

Department of Planning and Budget

2017 Fiscal Impact Statement

1. Bill Number: HB2318-ER

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

2. Patron: Stolle

3. Committee: Passed Both Houses

4. Title: Virginia Birth-Related Neurological Injury Compensation Program.

5. Summary: Removes from the definition of "birth-related neurological injury" a provision that the definition shall apply retroactively to any child born on and after January 1, 1988, who suffers from an injury to the brain or spinal cord caused by the deprivation of oxygen or mechanical injury occurring in the course of labor, delivery or resuscitation in the immediate post-delivery period in a hospital. The measure includes an enactment clause stating that its provisions are declarative of existing law. The bill has a delayed effective date of January 1, 2018.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final – see Item 8.

8. Fiscal Implications: According to the State Corporation Commission, the estimated cost per claimant admitted to the Virginia Birth-Related Neurological Injury Compensation Program is \$1.85 million. The proposed legislation may increase the number of claimants who would be eligible for the Virginia Birth-Related Neurological Injury Compensation Program; however, it is not possible to determine the number of claimants who would be eligible or the projected impact on the Virginia Birth-Related Neurological Injury Compensation Fund (Fund). Based on the latest actuarial report, the Fund has sufficient assets to pay its future obligations to claimants.

9. Specific Agency or Political Subdivisions Affected: Virginia Workers' Compensation Commission, State Corporation Commission, Department of Health, Department of Health Professions, Board of Medicine, and Virginia Birth-Related Neurological Injury Compensation Program

10. Technical Amendment Necessary: No.

11. Other Comments: No.