

State panels face review with an eye toward cuts, consolidation

Kulongoski asking Legislature to look at dozens of commissions

By Nick Budnick / *The Bulletin*

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SALEM — Earlier this month, when Bend chiropractor Christian Schuster was suspended by the state Board of Chiropractic Examiners, it highlighted the work of a board that Gov. Ted Kulongoski thinks could work better — or at least more cheaply.

The chiropractic board is one of dozens of commissions, councils and boards Kulongoski has asked the state Legislature to look at for suspension, consolidation or outright elimination.

Some of them have more of a ceremonial function, such as the Employee Suggestion Awards Commission and the Korean Day Commission. Others, however, have more pressing real-world impacts, such as the state Board of Nursing. The governor proposes merging almost all the Oregon health licensing boards, such as the chiropractic board and the nursing board, into one agency.

The plan was intended to “get a conversation started about how to change the way the state operates,” said Kulongoski spokesman Rem Nivens. “It’s not a judgment on the work that these boards and commissions do.”

Lawmakers have not yet taken up the idea, which is expected to save roughly \$20 million. But that savings for the most part would come in reduced professional licensing fees and wouldn’t be transferable to other state services or taxpayers.

Plan has its critics

Meanwhile, the plan is already getting a frosty reception among the board and commissions named in the list — showing, perhaps, the difficulty in making changes to state government.

Members of the chiropractic board don’t like the idea of consolidation with other, similar boards. They say losing their independence would dilute the specialized expertise at the board — which it puts to work in overseeing and disciplining chiropractors like Schuster.

Schuster, 59, said he has practiced in Bend for 27 years. Since 2006, 10 complaints have been filed against him. The complaints accused him of not providing paperwork on his patients’ symptoms to their insurance companies or attorneys in a timely fashion, in some cases leading to losses in court.

The board said the pattern of behavior stemmed from routinely not dictating chart notes recording client visits, sometimes until threatened with legal action. The board accused him of committing “unprofessional conduct and gross negligence.”

For his part, Schuster argued to the board that he was a victim of depression and that disciplining him would violate the Americans With Disabilities Act. His protests went for naught, with the board ruling on July 16 that he should be suspended for 90 days.

Contacted afterward, Schuster said he held off on sending chart notes because he felt that the bulk of the patients involved in the complaints were “faking it” or exaggerating in order to profit from their lawsuits.

Different viewpoints

Steve Koc, a Salem chiropractor who serves on the state board, said that any doctor presented with the situation Schuster claims he was faced with should just terminate relations with the client.

And he said merging the board with other health-related ones could only hurt the way the state protects patients from behavior like that committed by Schuster. Koc said that if the board is “bureaucratized” and loses touch with the profession, “The long-term result may be that you have more complaints and violations.”

In addition to investigating complaints, the state's professional licensing boards set regulations and standards for licensing. And much like the chiropractic board, members and staffers for these agencies in particular are wary of the governor's proposal.

Bob Keith, executive director of the state's Appraiser Certification and Licensure Board, said that while he thinks Kulongoski's intentions are "commendable," the Legislature's move to make the board semi-independent in 2001 has led to improved oversight of the profession.

"I can tell you in all honesty that Oregon is viewed as a very successful state in appraisal regulation," he said.

Linda Ames, a deputy budget director for the Department of Administrative Services, concedes that the governor's plan would not save much money, since many of the boards are self-supporting. Given that each profession or interest group affected by a particular cut would likely protest, the plan could amount to a "huge amount of disruption and work for very few dollars" in savings, she said.

She said the point of the governor's proposal was to start people thinking about, "Where are the possibilities of doing things differently?"

What's next?

In the next few months, Kulongoski hopes to publicly unveil the framework of what he's called a "reset," or restructuring of Oregon's government. The reset would try and prepare the state's budget-writers for potentially losing \$730 million worth of tax hikes that have been targeted for elimination by a business-backed ballot-measure drive.

In other words, the governor's proposal on commissions and boards is just an appetizer to what he intends to be a full meal of government overhaul.

If the reception Kulongoski is getting on his boards and commissions idea is any guide, the reset could be a tall order.

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Under review

Suggestions for elimination

Charitable Checkoff Commission
Tax Supervising & Conservation Commission for Multnomah County
Wage and Hour Commission
Community Development Incentive Advisory Board
Governor's Council on Oregon's Economy
Employee Suggestion Awards Commission
Fire Service Policy Council
Oregon Council on Health Care Interpreters
Historic Assessment Review Committee
JOBS Plus Advisory Board
Juvenile Crime Prevention Advisory Committee
Korean Day Commission
Board of Licensed Dietitians
Oregon Opportunity Program Task Force
Oregon Telecommunications Coordinating Council
Public Officials Compensation Commission
Board of Directors of the School for the Blind
Center for School Safety Board of Directors

Suggestions for Suspension

Office of Advocacy Commissions
Commission for the Blind
Consumer Advisory Council
Board of Cosmetology
Advisory Council on Hearing Aids
State Board of Massage Therapists
New Acquisitions — Dept. of Parks and Recreation
Occupational Therapy Licensing Board

Oregon State Fair — Dept. of Parks and Recreation
Athletic Commission — Oregon State Police
Various Programs within the Department of Higher Education:
Dispute Resolution Programs at Portland State University and University of Oregon
Veterinary Diagnostic Lab
Natural Resources Institute
The Bach Festival
Museum of Art
Rural Access Program
Rural Oregon Institute
Population Research Center
Leadership Institute
Jefferson Public Radio at Southern Oregon University
Small Business Development Center Programs at Eastern Oregon University and SOU

Suggestions for Consolidation

Accountancy Board — into the Dept. of Consumer and Business Services
State Board of Architect Examiners, Oregon Board of Engineering and Land Surveying, Oregon Board of Landscape Architects, Oregon Board of Landscape Contractors — into Building Codes Division
Oregon Arts Commission — into the Cultural Development Trust
Asset Forfeiture Oversight Advisory Committee — into Criminal Justice Commission
State Board of Aviation — into Oregon Department of Transportation.

Construction Contractors Board — into the Dept. of Consumer and Business Services
Employment Relations Board — into the Bureau of Labor and Industries
State Board of Geologist Examiners — into Dept. of Geology and Mineral Industries
Department of Geology and Mineral Industries — mapping and geologic functions could consolidate into Oregon State University, regulation of surface mining into Division of State Lands or Department of Land Conservation and Development
Law Enforcement Medal of Honor — into Department of Public Safety Standards and Training
Oregon Liquor Control Commission — there are many levels of control that could be explored while still retaining revenues; Oregon is a very controlled state in comparison with other U.S. states.
State Marine Board — registration functions to Department of Motor Vehicles, water patrol to Oregon State Police, waterway management to Dept. of Parks and Rec.
State Board of Parole and Post-Prison Supervision — could be consolidated into Department of Corrections.
Oregon Progress Board — move to Higher Education System.
Real Estate Board and the semi-independent Appraiser Certification and Licensure Board — into Department of Consumer and Business Services
Salmon & Trout Enhancement Program Advisory Committee — move to Oregon Department of Fish and Wildlife.
Oregon Student Assistance Commission — into Oregon University System
State Board of Tax Practitioners — into Accountancy Board
Teacher Standards and Practices Commission — into the Department of Education
Utility Notification Center Board of Directors — into Public Utilities Commission
Veterinary Medical Licensing Board — into Dept. of Agriculture

Consolidation of Health Related Licensing Boards

State Board of Chiropractors Examiners

State Board of Clinical Social Workers
Oregon Board of Licensed Professional Counselors and Therapists
Oregon Board of Dentistry
Health Licensing Agency
State Mortuary and Cemetery Board
Board of Naturopathic Examiners
Oregon State Board of Nursing
Oregon Board of Optometry
State Board of Pharmacy
State Board of Psychologist Examiners
Physical Therapist Licensing Board
Board of Radiologic Technology
State Board of Examiners for Speech-Language Pathology and Audiology

Consider review of consolidation of Natural Resource Agencies