

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: HB 1445

House of Origin X Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Abbitt

3. Committee: Health, Welfare and Institutions

4. Title: Administration of drugs; training of educational facility staff

5. Summary: Requires the Board of Nursing to develop, in consultation with the Board of Pharmacy, guidelines for the training of employees of private facilities licensed by the Office of Interdepartmental Regulation, in the administration of prescription drugs as defined in the Drug Control Act. Such training programs shall be taught by a registered nurse, licensed practical nurse, doctor of medicine or osteopathic medicine, or pharmacist.

6. Fiscal Impact Estimates: (See Item 8 below)

7. Budget Amendment Necessary: No

8. Fiscal Implications: As currently written this legislation would not impact any facilities as the Office of Interdepartmental Regulation does not technically license any facilities. The four departments that participate in the Interdepartmental Regulation program (Departments of Education; Juvenile Justice; Mental Health, Mental Retardation and Substance Abuse Services and Social Services) perform the actual licensing. Therefore, the bill technically has no impact as drafted. However, this fiscal impact statement assumes that the bill intends to impact those facilities licensed by the four departments.

The proposed legislation tasks the Boards of Nursing and Pharmacy with developing guidelines and approving the training program required by this legislation. The Department of Health Professions estimates that the boards would expend approximately \$13,000 to outline the training necessities and ultimately approve curriculum. This estimate includes the expenses associated with several committee meetings, the use of contractual staffing and publication. This cost can be absorbed with existing appropriation and licensure fees.

The proposed legislation does not specify who is responsible for actually developing and purchasing the facility training program after the specified boards establish guidelines. Similar legislation that required the training of child day program employees was passed by the 2006 General Assembly. The cost of purchasing the necessary training curriculum was borne by the Department of Social Services. The department purchased a complete training program for \$35,000. Therefore, it is assumed that the training program required by this legislation would have a similar cost. However, it is again unclear as to the entity responsible for providing this training program to the Board of Nursing for approval. Moreover, the responsible entity will determine the type of funds used for the purchase: Department of

Social Service (general fund); Department of Health Professions (special funds); residential facilities (no state impact).

The proposed legislation does not specify any oversight of the training curriculum and program. It is assumed that any necessary oversight will be performed by the appropriate regulatory agencies. These agencies will need to include a review of facility records to ensure training compliance as a part of licensure. Assuming that facilities are responsible for maintaining a master list of their employee's training records, this additional compliance check should be absorbed with existing licensure staff and resources.

9. Specific Agency or Political Subdivisions Affected:

Department of Health Professions

Department of Social Services

10. Technical Amendment Necessary: As currently written this legislation would not impact any facilities as the Office of Interdepartmental Regulation does not technically license any facilities. The four departments that participate in the Interdepartmental Regulation program (Departments of Education; Juvenile Justice; Mental Health, Mental Retardation and Substance Abuse Services and Social Services) perform the actual licensing. Also, the legislation does not specify the organization responsible for purchasing the training program based on board guidelines.

11. Other Comments: This bill is identical to HB 561.

Date: 1/23/2008

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cc: Secretary of Health and Human Resources