

Department of Planning and Budget 2004 Fiscal Impact Statement

- 1. Bill Number** SB 685
- House of Origin** ☐ Introduced ☐ Substitute ☐ Engrossed
- Second House** ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron Howell, J.

3. Committee Passed Both Houses

4. Title Quarantine and isolation procedures

5. Summary/Purpose:

SB 685 sets out a procedure for the State Health Commissioner to issue orders of quarantine when a person or persons or an affected area in Virginia have been known to be exposed to or infected with or may reasonably be suspected to be exposed to or infected with a communicable disease of public health threat. The bill also sets out a procedure for the State Health Commissioner to prepare orders of isolation under circumstances defined in the bill.

Amendments exempt human immunodeficiency virus (HIV) and tuberculosis (TB) from the bill's purview, unless they are used as a bioterrorism weapon.

6. Fiscal Impact Estimates Are Final. (See Item 8, below.)

7. Budget amendment: No

8. Fiscal implications:

If there is no need to act under SB 685, there will be no costs. However, several provisions in the bill have potentially large fiscal impact, should there be a need to act as it requires. The federal government could pick up much of the cost, but this cannot be predicted with certainty. Therefore, there could be an impact of unknown proportions on the state spending.

Among the activities that would have a cost impact are these:

- SB 685 requires the Board of Health to ensure that the essential needs of isolated or quarantined individuals are met, including but not limited to, food, water, and health care needs.
- Further, the bill requires that the Commissioner and/or Governor must provide compensation to the owners of buildings that are commandeered in response to a state of emergency created by a communicable disease or public health threat. (See § 32.1-48.17, p. 19, lines 1149 ff., especially paragraph C, p. 20, lines 1161-2.)

- Additional costs could include the cost of enforcing isolation or quarantine orders, transportation of individuals, tracking of individuals using electronic devices, and supplying protective gear such as masks, gowns, and gloves. (See §32.1-48.14, p. 19, lines 1104 ff.)
- Enforcement costs could include stationing a law enforcement official in a location to ensure compliance with an order of the State Health Commissioner and expenses of prosecutions. (See §32.1-48.14, paragraphs B and C, p. 19, lines 1108- 1123; and paragraph D, lines 1124-5.)

It is impossible to project the costs of implementing isolation and quarantine as provided in SB 685. Ideally, the provisions of this bill will never be needed, but, if they are needed, they are, essentially, unavoidable. However, such costs would be exceeded by the costs of failure to respond.

If the Health Commissioner needs to act under the provisions of SB 685, the bill's requirements may apply to from one to many thousands of individuals at a time. In Beijing last year, 30,000 persons were under quarantine in a four month period. It is not possible to estimate when or where funds may be needed or how many people would need to be supported or to what extent their expenses may need to be covered.

In the event of a significant outbreak, and based on past experience, it is likely that the federal government would approve the use of available grant funding toward the costs associated with containing the event. In the case of a large-scale outbreak, the federal government would have a significant presence in the actual response and additional federal funding might be available to bear part of the fiscal burden. However, the degree to which the federal government would pick up costs cannot be predicted with any certainty.

9. Specific agency or political subdivisions affected: Virginia Department of Health (VDH); State Police (VSP) and local law enforcement; any/all localities that experience an outbreak

10. Technical amendment necessary: Yes.

- On page 11, line 638 in § 43.1-48.02, the word "which" that is being deleted is misplaced in the printed text, not properly reflecting the *Code of Virginia's* current wording. It belongs later in line 638 after the word "microorganism" or in line 639 after the word "bacillus."

11. Other comments:

- This bill, as engrossed, is identical to HB 1483, as enrolled

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c: Secretary of Health and Human Resources