

## REVISED

### Department of Planning and Budget 2018 Fiscal Impact Statement

**1. Bill Number:** SB459

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

**2. Patron:** Edwards

**3. Committee:** General Laws and Technology

**4. Title:** Governor's Secretaries; reporting substance abuse data and information.

**5. Summary:** Requires every Secretary to identify an agency within his or her secretariat to receive such data and information related to substance abuse as the Secretary may specify and requires every agency in a secretariat to report such data and information to the identified agency.

**6. Budget Amendment Necessary:** Yes. See #7.

**7. Fiscal Impact Estimates:** The overall fiscal impact is indeterminate, because of variations in how the bill may be interpreted and applied in each Secretariat. A partial fiscal impact of \$141,500 annually has been identified, based on: (a) \$29,000 for one new part-time position to assist the cabinet to administer the reporting requirements, and (b) one new full-time position at the Department of Criminal Justice Services (DCJS) to fulfill the responsibilities outlined in the legislation, if DCJS becomes the designated coordinating agency for the public safety secretariat.

The bill appears to create fiscal impacts at the agency and secretarial levels. Agencies such as the Virginia State Police and the Department of Forensic Science state they expect to be able to comply with provisions of this bill within existing resources. However, it is difficult to estimate the fiscal impact on smaller agencies given it is not understood what type and scope of data would be collected and how the collected data would be collated, formatted, reported, stored, retrieved, and maintained.

At the secretarial level, the impact may vary to the degree that the reporting requirements are not uniform across secretariats; the bill allows each Secretary to specify what he or she wants collected and reported. Depending upon how the definitions in the bill are interpreted, the volume of data could be substantial. For example, the Departments of Corrections and Juvenile Justice conduct a variety of assessments of persons for substance abuse needs, and provide many treatment programs at correctional institutions and in the community. Third-party contractors provide many of these services, and the available data and formats will vary from contractor to contractor. If agencies reported data for all such programs, the amount of information could be

substantial, and require considerable staff time from agencies submitting the data and the agency collecting and maintaining the data.

After the designated data or reports are transmitted to the Secretaries' offices, a dedicated staff would be needed to collate the information and determine which data are appropriate for public dissemination, as some data could be sensitive and subject to protections afforded by the Health Insurance Portability and Accountability Act (HIPAA) and the Virginia Government Data Collection and Dissemination Practices Act. It is also assumed that the data would be reported on a quarterly basis, and thus require several weeks to process, collate, and disseminate. Because the Secretaries typically do not employ line staff equipped to handle such tasks, it is assumed that to properly implement provisions of this bill, one part-time position would be created to assist the entire cabinet in this endeavor starting in FY 2019. A part-time analyst's salary without benefits would amount to \$25,000 plus \$4,000 for computers, office space, and related costs for a total of \$29,000 annually.

**7a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2018	-	-	-
2019	\$141,500	1.5	GF
2020	\$141,500	1.5	GF
2021	\$141,500	1.5	GF
2022	\$141,500	1.5	GF
2023	\$141,500	1.5	GF
2024	\$141,500	1.5	GF

**8. Fiscal Implications:** Unknown.

**9. Specific Agency or Political Subdivisions Affected:** Cabinet Secretaries and executive agencies.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** This is a companion bill to HB816. Also, SB 719, establishing a Substance Abuse Data Sharing and Analytics Clearinghouse, to be administered by the Secretary of Health and Human Resources in consultation with the proposed Substance Abuse Data Sharing and Analytics Advisory Committee would accomplish a similar purpose as SB 459 and HB 816.