OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

2022-2023 AGENCY BUDGET SUBMISSION

NOVEMBER 19, 2020

Agency Overview

- OPLC oversees the administration of fifty-four boards, councils, and commissions within the State of New Hampshire, as well as the Prescription Drug Monitoring Program (PDMP).
- With the exception of the PDMP, staff largely assist the boards, councils, and commissions with two major functions: (1) licensing individuals who wish to practice in New Hampshire; and (2) ensuring compliance with laws through investigations or inspections.
  - In FY20, 223,423 occupational licenses in New Hampshire were active under OPLC or its boards, representing an increase in active licenses of 29% from FY2019. (2020 Annual Report)
  - In FY20, 1094 complaints were received by OPLC and its boards. (2020 Annual Report).
  - In FY21, OPLC anticipates completing 2,840 inspections for 3 professions (approximately 360 pharmacy, 780 electrical, and 1700 cosmetology).
- In FY20, OPLC had 67 permanent, classified positions (see p. 4 Agency Budget Request)
  - 17 full-time positions dedicated to Enforcement-related functions, such as inspections and investigations.
  - 39 full-time positions dedicated to licensing and administering boards.
  - Approximately 20% of OPLC's workforce is part-time
- OPLC is a self-funded agency.
  - Our fees "must bear a relationship to and approximate the expense of issuing the license of inspecting and regulating the business licensed." D'Antoni v. Commissioner, 153 N.H. 655, 658 (2006).

Reducing Workforce Barriers

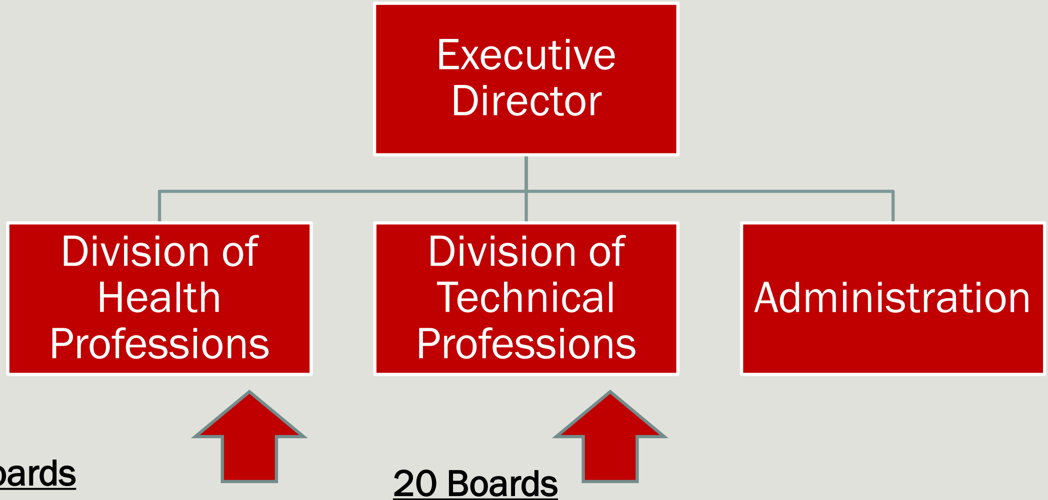
- Board Mission: The purpose of occupational licensing boards is to protect the public by ensuring that an individual meets minimum standards necessary to practice a particular occupation in a safe manner.
- Agency mission: "The purpose of the OPLC is to promote efficiency and economy in the administration of the business processing, recordkeeping, and other administrative and clerical operations of professional licensing and certification boards, including both professional healthcare and professional technical licensing." RSA 310-A:1.
  - OPLC has an obligation to constituents to ensure licensing and disciplinary processes are efficient in order to reduce barriers to workforce entry.
- Agency proposed budget was created with two, primary goals to reduce workforce barriers in the state, while protecting the public: (1) reducing timeframe to licensure; (2) reducing timeframe for investigations and disciplinary proceedings to be completed.

Achieving Efficient Agency Operations

- In FY21, OPLC embarked on mission to maximize efficiency in agency utilizing our existing resources.
- Agency Reorganization Project:
  - Seeking to create two new divisions, organizing staff based on job function in lieu of subject matter of boards
    - Division of Licensing and Board Administration/Division of Enforcement v. Division of Health Professions/Division of Technical Professions
  - Centralizing mail intake
  - Centralizing customer service
  - Adopting same policies and procedures for all boards concerning investigations and licensing.
- Leveraging technology
  - Online Licensing Project: Transitioning all licensing online by end of 2021
  - Improve Communications: Updating content on all websites by end of 2020; website re-design projected in 2021.
  - Document management: scanning all documentation to reduce error rates, render information easier to access and increase public transparency.

FY21: Achieving Efficiency through Agency Reorganization

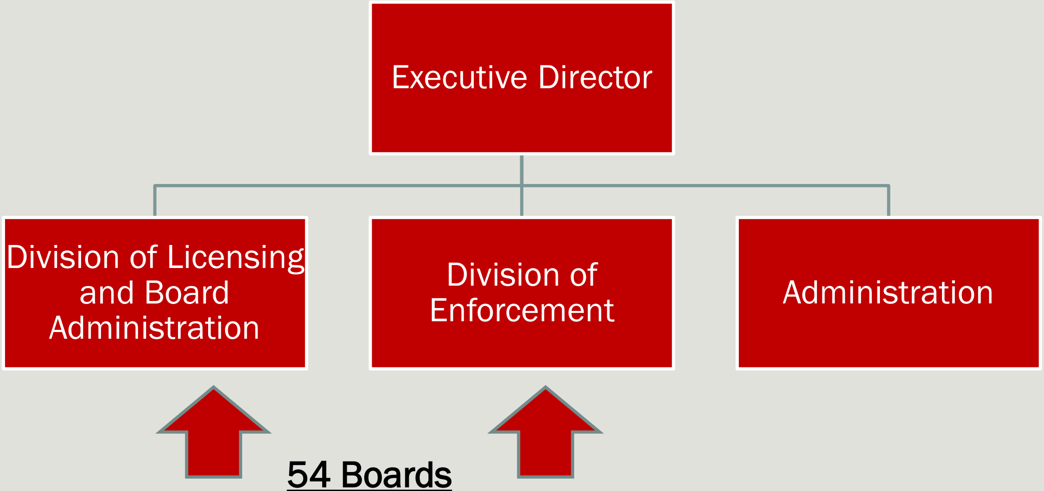
FY20-21



34 Boards
33 Mail Processes
33 Cust. Svc. Approaches
33 Licensing Processes
33 Investigation Processes

20 Boards
20 Mail Processes
20 Cust. Svc. Approaches
20 Licensing Processes
20 Investigation Processes

FY22-23



54 Boards
1 Mail Process
1 Cust. Svc. Approach
1 Licensing Process
1 Investigative Process

FY22-23: Achieving Efficiency in Accounting

- Elimination of double-accounting method.
  - See p. 4 (FY20 and FY21).
- Proposing to establish OPLC as a 125% agency.
- Eliminate 50+ activity codes for boards.
  - All budgeting for revenue and expenditures will be tracked through three main accounting units.

FY22-23: Achieving Efficiency in Personnel

- Approximately 20% of OPLC’s workforce is part-time, which is a barrier to achieving efficient operations.
- In FY22-23, OPLC is proposing to significantly reduce its part-time budget (class 50) from FY21-22 and utilize those funds for full-time positions (class 10) to achieve a more efficient, productive workforce.
- Efficiency Budget Requested Positions: Admin III, Hearing Examiner, Investigative Paralegal, 2 Program Assistant II.
- Additional Prioritized Needs Requested Positions: Admin III, Program Specialist IV, Investigative Paralegal, 2 Program Assistant II.

	FY20-21*	FY22-23	
Class 50	1,036,143	319,802	
Class 10	6,866,915	7,810,929	
Subtotal before APN	**7,903,058**	**8,130,731**	Approx. 2% increase ($227,673)
Class 10 APN	N/A	477,527	
Total:	**7,903,058**	**8,608,258**	Approx. 9.1% increase

- *Note, FY20-21 figures based on actual expenses and FY21 Adjusted Authorization p. 3/556

FY22-23: Achieving Efficiency by Leveraging Technology

- In January 2020, OPLC and DOIT sought and obtained G&C approval to establish IT Manager III and Business Analyst positions within DOIT to be embedded in OPLC, and to permit OPLC to accept and expend funds for these positions ($206,948 in FY21). (G&C, January 22, 2020).
  - IT Manager and BSA hired in Fall 2020. Salaries included in Class 27 for FY21 and are proposed in FY22-23 Efficiency Budget Proposal.

- <u>Additional Prioritized Needs</u>:

- Class 27 ($534,915 in FY 22 and $365,618 in FY 23). <u>See</u> Form D, p. 16.
  - Investigations Software
  - Inspections Software
  - Document Management
  - Critical Software updates

OPLC Fees

OPLC Projected Revenue:

- FY20 Actual Revenue, when taking into consideration double accounting: **$12,580,263**
  - FY20 experienced a loss of revenue due to pharmacy legislation change (estimated $700K)
  - FY20 did not account for service fees. In FY22-23, OPLC will be reimbursed by the licensee for service fees at charge of $2.50 per license. (223,000 licensees X $2.50= $557,500 biennium, or $278,750 per fiscal year).
  - FY20 did not charge all boards for PHP program. Pursuant to recent legislation, OPLC is conducting rulemaking to charge licensees $8.00 for participation in the program; this will fully cover the cost of the program ($542,000 fiscal year).
  - FY20 does not take into consideration increase in grant awards for PDMP.
  - OPLC has experienced 29% increase in active licensees since FY19.
- Factoring in the above, **a conservative estimate for revenue for FY22 and FY23 is $14,045,263**, or $28,090,526 for the biennium.
  - Note, due to some variations in renewal schedules, OPLC is proposing to lapse funds at the end of each biennium.
- Fees certainly bear a relationship "to and approximate the expense of issuing the license of inspecting and regulating the business licensed." D'Antoni v. Commissioner, 153 N.H. 655, 658 (2006).

	FY22-23
Projected Revenue	28,090,526
Proposed Appropriations (Efficiency)	23,742,559
Difference	**4,347,967 (84%)**
Proposed Appropriations (APN)	25,550,116
Difference	**2,540,410** (91%)