State Board of Psychology

Senate Finance and Financial Institutions Committee

Holly Wilson, Budget Analyst

Legislative Service Commission

April 23, 2003

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LSC Redbook

for the

State Board of Psychology

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Attachment: LSC Budget Spreadsheet , Executive to House Passed Comparison

April 23, 2003

State Board of Psychology

- The Executive recommends $516,544 in FY 2004 (a 6.2% increase over estimated FY 2003 expenditures) and $513,525 in FY 2005 (a 0.6% decrease over the FY 2005 recommended appropriation)
- Psychology Board licenses over 3,900 professionals

OVERVIEW

The State Board of Psychology was formed in 1972 in order to provide regulatory oversight of psychologists and nonschool-based school psychologists (the State Department of Education regulates school-based school psychologists). The primary mission of the Board is to provide protection to the public through examinations, licensing, monitoring of continuing education, monitoring of unlicensed practice, (both supervised practice of extenders and illegal practice), and to investigate complaints and discipline licensees pursuant to Chapter 4732. of the Revised Code. Generally, the Board acts as the enforcement and compliance body for ensuring maintenance of accountability among licensees. Licensees must renew their licenses biannually during the summer of even-numbered years. In FY 2002, the Board licensed approximately 3,550 psychologists and approximately 400 school psychologists. In addition, the Board is charged with monitoring the registration and practice of approximately 2,500 unlicensed supervisees working under the licensed authority of psychologists. The Board has a staff of six FTE's.

Legislative Changes

Substitute Senate Bill 9 of the 124th General Assembly, which became effective May 2001, made changes to the Board's composition and to requirements relative to continuing education, Internet access to disciplinary actions, and the Board's responses to sex-related misconduct. Specifically, the bill made the following changes: (1) increased the number of board members from seven to nine, (2) increased continuing education requirements from 20 to 23 hours, including not less than three hours in "professional conduct and ethics," (3) enacted license summary suspension authority, and possible revocation authority if there is an "immediate threat to the public," (4) mandated the Board suspend or permanently revoke the license of a licensee determined to have engaged in sexual misconduct, (5) required Internet access to the names of all current licensees, and the names of all current and former licensees that have been reprimanded, and/or suspended or revoked and the reason.

The impact of these changes has produced some costs for the Board. For example, as the bill mandated that the two new public members on the Board must be nonpsychologist mental health consumer advocates, the result to the Board has cost them a loss of a public member who was an attorney. This attorney and board member served as an examiner during hearings. Now the Board will be required to hire a hearing examiner to conduct hearings or be present with the Board to rule on motions and objections. Additionally, with the increase in the number and intensity of investigations, and the addition

of two board members, the Board will have increased costs for compensation, travel reimbursement expenses, and materials.

Leadership and Enforcement

With a new director on the Board as of 2001, and a restructured administration, the Board has emphasized accountability on behalf of licensees by providing aggressive investigations in response to substandard care. The Board performs on average approximately 100 investigations each year. Currently, the Board has 72 active investigations with two investigators to handle them. According to the Board, this leaves them chronically stressed in the enforcement division. To deal with this hardship, the Board requested funding to enroll the Board's new investigator in the Council on Licensing and Regulation basic and advanced Investigator Certification Training. According to the Board, the training is necessary because it frequently receives complaints that are fraught with mixed emotions, ambiguities, and complexities that require diligent time and investigating. For example, as psychologists continue to offer services in the domestic relations courts for issues such as custody and visitation, the Board receives complaints relative to negligence, competence, and dual relationship allegations. These cases are typically highly emotional and convoluted. In addition, the Board continues to receive complaints (about ten out of the current 72 cases) regarding patently inappropriate boundary violation, including sexual activity with clients.

Governor's Recommendation

The Governor's recommended budget will allow the Board to maintain current service levels in the next biennium. The FY 2004 total appropriation amount is $516,544 and the FY 2005 total appropriation amount is $513,525.

The Board collects license fees, which are deposited in the Occupational Licensing and Regulatory Fund (Fund 4K9). License renewal fees plus other revenues generate average annual receipts of approximately $700,000, allowing the Board to be self-supporting. With the passage of S.B. 9, as mentioned above, and imminent installation of the new licensing software (CAVU) that all occupational boards will be upgraded to in the next biennium, the Board requested, and the Governor's recommendation includes funding for, replacement of five aging computers to run the new software and an aging photocopier.

ANALYSIS OF EXECUTIVE PROPOSAL

State Board Of Psychology

Purpose: License and regulate the professions of psychology and nonschool-based school psychology

The following table shows the line items that are used to fund the State Board of Psychology, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2004	FY 2005
4K9	882-609	Operating Expenses	$516,544	$513,525
Total funding: State Board of Psychology			**$516,544**	**$513,525**

State Board of Psychology

Program Description: In accordance with Chapter 4732. of the R.C., the State Board of Psychology tests, licenses, and regulates all psychologists and non-school based school psychologists who practice in Ohio.

Funding Source: GSF Fund 4K9. Currently, all revenue from the 24 occupational licensing boards is placed in Fund 4K9 and then reallocated to each board. Each board must raise enough revenue through its license fees to cover its expenses.

Line Items: 882-609, Operating Expenses

Implication of the Executive Recommendation: The executive recommended appropriation for FY 2004 is $516,544, a 6.2% increase from FY 2003 estimated expenditures. The FY 2005 appropriation is $513,525, a 0.6% decrease from FY 2004 recommended appropriations.

The executive recommendation will allow the Board to meet its payroll and maintenance needs for the next biennium. The recommended budget allows for an increase in charge backs from DAS computer services for technical support and other services (i.e., payroll processing, printing, and mail distribution). The Board is under the administrative wing of DAS's Central Services. Rates for administrative services have increased in recent years and the Board pays $3,000 per quarter.

The Board received the requested $2,750 in FY 2004 for extra copies of the Laws and Rules Governing Psychologists and School Psychologists for distribution to licensees and other affected parties. The Psychology Board receives numerous requests from citizens, licensees, and other customers for hard copies of the law, which includes a table of contents and is easier for many to access and read than versions available online.

The Board also received the requested $8,400 for replacement of five aging personal computers. This will allow the Board to be in compliance with the system requirements for the new licensing software system, CAVU, being adopted by most regulatory boards.

ADDITIONAL FACTS AND FIGURES

State Board of Psychology Staffing Levels						
					Estimated	
Program Series/Division	**2000**	**2001**	**2002**	**2003**	**2004**	**2005**
Board Members	7	7	9	9	9	9
Administrative Staff	4	4	4	4	4	4
Investigative Staff	2	2	2	2	2	2
Totals	**11**	**11**	**15**	**15**	**15**	**15**

Number of Licensees

License Type	FY 2000	FY 2002*
Psychologist	3,398	3,550
School Psychologist	349	400

**number is an estimate provided by the Board.*

Licensees must renew their licenses biannually during the summer of even-numbered years.

Current License Fees

	Initial	Renewal
Psychologist	$125	$350
School Psychologist	$125	$350

Fees for the initial license were last increased in 1996. Renewal fees were last increased in 1998.

PERMANENT AND TEMPORARY LAW

The executive budget contains no permanent or temporary law changes affecting the State Board of Psychology.

REQUESTS NOT FUNDED

The Governor fully funded the State Board of Psychology's biennial budget request, which included requests to increase non-GRF funding.

General Services Fund Group

4K9 882-609 Operating Expenses

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
$420,899	$442,831	$408,910	$486,184	**$516,544**	**$513,525**
	5.2%	-7.7%	18.9%	**6.2%**	**-0.6%**

Source: GSF: Fee revenue received by the State Board of Psychology

Legal Basis: Section 82 of H.B. 95 of the 125th G.A. (originally established by Am. Sub. H.B. 152 of the 120th G.A.)

Purpose: Funds are used for general operating expenses, including payroll and supplies for the State Board of Psychology. The board licenses and regulates psychologists and school psychologists who practice in Ohio.

LSC Budget Spreadsheet by Line Item, FY 2004 - FY 2005

Fund	ALI	ALI Title	Estimated 2003	As Introduced 2004	House Sub Bill 2004	% Change Est. 2003 to House 2004	As Introduced 2005	House Sub Bill 2005	% Change House 2004 to House 2005
PSY		**Psychology, State Board of**							
4K9	882-609	Operating Expenses	$486,184	$ 516,544	$ 516,544	6.2%	$ 513,525	$ 513,525	-0.6%
General Services Fund Group Total			**$ 486,184**	**$ 516,544**	**$ 516,544**	**6.2%**	**$ 513,525**	**$ 513,525**	**-0.6%**
Total All Budget Fund Groups			***$ 486,184***	***$ 516,544***	***$ 516,544***	***6.2%***	***$ 513,525***	***$ 513,525***	***-0.6%***