

Department of Planning and Budget 2004 Fiscal Impact Statement

1. Bill Number: SB607

House of Origin	<input 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: Wampler

3. Committee: Education and Health

4. Title: Licensure conditions for certain methadone clinics; emergency.

5. Summary/Purpose: This bill prohibits the granting of an initial license to a provider of treatment for persons with opiate addiction using the controlled substance methadone or other opioid replacements, if such facility is to be located within one-half mile of a public or private day care center or K-12 school. This bill exempts hospitals licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services or those owned or operated by an agency of the Commonwealth from these requirements. The Commissioner is required to notify the local governing body and the community services board serving the jurisdiction in which such facility is to be located within 15 days of receiving notice of a proposal or an application to obtain initial licensure for provision of treatment for persons with opiate addiction through the use of the controlled substance, methadone or other opioid replacements. The local governing body and the community services board shall submit comments on the proposal or application within 30 days of the notice. The local governing body must notify the Commissioner within 30 days of the date of the notice concerning the compliance of the applicant with the location condition and applicable local ordinances. The Commissioner shall not issue a license until the conditions of this provision are met. Existing providers that have made an application for licensure and obtained a certificate of occupancy in accordance with the law and regulations in effect on January 1, 2004, are grandfathered and jurisdictions located in Planning District 8 are exempted. Two enactment clauses provide that: (i) the Board of Mental Health, Mental Retardation and Substance Abuse Services must promulgate emergency regulations; and (ii) the Commissioner shall not grant or issue any initial license to a provider of treatment for persons with opiate addiction through the use of the controlled substance, methadone, or other opioid replacements after the date of the enactment of this provision, unless the provider is in compliance with these provisions.

6. No Fiscal Impact.

7. Budget amendment necessary: No.

8. Fiscal implications: Current data indicates DMHMRSAS receives an average of two applications per year to license providers of these treatment services. This bill requires promulgation of emergency and final regulations for enactment. It is anticipated that the additional workload requirements for these activities and licensing of these new providers would be absorbed within existing staff resources.

9. Specific agency or political subdivisions affected: Department of Mental Health, Mental Retardation and Substance Abuse Services; local jurisdictions.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 2/2/04 / jlv

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cc: Secretary of Health and Human Resources