

## **Department of Planning and Budget**

### **2009 Fiscal Impact Statement**

**1. Bill Number:** HB 2328

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

**2. Patron:** Athey

**3. Committee:** Pending

**4. Title:** Adult abuse, suspected; requires local departments to take photographs, etc., thereof.

**5. Summary:** This bill requires local adult protective services (APS) investigators to take or cause to be taken photographs, video recordings, or appropriate medical imaging of the victim and his environment, with the informed consent of the individual or his legal representative. If the adult is incapable of giving informed consent, consent may be given by an agent appointed under an advance medical directive, a medical power of attorney, or a person authorized under §54.1-2986.

**6. Minimal Fiscal Impact**

**7. Budget Amendment Necessary:** No

**8. Fiscal Implications:** Existing Code language authorizes but does not require APS investigators to take photos, videos, or medical images when relevant to the investigation. Recording visual images is considered a best practice as an APS investigative tool to provide supporting documentation for the need for protective services and as evidence in a potential criminal prosecution, licensing, or other regulatory proceeding. Photos are currently being taken in most APS case investigations if relevant. The department assumes that with the current digital technology that is already available to local workers, there will be a minimal cost if this bill is enacted.

**9. Specific Agency or Political Subdivisions Affected:**

Department of Social Services  
Local Department of Social Services

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None

**Date:** 2/5/2009

**Document:** G:\2009 Fiscal Year\EFIS\HB2328h1.Doc