

**Department of Planning and Budget  
2013 Fiscal Impact Statement**

**1. Bill Number:** HB 2120

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

**2. Patron:**    Herring, Charniele L.

**3. Committee:** Passed Both Houses

**4. Title:**    Individual incapable of making an informed decision; procedure for physical evidence recovery kit

**5. Summary:** The enrolled legislation provides that a licensed physician, nurse practitioner, or registered nurse may perform a physical evidence recovery kit examination for a person who is believed to be the victim of a sexual assault and who is incapable of making an informed decision regarding consent to such examination when there is an immediate need to conduct the examination, no legally authorized representative is available to provide consent, and a capacity reviewer provides written certification that the person is incapable of providing informed consent and that the examination should be performed. The bill provides for the protection of a victim's identity and frees specified practitioners who exercise due care from liability.

**6. Budget Amendment Necessary:** No

**7. No Fiscal Impact**

**8. Fiscal Implications:** None

**9. Specific Agency or Political Subdivisions Affected:** None

**10. Technical Amendment Necessary:** No

**11. Other Comments:** This bill is similar to SB 1006.

**Date:** 2/20/13

**Document:** G:\2013 Fiscal Year\2013 GA Session\EFIS\Enrolled FIS 13\HB2120er.docx