

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: SB410

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Hashmi

3. Committee: Education and Health

4. Title: Public school buildings; testing for Legionella bacteria; review; report.

5. Summary: Requires each school board to test each public school building in the local school division for the presence of Legionella bacteria at such regular intervals as the school board deems necessary to maintain the health and decency of such buildings. The bill requires the Department of Education to make recommendations for the frequency of testing for the presence of Legionella bacteria in public school buildings and to notify each local school board of its recommendations no later than September 1, 2020. The bill also requires each public elementary and secondary school to maintain files of its Legionella bacteria test results and make such files available for review and the division superintendent to report such results to the Department of Health.

6. Budget Amendment Necessary: Yes. Item 134 and Item 294 of HB/SB 29. Item 304 of HB/SB 30.

7. Fiscal Impact Estimates: Preliminary. See Item 8.

7a. Expenditure Impact:

Virginia Department of Education

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2020	\$10,000	0.0	General
2021	\$0	0.0	General
2022	\$0	0.0	General
2023	\$0	0.0	General
2024	\$0	0.0	General
2025	\$0	0.0	General

Virginia Department of Health

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2020	\$49,010	0.1	General
2021	\$812,610	7.7	General
2022	\$812,610	7.7	General
2023	\$812,610	7.7	General
2024	\$812,610	7.7	General
2025	\$812,610	7.7	General

- 8. Fiscal Implications:** This bill requires the Department of Education (DOE) to make recommendations for the frequency of testing for the presence of Legionella bacteria in public school buildings and to notify each local school board of its recommendations no later than September 1, 2020. DOE anticipates the need to contract with a consultant to make recommendations for the frequency of testing for the presence of Legionella bacteria in public school buildings. Because of the September 1, 2020 deadline for this report, DOE estimates a one-time cost of \$10,000 in FY 2020 to satisfy this requirement.

Additionally, this bill would require the Virginia Department of Health (VDH) to develop a database to receive and file reports of Legionella tests that are conducted by each public school in Virginia (one time license cost \$39,000, \$45,000 for web/cloud hosting per year). VDH estimates project management costs for database development of 0.1 FTE.

The estimated fiscal impact is based on the assumption that all 1,813 public schools in Virginia will test for Legionella bacteria once a year. Since Legionella are heat-loving bacteria, cooling towers are often an ideal environment for the bacteria to grow. Based on that information, VDH assumes schools with cooling towers will test an additional time throughout the year. DOE estimated that about fifty percent of schools in Virginia contain cooling towers (n=907).

The estimation assumes that it will take VDH approximately half an hour to receive, log, scan, and file results that are submitted by schools. Additionally it will take approximately one hour to review samples submitted per school.

Based on studies that have been conducted on Legionella in cooling towers, VDH assumes Legionella will be found in approximately 60% of all schools with cooling towers (544 schools reporting two times per year). Since Legionella can also be found in swimming pools, showers, hot tubs, etc., which may be found in certain schools, VDH estimates that Legionella will be found in 10% of the schools without cooling towers (n=91).

For all schools that report positive Legionella results, there will be a need to provide the schools with technical assistance for resampling and remediation, which VDH estimates will take approximately four hours. VDH estimates it will take another half hour to receive, log, scan, and file resamples and assumes one hour to review the resample submitted by the school.

Based on the methodology above, VDH has determined that the agency would require 10,430 man hours or 5.7 FTEs (\$100,098 each with benefits) to account for the reporting, technical assistance, and remediation. Additionally, 2.0 FTEs (\$100,098 each with benefits) are needed for an Environmental Health Educator to manage reviews, conduct training, and provide site visits and an Epidemiologist to provide education/consultation/investigation related to the association between Legionella and Legionnaires' Disease.

- 9. Specific Agency or Political Subdivisions Affected:** Virginia Department of Education, Virginia Department of Health, local school divisions

- 10. Technical Amendment Necessary:** No

- 11. Other Comments:** None