

Department of Planning and Budget 2003 Fiscal Impact Statement

1. Bill Number HB2728

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

2. Patron O'Bannon

3. Committee Commerce and Labor

4. Title Workers compensation; smallpox vaccine.

5. Summary/Purpose: This bill expands the definition of "injury" for workers' compensation purposes to include any injury, disease or condition resulting from the administration of the smallpox vaccine to any employee as part of federal countermeasures.

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

7. Budget amendment necessary: No

8. Fiscal implications: Under current law, the majority of likely injuries that may result from smallpox vaccinations will be covered by workers compensation. However, this bill does have the potential to increase costs because it adds any "condition" related to the vaccination to the definition of an injury or disease that will be covered by workers compensation. Currently, not all such conditions may be covered.

As introduced, the bill refers only to hospital employees and would therefore, impact a limited number of state agencies. The agencies with the potential for the most impact are the Medical Center at the University of Virginia and the Medical College of Virginia Authority. In addition, the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Department of Health, and other agencies dealing with public health may experience some impact.

The workers compensation program for state employees is experience based, and thus, any increase in premiums because of higher than expected loss experience will be borne by the individual agencies. The addition of the House amendment to this bill which expands the coverage from hospital employees to all employees does result in a larger risk of fiscal impact to agencies. However, such an impact is indeterminate due to the unknown number of potential problems that may result from such a vaccine.

As was previously mentioned, most vaccine-related injuries or diseases will be covered under current law. Consequently, while some additional impact may be created by the bill, it is likely that their experience (and consequently, their premiums) would increase should they decide to voluntarily vaccinate their employees with or without the provisions of this bill.

9. Specific agency or political subdivisions affected: State agencies and political subdivisions that operate hospital facilities and administer the smallpox vaccine to their employees.

10. Technical amendment necessary: No

11. Other comments: None

Date: 2/6/2003/JDH

Document: G:\2003SESSION\1-EFIS\WORKCOMP\HB2728.DOC

cc:Secretary of Administration
Secretary of Education
Secretary of Health and Human Resources