

Department of Planning and Budget 2003 Fiscal Impact Statement

1. Bill Number HB2048

House of Origin	<input checked="" type="checkbox"/> Introduced	<input checked="" type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron Woodrum

3. Committee Commerce and Labor

4. Title Virginia Birth -Related Neurological Injury Program.

5. Summary/Purpose: This bill permits the Workers Compensation Commission to award up to \$100,000 to the parents or legal guardian of an injured infant covered under the Virginia Birth-Related Neurological Injury Program who dies within 180 days of birth. In addition, the bill makes the program subject to the Freedom of Information Act and under the provisions of the bill, the program is required to implement procedures consistent with the Public Procurement Act and the rulemaking provisions of the Administrative Process Act. In addition, other administrative requirements of the Virginia Birth -Related Neurological Injury Program are clarified by this bill.

6. Fiscal Impact Estimates are: See Item 8, below

7. Budget amendment necessary: No

8. Fiscal implications: The bill does create a potential for some increases in costs due to the added administrative requirements. However, in large part, this bill clarifies practices which are currently used so any such impact due to the administrative requirements of the bill should be minimal.

As previously mentioned, the bill also would give the Board of the program the authority to make awards of up to \$100,000 to the families of infants who die within 180 days of birth. In addition, the bill also would authorize the Board to award amounts for reasonable expenses whether or not a favorable ruling has been made on a claim. While these two provisions may have a long -term impact on the fund, they are permissive in nature and thus, are controllable by the Board.

One provision of the bill that may result in a more immediate impact to the program is the requirement that the program perform a study regarding options for revising the fee structure. The bill requires the program to report the findings of the study prior to December 1, 2003. Any costs associated with this study will be borne by the Virginia Birth -Related Neurological Injury fund.

9. Specific agency or political subdivisions affected: The Board of the Virginia Birth-Related Neurological Injury Program of the Virginia Workers Compensation Commission.

10. Technical amendment necessary: No

11. Other comments: None

Date: 1/30/2003/JDH

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cc: Secretary of Health and Human Resources