

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: SB1275

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: Dunnivant

3. Committee: Education and Health

4. Title: Midwifery; administration of medication.

5. Summary: Allows licensed midwives to obtain, possess, and administer drugs and devices within the scope of their practice. The bill limits liability of entities that provide or dispense drugs or devices to a licensed midwife and that rely in good faith upon the license information provided by the licensed midwife. The bill contains a technical amendment.

6. Budget Amendment Necessary: See item 8.

7. Fiscal Impact Estimates: See item 8.

8. Fiscal Implications: The total fiscal impact the provisions of this bill would have on the Department of Health professions cannot be determined. The provisions of the bill could generate a number of complaints to the Board of Medicine that would need to be investigated and adjudicated. These cases are complex and have long disciplinary proceedings. The complexity in these cases are due to the number of witnesses, adversarial nature of the proceedings, the length of the hearings, and complex and large amounts of documentary evidence, which must be organized and compiled by a adjudication specialist.

The Board of Medicine currently has nine adjudication specialists that can prosecute approximately 200 cases per year. The Board also has approximately 111 licensed professional midwives. While many midwives are never the subject of a complaint, several will have multiple complaints and cases involving multiple patients. The cases involving midwives usually proceed to a formal administrative hearing because they usually involve standard of care allegations in high-risk scenarios and the patient (the infant) outcome has often resulted in permanent injury or death. While it is unknown the number of complaints that would be generated due to the provisions of the bill. It is assumed that for every additional 20 complaints, one adjudication specialist would be required and would cost \$136,600 in salary, benefits, and operational costs to the agency.

9. Specific Agency or Political Subdivisions Affected: Department of Health Professions.

10. Technical Amendment Necessary: No.

11. Other Comments: HB1511, introduced by Delegate Adams, D.M., is a companion bill.