total Funds</b>	<b>\$931,768</b>	<b>\$1,088,074</b>	<b>\$1,287,346</b>	<b>\$1,163,448</b>	<b>\$1,300,000</b>
Positions	4	4	5	5	5
FTE	4.00	4.00	5.00	5.00	5.00

### Agency Overview

The Oregon Board of Massage Therapists protects the public by regulating the practice of professional massage. The Board prescribes qualifications, standards for the examination of applicants for licensure, continuing education requirements, and professional standards for practice. The Board issues licenses to those who qualify, and has the authority to revoke licenses and assess civil penalties against unregistered individuals practicing professional massage therapy without authority, as well as against those licensed professionals practicing improperly. The Board consists of seven members appointed by the Governor for four-year terms. Four members are licensed massage therapists, three members are public citizens.

### Revenue Sources

The agency is funded by revenue generated from application, examination, and license fees. Other sources include civil penalties, late fees, and the sale of mailing lists. The agency expected revenue to stay relatively flat for the 2009-11 biennium due to the economic downturn and the slow recovery. For 2009-11, the agency anticipates a continued increase in civil penalties with the establishment of a new Compliance Manager position charged with increasing effort to control unlicensed practice. Revenue in 2009-11 is projected to be \$1,222,000, which is 11.32% above 2007-09 estimates, and the projected ending cash balance of \$329,785 equals approximately 6 months of operating costs.

### Budget Environment / Licensing and Enforcement Activities

The Board did not implement fee increases during 2007-09, and did not anticipate implementing a fee increase in its 2009-11 budget plan. The total number of licensees decreased by 10.3% from June 2007 to June 2009. The Board currently regulates 1,594 licensees. With the increased outreach by the Compliance Manager, the number of complaints received increased from 162 in 2005-07 to 292 in 2007-09 biennium.

Please refer to page 8 of the main report under the subheading "Licensing and Enforcement Activities" regarding the Legislative Fiscal Office's concerns regarding the quality and reliability of licensing, complaints, investigation, and resolution data reported by the agency.

### 2007-09 Budget to Actual

The Board's 2007-09 actual revenue was \$1,252,707, a 14.1% increase from budgeted revenue. The agency experienced an increase in late fees and civil penalties with the establishment of a new Compliance Manager position charged with increasing effort to control unlicensed practice. The Legislative Office discussed its concern with the agency Director that such a significant amount of revenue generated from late fees (\$114,210 in 2007-09) may indicate a cumbersome renewal system. The Director stated that the agency has improved communication efforts in order to clarify due dates and renewal guidelines.

The Board's 2007-09 actual expenditure was \$1,212,101, which is 5.8% less than budget, reflecting payroll, travel, and legal cost savings from a delay in hiring the Compliance Manager.

### 2009-11 Budget

The 2009-11 Board adopted budget of \$1,300,000 represents an 11.3% increase from the 2007-09 Board adopted budget, reflecting anticipated increases in audit, collection, and travel expenses. The agency also anticipates higher computer expenses due to updates in the database system to accommodate new case management and licensing requirements. LFO notes that the agency did not budget for increase investigation and legal expenses that will likely result from the work of the newly established Compliance Manager.

## 8. Board of Optometry

	2005-07 Budget	2005-07 Actual	2007-09 Budget	2007-09 Actual	2009-11 Budget
<b>Total Funds</b>	<b>\$553,724</b>	<b>\$498,413</b>	<b>\$617,904</b>	<b>\$610,781</b>	<b>\$648,125</b>
Positions	3	3	3	3	3
FTE	2.20	2.20	2.20	2.20	2.20

### Agency Overview

The Oregon Board of Optometry is responsible for the licensure of doctors of optometry, optometrists, and optometric physicians, and the enforcement of statutes and administrative rules governing the practice of optometry in Oregon. The Board prescribes qualifications for the practice of optometry, standards for the examination of applicants for licensure and certification, and continuing education requirements. The Board has the authority to issue licenses to those who qualify, and to revoke licenses and assess civil penalties against unlicensed individuals practicing optometry without authority, as well as those licensed professionals practicing improperly. The Board consists of five members appointed by the Governor for three-year terms; four are licensed doctors of optometry and the fifth is a public citizen representing health consumers.

### Revenue Sources

The Board is funded by revenue generated from application, examination, and license fees. Other sources include civil penalties, late fees, and interest income. The projected revenue in 2007-09 was \$39,304 short of projected expenditures. During 2007-09, the Board raised fees for annual renewal, office license, application for examination and licensure, application for endorsement examination and licensure, and wall display certificates. The Board states that the fee increase was necessary to maintain an appropriate level of service and provide a sufficient ending balance reserve. Revenue in 2009-11 is projected to be \$648,125, which is 6.6% above 2007-09 estimates, and the projected ending cash balance of \$215,415 equals approximately 7 months of operating costs.

### Budget Environment / Licensing and Enforcement Activities

The total number of licensees increased by about 2% from June 2007 to June 2009, with 98 new license applications. The Board currently regulates approximately 3,655 licensees. The number of licensees practicing optometry in the state has remained fairly consistent. However, the number of inactive licensees continues to decline. The main reason for this downward trend is due to the fact that optometry boards in all 50 states now use all or most parts of the standardized tests of the National Board of Examiners in Optometry (NBEO). This standardized test greatly facilitates the mobility of optometric physicians, eliminating the need to maintain licenses in more than one state. The number of complaints received and investigations conducted remained fairly constant from the 2005-07 and 2007-09 biennia.

Please refer to page 8 of the main report under the subheading "Licensing and Enforcement Activities" regarding the Legislative Fiscal Office's concerns regarding the quality and reliability of licensing, complaints, investigation, and resolution data reported by the agency.

### 2007-09 Budget to Actual

The Board's 2007-09 actual revenue was \$633,562, a 6.6% increase from budgeted revenue, resulting from an increase in fees for annual renewal, office license, application for examination and licensure, application for endorsement examination and licensure, and wall display certificates. The Board's 2007-09 actual expenditures were \$610,781, which is 1.2% less than budget. The increase in fees covered rising personnel costs and legal fees.

### 2009-11 Budget

The 2009-11 Board adopted budget of \$648,125 represents a 4.9% increase from the 2007-09 Board adopted budget. The 2009 Legislature passed SB 355 requiring the Department of Human Services to establish and maintain a program for monitoring and reporting prescription drugs dispensed by pharmacies in Oregon that are classified in Schedule II through IV under the Federal Controlled Substances Act. The Board anticipates initiating a surcharge of \$25 on all license renewals to support the implementation and maintenance of this monitoring program.

## 9. Physical Therapist Licensing Board

	2005-07 Budget	2005-07 Actual	2007-09 Budget	2007-09 Actual	2009-11 Budget
<b>Total Funds</b>	<b>\$796,000</b>	<b>\$761,813</b>	<b>\$859,000</b>	<b>\$886,098</b>	<b>\$938,000</b>
Positions	3	3	3	3	3
FTE	2.80	2.80	2.80	2.80	2.80

### Agency Overview

The Physical Therapist Licensing Board regulates the practice of physical therapy in Oregon. The Board protects the public by establishing professional standards of practice which assure that physical therapists and physical therapist assistants are properly educated, hold valid/current licenses, practice within their scope of practice and continue to receive ongoing training throughout their careers. Physical therapy practice is governed by state statutes and rules. The Board issues licenses, promulgates rules, monitors continuing education, investigates complaints, issues civil penalties for violations, and may revoke, suspend, or impose probation on a licensee or limit practice. The Board is comprised of seven volunteer members: five physical therapists, one physical therapist assistant, and one public member. Each member is appointed by the Governor and may serve a four-year term, with a maximum of two terms.

### Revenue Sources

The Board is funded by revenue generated from application, examination, and license fees. Other sources include civil penalties and interest income. The Board anticipates a decline in licenses for Physical Therapist Assistants (PTA) because Washington state now requires licensure for PTAs. Revenue in 2009-11 is projected to be \$900,000, which is the same as 2007-09 estimates, and the projected ending cash balance of \$534,019 equals approximately 13 months of operating costs.

### Budget Environment / Licensing and Enforcement Activities

The total number of licenses issued increased by about 2% from June 2007 to June 2009. The Board currently regulates approximately 4,043 licensees. The number of physical therapists in the state has increased by about 4% while the number of physical therapist assistants declined by approximately 3%. The main reason for this downward trend is due to the fact that Washington state now requires licensure for physical therapist assistants. The number of complaints received and investigations conducted increased from the 2005-07 and 2007-09 biennia.

Please refer to page 8 of the main report under the subheading "Licensing and Enforcement Activities" regarding the Legislative Fiscal Office's concerns regarding the quality and reliability of licensing, complaints, investigation, and resolution data reported by the agency.

### 2007-09 Budget to Actual

The Board's 2007-09 actual revenue was \$947,142, a 5.2% increase from budgeted revenue, resulting from an increase of physical therapist applications and renewals. The Board's 2007-09 actual expenditures were \$886,098, which is 3.2% more than budget reflecting higher than projected personnel, background check, investigation, and legal expenses.

### 2009-11 Budget

The 2009-11 Board adopted budget of \$938,000 represents a 9.2% increase from the 2007-09 Board adopted budget reflecting the rising cost of personnel and legal expenses. The Board has no plans to increase fees during the 2009-11 biennium. However, the Board is planning to implement a convenience fee to cover the actual cost for the optional use of a proposed new online renewal system. The \$3 fee is the actual cost of credit processing.

## 10. Patient Safety Commission

	2005-07 Budget	2005-07 Actual	2007-09 Budget	2007-09 Actual	2009-11 Budget
<b>Total Funds</b>	<b>\$945,299</b>	<b>\$495,877</b>	<b>\$997,933</b>	<b>\$821,569</b>	<b>\$993,281</b>
Positions	3	3	4	4	4
FTE	2.50	2.50	3.75	3.75	3.75

### Agency Overview

The mission of the Oregon Patient Safety Commission is to improve patient safety by reducing the risk of serious adverse events occurring in Oregon's healthcare system and by encouraging a culture of patient safety in Oregon. The Commission is charged with: (1) establishing a confidential, voluntary serious adverse event reporting system in Oregon; (2) promoting quality improvement techniques to reduce system errors; and (3) sharing evidence-based prevention practices to improve patient outcomes. The Commission is not a regulatory body and has no authority to review licenses, permits, certifications, or registrations. The Commission's Board of Directors is comprised of 17 members appointed by the Governor for four-year terms. The Board represents a cross-section of diverse health care interests in the state.

### Revenue Sources

The Commission is funded primarily by revenue generated from fees paid by the organizations participating in the voluntary serious adverse event reporting program. Six types of organizations are targeted for participation in the voluntary reporting program: hospitals, ambulatory surgical centers, long-term care facilities, pharmacies, outpatient renal dialysis facilities, and free-standing birthing centers. The Commission is actively working to increase participation in its voluntary serious adverse event reporting program. Currently, 99% of hospitals, 53% of ambulatory surgery centers, and 75% of long-term care facilities participate in this program. In 2008, the Commission began enrolling retail pharmacies and preparing administrative rules to enroll renal dialysis facilities with the goal of reaching out to free-standing birthing centers in the future. Other sources of income include federal grants, state contracts, and interest income. With increased participation, revenue in 2009-11 is projected to be \$1,126,159, which is a 7.8% increase from 2007-09 estimates, and the projected ending cash balance of \$455,158 equals approximately 11 months of operating costs.

### Budget Environment

The Legislature authorized the assessment of fees on health organizations eligible to participate in the voluntary serious adverse event reporting program. Fees have remained constant since their inception. The Legislature also capped the fees the Commission may collect from organizations at \$1,500,000 per year. The Commission does not assess fees until the web-based reporting program for each class of participant is in place. Therefore, fee revenue is contingent upon the program implementation timeline.

### 2007-09 Budget to Actual

The Commission's 2007-09 actual revenue of \$969,996 was 7.12% less than budgeted revenue of \$1,044,375, reflecting lower than project levels of enrolment from retail pharmacies and renal dialysis facilities. The Commission's 2007-09 actual expenditures were \$821,569, which is 17.67% less than budgeted expenditures of \$997,933, reflecting cost savings realized from delaying the hiring of additional office staff.

### 2009-11 Budget

The 2009-11 Commission adopted budget of \$993,281 represents a less than one percent decrease from the 2007-09 adopted budget reflecting a decrease in clinical consultation fees and the fact that the 2009-11 budget does not include the web-based reporting project included in the 2007-09 budget. Also not included in the 2009-11 adopted budget is approximately \$680,000 in one-time federal grants and state contracts for discrete projects including: (1) funding from the Center for Disease Control to build and sustain programs which prevent healthcare acquired infections; (2) a contract with the Department of Human Services (DHS) Seniors and People with Disabilities Division to implement Root Cause Analysis Training for long-term care facilities; (3) a one year Medical Liability Reform and Patient Safety planning grant in partnership with the Oregon Health and Science University and the DHS Office of Healthcare Policy and Research Division; and (4) ambulatory surgical center infection control program planning grant. The Commission anticipates hiring two new staff to manage these grants and projects. The Commission is in the process of working with its Board to issue administrative rules to amend the 2009-11 budget.

## 11. Wine Board

	2005-07 Budget	2005-07 Actual	2007-09 Budget	2007-09 Actual	2009-11 Budget
<b>Total Funds</b>	<b>\$2,320,250</b>	<b>\$2,322,971</b>	<b>\$3,459,544</b>	<b>\$3,378,254</b>	<b>\$4,017,346</b>
Positions	5	5	7	7	7
FTE	4.00	4.00	6.50	6.50	6.50

### Agency Overview

According to the Oregon Wine Board, the Oregon wine grape and wine industry contributes over \$1.4 billion of economic activity to the state economy each year, including over 8,500 wine-related jobs and \$200 million in wages. The Oregon Wine Board was established to support and advance enological, viticultural, and economic research to develop sustainable business practices for wine grape growing and wine making in Oregon. The Board supports marketing, research, education, and advocacy initiatives on behalf of all Oregon wineries and independent growers throughout the state's diverse winegrowing regions. The Board is comprised of nine members appointed by the Governor with staggered three-year terms for each member. Among other qualifications, Board members must be actively engaged in wine grape growing or wine making and have a demonstrated interest in the positive development of the Oregon Wine industry.

### Revenue Sources

The agency is funded primarily by revenue generated from two assessment fees: (1) an assessment of \$25 per ton imposed on grapes crushed; and (2) an assessment of \$0.021 per gallon imposed on wine made from other agricultural products. In addition, a privilege tax of \$0.67 per gallon (\$0.77 per gallon for wines containing more than 14% alcohol by volume) is imposed on manufacturers and distributors of wines. Of this tax, \$0.02 per gallon is paid into the account established by the Oregon Wine Board. All assessment fees are collected by the Oregon Liquor Control Commission on behalf of the Oregon Wine Board. Other revenue sources include program fees and grants, including the United States Department of Agriculture's (USDA) Market Access Program (MAP) export grants, Value-Added Producer Grants (VAPG), and Rural Development Rural Business Enterprise Grants (RBEG). In 2008, the Board began charging a fee for use of the Oregon Certified Sustainable Wine® (OCSW) certification mark. Although increased yields in the 2007 vintage resulted in an increase in assessments for the 2007-08 fiscal year, assessments were lower than projected for the 2008-09 fiscal year. The 2009-11 budgeted revenue of \$3.9 million is 16.7% more than the 2007-09 budgeted revenue of \$3.3 million, and the projected ending cash balance of \$183,203 equals approximately one months of operating costs.

### Budget Environment

The Board is required to adopt budgets on an annual basis. The Board may adopt or modify a budget only after holding a public hearing and must give notice of budget hearings to all constituents. In addition, the Board circulates a draft budget and strategic plan to the industry to obtain public comment. The Board is required to submit annual plans and budget to the Director of the Oregon Business Development Department for review. In reviewing the annual plans and budget, the Director may consult with and receive coordinated support from the Oregon Department of Agriculture, the Oregon Tourism Commission, the Oregon University System, the Department of Community Colleges and Workforce Development, and the Oregon Liquor Control Commission.

### 2007-09 Budget to Actual

The 2007-09 actual revenue of \$3,394,042 was less than one percent lower than budgeted revenues. The 2007-09 actual expenditures of \$3,378,254 was 2.3% lower than budgeted expenditures.

### 2009-11 Budget

The 2009-11 Board adopted budget of \$4,017,346 represents a 16.1% increase from the 2007-09 Board adopted budget reflecting increase investment in marketing, research, and education made possible with the receipt of the United States Department of Agriculture's (USDA) Value-Added Producer Grants (VAPG).



## APPENDIX C – Sample of Licensing and Enforcement Activity Spreadsheet

Section 5	June 2005	June 2007	% Change	June 2009	% Change
Actively licensed landscape construction professional individuals	1462	1590	9%	1630	3%
Actively licensed landscape businesses	1174	1227	5%	1240	1%
<b>(a) The number of license applications;</b>	<b>382</b>	<b>557</b>	<b>46%</b>	<b>700</b>	<b>26%</b>
Individual licenses	203	281	38%	415	48%
Business licenses	179	276	54%	285	3%
<b>(b) The number of licenses issued; (total)</b>	<b>292</b>	<b>505</b>	<b>73%</b>	<b>399</b>	<b>-21%</b>
Individual licenses	108	206	91%	122	-41%
Business licenses	184	299	63%	277	-7%
<b>(c) The number of examinations conducted;</b>	<b>2145</b>	<b>4754</b>	<b>122%</b>	<b>4087</b>	<b>-14%</b>
Laws and rules	382	751	97%	674	-10%
General A exam	373	906	143%	711	-22%
General B exam	318	691	117%	518	-25%
General C exam	211	464	120%	415	-11%
General D exam	309	743	140%	588	-21%
Backflow	253	572	126%	570	0%
Irrigation	299	627	110%	611	-3%
<b>(d) The average time between application for and issuance of licenses (months);</b>					
Landscape Construction Professional (individual)	3.7	8.6	57%	5.6	-54%
Landscape Contracting Business	0.3	0.3	0%	0.4	25%
<b>(e) The number and types of complaints received about persons holding licenses; (total)=&gt; CLAIMS (complaints from consumers):</b>					
<b>Dispute Resolution</b>	<b>123</b>	<b>182</b>	<b>32%</b>	<b>219</b>	<b>17%</b>
Employee	0	2	100%	3	33%
Material Supplier	30	39	23%	88	56%
Owner (Breach of Contract/Negligent work)	88	132	33%	121	-9%
Lien (new ability to accept 2007)				1	100%
Subcontractor	5	9	44%	6	-50%
<b>(f) The number and types of "CLAIM" investigations conducted;</b>	<b>123</b>	<b>182</b>	<b>32%</b>	<b>219</b>	<b>17%</b>
Onsite Investigation Owner Claims	59	97		37	
Administrative (Office process investigaton-includes mediation)	64	85		182	
<b>(g) The number and types of resolutions of complaints (Claims);</b>	<b>126</b>	<b>160</b>	<b>27%</b>	<b>198</b>	<b>24%</b>
Onsite Mediation Resolution	36	63	75%	36	-43%
Dismissed/Untimely filed/Claimant failed to respond	23	24	4%	36	50%
Referred to OAH	4	1	-75%	3	200%
P.O. issued; paid by Bond	16	8	-50%	18	125%
P.O. issued; paid by Landscape Contracting Business	3	25	733%	38	52%
P.O. issued; Bond Exhausted	9	4	-56%	23	475%
Claimant Withdrew	21	1	-95%	5	400%
Parties resolved independently	14	34	143%	39	15%
<b>(g-2) The number of days between beginning a CLAIM investigation and reaching a resolution (in days)</b>	<b>90.05</b>	<b>150.6</b>	<b>67%</b>	<b>133.98</b>	<b>-11%</b>
<b>(h-1) The number and type of COMPLIANCE sanctions imposed against Licensed; (total)</b>	<b>132</b>	<b>420</b>	<b>218%</b>	<b>614</b>	<b>46%</b>
Civil penalty	9	37	311%	154	316%
Settlement agreement	34	68	100%	90	32%
Suspended license(business or individual)	25	183	632%	263	44%
Withdrew	52	71	37%	22	-69%
Closed; No violation	3	15	400%	64	327%
Closed; Informational letter issued	6	37	517%	1	-97%
Refuse to renew	3	9	200%	19	111%
Refuse to issue	0	0		1	100%
<b>(h-2) The number and type of COMPLIANCE sanctions imposed against Un-Licensed (total)</b>	<b>157</b>	<b>455</b>	<b>190%</b>	<b>451</b>	<b>-1%</b>
Civil penalty	42	93	121%	165	77%
Settlement agreement	57	227	298%	208	-8%
Withdrew	9	44	389%	17	-61%
Closed; No violation	24	52	117%	34	-35%
Closed; Informational letter issued	24	32	33%	24	-25%
Refuse to issue	2	7	250%	3	-57%
<b>(i-1) The number of days between beginning a Compliance investigation and reaching a resolution: Licensed (in days)</b>	<b>40.63</b>	<b>35</b>	<b>-14%</b>	<b>31.5</b>	<b>-10%</b>
<b>(i-2) The number of days between beginning a Compliance investigation and reaching a resolution: Un-Licensed (in days)</b>	<b>59.23</b>	<b>73</b>	<b>23%</b>	<b>59.5</b>	<b>-18%</b>

moved testing to PSI => fewer exams taken, fewer individuals passing exam=> fewer individuals licensed=> fewer businesses licensed.

Every claim has an investigation administratively. Additional on site investigations are conducted on homeowner claims if required.

More businesses allowed claim to go to bond for payment which ends up with a Landscaping debt owed=>business license suspended.

More businesses producing evidence of actual compliance after notice of violation is sent.

Used to issue warnings-> no statutory authority, now just in formation letter if no substantial proof of violation, otherwise close w/ no violation.

Trend- Quicker resolution



## APPENDIX D – Updated Reporting Guidelines

### Semi-Independent Agency Reporting Guidelines

ORS 182.472 requires that eleven semi-independent agencies provide reports every even numbered year to the Governor, Senate President, House Speaker, and Legislative Fiscal Office (LFO). These guidelines were developed by LFO to facilitate its report review and completion of the biennial summary report of findings prepared for the Legislature. Questions about these guidelines can be directed to Kim To at Kim.To@state.or.us or John Terpening at John.c.terpening@state.or.us.

#### Reporting Time Period

The report includes actual data for the prior biennium and approved/forecasted budget and fee change information for the biennium in which the report is completed. For example, the report that is due on April 1, 2012 would include actual data for the 2009-11 biennium, and adopted budget and fee change information for the 2011-13 biennium.

#### What to Report

The statute specifies what information agencies are required to include; however, there is a wide range of information submitted to meet the requirement. What follows are more specific reporting guidelines intended to promote consistency in the type and level of detail of information provided.

#### ***ORS 182.472 (1) A copy of the most recent audit or financial review of the board.***

The statute directs agencies to submit their most recent audits or financial review. Having a copy of the audit that covers the timeframe of the report is a critical tool for LFO to reference when reviewing information provided by agencies. For the 2012 reporting period, LFO requests that agencies provide a copy of the audit for the biennium ended June 30, 2011, along with copies of management letters referenced in the audit.

#### ***ORS 182.472 (2) A copy of the actual budget for the prior biennium and a copy of the board's adopted budget for the biennium in which the report is made: (a) The beginning balance and ending balance for each of the two biennia; (b) A description of material changes between the two biennia; (c) A description of the public hearing process used to establish the budget adopted for the current biennium; and, (d) A description of current fees and proposed changes to fees, along with information supporting the amounts of the current fees and any proposed changes to the fees.***

The statute directs agencies to include a copy of the “actual budget for the prior biennium and a copy of the board’s adopted budget for the biennium in which the report is made.” This means that the report due in the 2012 should include actual budget numbers for the 2009-11 biennium and the adopted budget for the 2011-13 biennium.

Optimally, LFO would like for agencies to include the following budget materials:

- Comparison of budgeted to actual revenues and expenditures for the actual/reported biennium
- Balance sheet for the actual/reported biennium
- Projected/adopted budget for the biennium in which the report is made
- Forecasted balance sheet for the projected/adopted biennium in which the report is made
- Updated budget forecast for the projected/adopted biennium in which the report is made (if prepared and presented to the board in the first quarter of the report biennium)

a) Beginning and ending balances for the two biennia

Beginning and ending balances represent the amount of monies that are carried over from one biennium to the next. LFO recognizes that the accounting software that most agencies use does not easily identify this information, so LFO requests that agencies prepare a simple table to communicate this information.

**Example: Table of Beginning and Ending Balances**

<b>Beginning and Ending Balances</b>	<b>2009-11 Actual/Reported</b>	<b>2011-13 Projected/Adopted</b>
Beginning Balance (2007-09 carry-over)	\$200,000	\$220,000
Net Income/Loss	20,000	15,000
Ending Balance	\$220,000	\$235,000

LFO will confirm that audited values for the past biennium and actual numbers reported by the agency are the same. Variances occur for a number of legitimate reasons, many of which are related to accounting timing. LFO will ask the agency to clarify any variance, so agencies may want to include this information when they submit the audit for the timeframe covered by the report.

b) A description of material changes between the two biennia

A material change is any change above an inflationary increase to a budget from one biennium to another. Agencies need to provide a description of the changes that are represented in their adopted budget, compared to what was budgeted for in the prior biennium. In providing this information, it may also be appropriate to discuss unanticipated expenditures that emerged during the prior biennium that are not reflected as material changes in the current biennium.

c) A description of the public hearing process used to establish the adopted budget

When describing the public hearing process for approval of the budget, please include the dates and a description of actions taken. Actions covered should include:

- Information regarding who received notices about budget hearings and why (with dates)
- Information regarding budget hearings, public comments, and board actions (with dates)
- Information regarding the date the budget was filed with the Secretary of State and when a copy was submitted to Legislative Counsel

d) A description of current fees and proposed changes, and information supporting the changes  
 Agencies should include a list of current fees, changes made in the previous biennium, and anticipated changes for the upcoming biennium. One suggested presentation format for this information is to use a table such as the following:

**Example: Table of Fees and Changes Over Time**

<b>Fee Type</b>	<b>Fee as of 6/30/09</b>	<b>Fee as of 6/30/11</b>	<b>Anticipated Fee on 6/30/12</b>
<i>List of all fee types.</i>			

In addition to including a list of fees, the agency should supply an explanation of changes and a justification for fee increases. Typically, the justification is a “budget shortfall.” In this case, LFO will want to confirm that the agency has appropriately forecasted anticipated revenues and expenditures and that all other avenues of potential funding were considered (such as agency efficiency improvements or use of agency reserves) prior to approval of a fee increase. Some questions agencies might consider when preparing their justification for a fee increase are:

- What is changing in the operating environment that is negatively impacting future revenues and expenditures?
- What actions has the agency already taken to mitigate the impacts of the factors that are negatively influencing future revenues and expenditures?
- What assumptions are used when forecasting a budget shortfall?
- What options besides a fee increase were considered as a strategy for funding the budget shortfall?

The Oregon Patient Safety Commission and the Oregon Wine Board have different revenue structures than licensing boards, so LFO requests that these agencies provide information on changes in revenue sources which may include fees, contributions, tax revenues, grants, or other sources.

***ORS 182.472 (3) A description of all temporary and permanent rules adopted by the board during the prior biennium.***

The statute requests that agencies report rules adopted by the board during the prior biennium.

Agency information provided under this section needs to include sufficient information to allow LFO to quickly confirm that proper protocols were followed when revising Oregon Administrative Rules (OAR), Chapter 183. Critical elements include:

- OAR reference
- Nature of change
- Public notification and hearing dates (if applicable)
- Board action date
- Filing dates (Secretary of State and Legislative Counsel)

LFO suggests that agencies use a table format to present this information, as the following example illustrates:

**Example: Table of Administrative Rules**

<b>OAR Number</b>	<b>Description of Change</b>	<b>Public Notification and Hearing Dates</b>	<b>Board Action Date</b>	<b>SOS Filing Date</b>	<b>LC Filing Date</b>
<i>Number</i>	<i>Change...</i> <i>Repeal...</i> <i>New...</i> <i>Temporary Rule</i>	<i>Dates</i> <i>NA</i>	<i>Date</i>	<i>Date</i>	<i>Date</i>

Note: This table might be better displayed using landscape format.

***ORS 182.472 (4) A description of board actions promoting consumer protection that were taken during the prior biennium.***

LFO requests that agencies provide a description of actions taken to promote consumer protections which might include activities such as process or service delivery improvements, public outreach, education programs, industry activities, etc. It may also be appropriate to include examples of agency materials and/or publications under this section.

One exception: The Oregon Wine Board does not have consumer protection as part of its mission. Instead, the Oregon Wine Board has agreed to include copies of its annual performance reports that are prepared for industry stakeholders and other key constituents.

***ORS 182.472 (5) If the board issues licenses, a description of the board's licensing activities performed during the prior biennium that is adequate to allow evaluation of the board's performance of its licensing responsibilities, including: (a) The number of license applications; (b) The number of licenses issued; (c) The number of examinations conducted; (d) The average time between application for and issuance of licenses; (e) The number and types of complaints received about persons holding licenses; (f) The number and types of investigations conducted; (g) The number and types of resolutions of complaints; (h) The number and type of sanctions imposed; and (i) The number of days between beginning an investigation and reaching a resolution.***

The intent of collecting and reporting the data required by ORS 182.472 (5) is to provide reliable and accurate indicators of workforce (licensees) and performance (exams proctored, processing time, complaints received, investigations conducted, backlog risk, sanctions imposed), in order to ensure each agency's responsiveness to its constituents and market forces. While the statute does not specifically require that agencies include multiple years of data, LFO's previous reports recommended that agencies include multiple years of data (10 years or 5 biennia) so trending would be possible. To help ensure that multiple years of data are provided, LFO worked with each agency to establish a standardized template for reporting data under this section. In future reports, agencies will retain historical data when reporting for up to a period of 10 years (5 biennia). The inclusion of historical data enables the agency to discuss performance trends and/or potential issues such as case backlogs in their narrative, which facilitates LFO's efforts to

evaluate the board's performance of licensing and enforcement responsibilities. The January 2012 report should include actual licensing data for the 2003-05, 2005-07, 2007-09, 2009-11 biennia.

Understandably, data collection and processing methods often change over time. Various activity status codes are added or removed by semi-independent agencies, and at times, a determination may be made to begin to count licensees with a particular license or status code which may not have been counted in previous years. Conversely, at times a determination is made to cease to include licensees with a particular license or status code. Although these types of changes may make sound business sense and result in more accurate data at that specific time, they also skew the trend lines when doing an analysis of trends over a period of time when different collection methods were used. To prevent faulty analysis resulting from these types of changes, LFO recommends the inclusion of a detailed description of your agency's data collection process. Critical elements include:

1. Document procedures used to ensure that data are accurate and internally consistent.
2. Be clear about the date or time period of collected data.
3. Provide a glossary of terms. For example, define each type and status of licensing/certification, exams conducted, complaints, investigations, sanctions.
4. Ensure that definitions of data elements are consistent from biennia to biennia. Any deviations in data collection process or definition of terms should be explained.
5. Document the reasons for significant changes in data from one year to the next.

The Oregon Patient Safety Commission and the Oregon Wine Board are not licensing entities. In lieu of licensing and enforcement data, LFO recommends that the Oregon Patient Safety Commission submit a copy of the latest Public Health Officer Certification Report, and the Oregon Wine Board submit a copy of its latest Annual Report along with other information that that illustrate performance results achieved during the reporting period.

***ORS 182.472 (6) A description of all other actions taken during the prior biennium in the performance of the board's statutory responsibilities that is adequate to allow evaluation of the board's performance.***

Agencies should include additional comments about actions taken during the prior biennium which might include agency accomplishments and performance results. Examples include results from customer service surveys, improvements made or planned, etc.

Two exceptions: Since the Oregon Patient Safety Commission and the Oregon Wine Board are not licensing entities, they have both agreed to select and report on a few key performance measures that illustrate performance results achieved during the reporting period. Ideally, these performance measures are high level, outcome oriented measures that are aligned with mission critical work so that they are consistent over time, allowing for performance trending and analysis. The purpose of this request is to facilitate LFO's efforts to evaluate the board's performance.





## APPENDIX E – Proposed Changes to Statutes

### 377.838 Authority of director of Travel Information Council

*377.838 Authority of director of Travel Information Council.* (1) Except as provided in subsection (2) of this section, in carrying out the duties, functions and powers of the Travel Information Council, the director of the Travel Information Council may contract with any state agency for the performance of such duties, functions and powers as the council considers appropriate.

(2) The director of the Travel Information Council shall not, without the prior approval of the council:

(a) Award any contract for goods or professional services in excess of \$25,000; or

(b) Authorize any expenditure of moneys in excess of \$25,000.

(3) The council shall file with the Governor, *[and]* the Legislative Assembly **and the Legislative Fiscal Officer** an annual report of the activities and operations of the council. [1993 c.745 §5; 1993 c.741 §64b]

### 284.355 Powers of Oregon Film and Video Office

*284.355 Duties of director; contracts; prior approval by board for certain actions; biennial report; rules.* (1) Except as provided in subsection (2) of this section, when carrying out the duties, functions and powers of the Oregon Film and Video Office, the director of the office may contract with any state agency for the performance of such duties, functions and powers that the director considers appropriate.

(2) The director of the office shall not, without the prior approval of the Film and Video Board:

(a) Award any contract for goods or professional services in excess of \$25,000;

(b) Authorize any expenditure of moneys in excess of \$25,000;

(c) Sell or otherwise dispose of real or personal property valued in excess of \$25,000;

(d) Commence a civil legal action or proceeding;

(e) Sell, transfer and convey property to a buyer or lease property to a tenant;

(f) Borrow money and give guarantees;

(g) Finance, conduct or cooperate in the financing of facilities and projects to assist the film, video and emerging media industries; or

(h) In accordance with ORS chapter 183, adopt rules necessary for the administration of laws that the office is charged with administering.

(3) The Film and Video Board shall approve the lease of property to a tenant only when the sale, transfer or conveyance of the property cannot be effected with reasonable promptness or at a reasonable price.

(4) The Film and Video Board shall not allow the director to borrow money or give guarantees under subsection (2)(f) of this section unless the indebtedness or other obligations of the office are payable solely out of its own resources and do not constitute a pledge of the full faith and credit of the State of Oregon or any of the revenues of this state.

(5) The office shall file with the Governor, *[and]* the Legislative Assembly **and the Legislative Fiscal Officer** a biennial report of the activities and operations of the office. The report shall include a full and complete reporting of the financial activities and transactions of the office during the biennium, including at least the information required under ORS 284.365 (5). [1995 c.242 §9]