

Department of Planning and Budget 2021 Fiscal Impact Statement

1. Bill Number: HB1950

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

2. Patron: Ayala

3. Committee: Committee Referral Pending

4. Title: Department of Health and the Office of the Chief Medical Examiner; plan for the establishment.

5. Summary: Directs the Department of Health, Office of the Chief Medical Examiner to develop a plan for the establishment of a Fetal and Infant Mortality Review Team (FIMRT) and to report such plan to the Chairmen of the House Committees on Appropriations and Health, Welfare and Institutions and the Senate Committees on Finance and Appropriations and Education and Health by December 1, 2021. The bill also requires the Department of Health to convene a work group to participate in development of the plan and, upon inclusion in a general appropriation act adopted by the General Assembly of funds for such purpose, to hire such contract staff as may be necessary to assist the work group with development of the plan.

6. Budget Amendment Necessary: Yes, see item 8.

7. Fiscal Impact Estimates: See item 8.

8. Fiscal Implications: This bill would have a fiscal impact on the Commonwealth and the Virginia Department of Health. However, the total fiscal impact cannot be determined because aspects of the bill remain unclear.

The bill would require VDH to create a plan for the establishment of a Fetal and Infant Mortality Review Team (FIMRT). The plan would also include identifying funding needs and a proposal for meeting those needs to support the FIMRT. The bill would require that the plan be provided to the Chairmen of the House Committees on Appropriations and Health, Welfare and Institutions and the Senate Committees on Finance and Appropriations and Education and Health by December 1, 2021. The bill also provides that VDH shall convene a workgroup to develop the plan. While the report of findings of the plan must be provided by December 1, 2021, it is unclear if the workgroup would continue its research after that period. Therefore the provisions of the bill could have two possible fiscal impact scenarios:

Scenario 1: If the duties of the workgroup and initial plan development are to be concluded by December 1, 2021 then VDH would require two wage/contractor positions. The bill states that, “upon inclusion in a general appropriation act adopted by the General Assembly of funds for such purpose, the Department of Health shall hire such contract

staff as may be necessary to assist the work group created pursuant to section 2 with development of the plan required pursuant to section 1, which shall include a Fetal and Infant Mortality Review Team Coordinator.” However, VDH has stated that while a report can be provided by this date to meet the requirements of the bill, it is an insufficient amount of time to have a valuable report that would help inform decision makers. VDH would need one Assistant and one Review Team Coordinator to develop the plan in the specified timeframe. The Assistant will to help coordinate the goals and objectives, which include, but are not limited to the following: complete research and literature review, co-facilitate meetings, draft documents and briefings, collaborate with other agencies and key stakeholders in the state and across the nation, and assist with drafting a plan for a workgroup study. VDH has estimated the total cost of the assistant to be \$22,708 for the period from July 1, 2021 through December 1, 2021. The Review Team Coordinator would be responsible for overseeing the wage position and their duties, to include further research and literature view, including data collection of baseline fetal and infant death data. The Review Team Coordinator will plan and facilitate high-level meetings, including synthesizing the information gathered in the meetings, identifying necessary protocols and materials related to FIMRT, gathering fiscal data, working with key stakeholders and other agencies, drafting documents, conducting data analysis, writing the final report, and participating in legislative activities. VDH has estimated the total cost of the Review Team Coordinator to be \$25,938 for the period from July 1, 2021 through December 1, 2021.

Additionally, since this is a state-wide team with citizen members, members may need to travel from all over the Commonwealth to participate in the meetings. Furthermore, the two positions may need to travel to meetings and to collect pertinent information for the plan. A travel budget for group members of \$2,500 is included.

Total Costs for Scenario 1 for work completed by December 1, 2021 is \$51,146 from the general fund.

The bill would authorize the hiring of contract staff to assist with this effort if there is a specific appropriation provided. If this legislation becomes law without a specific appropriation, VDH would need to identify existing staff to fulfill the duties associated with the proposed Assistant and Coordinator. While this would reduce the cost of this scenario to \$2500 (since the staff would already be VDH employees) VDH would face the challenges associated with fulfilling the responsibilities currently performed by any employees so diverted.

Scenario 2: If the intent of the bill is to report the findings of the feasibility of establishing the FIMRT by December 1, 2021, with continued research and development by the workgroup to fully complete the plan after the report and continued assistance from contract staff, then there would be additional costs on top of the first scenario. VDH would still require \$51,146 from the general fund for one Assistant and one Review Team Coordinator to develop the feasibility of the establishing the FIMRT by December 1, 2021 in FY22. However, these positions would continue to be part of the workgroup that would continue research, development, and implementation of the plan. VDH

believes that the workgroup could develop and finalize a comprehensive plan for the establishment of the FIMRT by the end of FY23. Therefore VDH would need \$122,750 from the general fund in FY23 to continue supporting the wage/contract positions in order to finalize the plan.

Total Costs for Scenario 2 in FY22 is \$122,750 and \$122,750 in FY23.

Upon the reporting of the findings, and if it is determined that a FIMRT Team will be created, further legislation will be needed to establish the team. Additionally, it is anticipated that the establishment and operation of the Team will result in a fiscal impact in order to fulfill the goals and objectives of the Team as articulated in this legislation.

The Department of Behavioral Health and Developmental Services and the Department of Criminal Justice Services have stated that this bill would not have a fiscal impact to be on the workgroup.

9. Specific Agency or Political Subdivisions Affected: The Virginia Department of Health's Office of the Chief Medical Examiner.

10. Technical Amendment Necessary: No

11. Other Comments: None.