

Department of Planning and Budget 2010 Fiscal Impact Statement

1. Bill Number: HB 411

House of Origin	<u> X </u>	Introduced	<u> </u>	Substitute	<u> </u>	Engrossed
Second House	<u> </u>	In Committee	<u> </u>	Substitute	<u> </u>	Enrolled

2. Patron: Oder

3. Committee: Health, Welfare and Institutions

4. Title: Shaken baby syndrome; Department of Social Services to develop information for distribution

5. Summary: This bill requires the Department of Social Services (DSS) to develop information, presented in both print and audiovisual format, about shaken baby syndrome and its effects, and to make such information available to a number of groups, facilities and individuals. Specifically, the bill:

- Adds that as a routine component of prenatal care, all licensed health care practitioners must provide to each patient information about shaken baby syndrome and its effects, presented in both printed and audiovisual formats.
- Requires that the materials are available to foster and adoptive parents, child day facilities, child day programs, family day homes and systems, child placing agencies, children's residential facilities and group homes licensed by DSS.
- Adds that information about shaken baby syndrome and its effects be presented in printed and audiovisual format prior to the approval of any foster or adoptive family for placement of a child.
- Adds that adoption reports to the circuit court include a certification that information about shaken baby syndrome and its effects were presented in both printed and audiovisual formats to the adoptive parents.
- Adds a requirement that information for shaken baby syndrome be presented to the adoptive parents during a home study.
- Adds that a licensed or dual authorized child placing agency has provided the prospective adoptive parents with information about shaken baby syndrome and its effects in printed and audiovisual formats.
- Adds that training developed by the Board of Social Services with the Child Day Care Council provided to staff of licensed child placing programs include training and information regarding shaken baby syndrome and its effects at least annually.
- Adds that regulations for child day centers and facilities licensed under this subtitle include a requirement for the provision of information on shaken baby syndrome and its effects annually.
- Adds that as a condition of initial and renewal licensure, group homes and residential facilities for children provide evidence of staff training on shaken baby syndrome and its effects.

6. Fiscal Impact Estimates: Preliminary

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2010	-	-	-
2011	\$4,155,802	-	General
2012	\$1,881,540	-	General
2013	\$1,881,540	-	General
2014	\$1,881,540	-	General
2015	\$1,881,540	-	General
2016	\$1,881,540	-	General

7. Budget Amendment Necessary: Yes.

8. Fiscal Implications: There are three primary areas of cost associated with this legislation:

- The purchase of shaken baby syndrome information in printed and audiovisual formats.
- The coordination and distribution of shaken baby syndrome information to the above mentioned groups in printed and audiovisual formats.
- The development and provision of training to operators and staff of licensed child placing programs.

Provision of Printed and Audiovisual Materials

The Department of Social Services does not have sufficient expertise or the necessary equipment to develop the required materials “in-house” without bearing significant costs. Moreover, the department has determined that it would be more cost-effective to obtain materials from the National Center on Shaken Baby Syndrome. The center can supply the department with brochures at a cost of \$0.25 each and DVDs at a cost of \$3.50 each. It is assumed that both forms of media would be provided to the populations as a packet in order to meet the bill’s provisions. Note: The required materials will need to be available in multiple languages, a fact that inflated the potential in-house development cost. The National Center on Shaken Baby Syndrome has the required materials available in multiple languages. Although this statement does not attempt to factor in the number of non-english packets needed; clearly the department will need to have these packets available. In addition, this statement assumes that there is no bulk discount price for the packets of materials and that the Center will be able to provide the packets in the numbers detailed below.

The bill requires the department to provide the above printed and audio/visual materials to practitioners providing prenatal care and a number of facilities regulated by the department. In addition, it is assumed that these materials should also be available at local departments of social services and the central office in Richmond.

The bill requires that every licensed practitioner who provides prenatal care in the Commonwealth provide all of their patients the materials on shaken baby syndrome. Due to the bill’s general language and subsequent lack of specific data, only a general estimate as to the number of packets needed can be made. Based on Department of Health Professions licensing data, it is assumed that there are approximately 15,000 practitioners, including practitioners of general medicine and obstetrics, that would be required to provide this packet of information to their patients. Although the bill, as written, would technically apply to

nurses; this fiscal impact statement assumes that each woman would only receive one packet during their pregnancy and all impacted nurses would work under the auspices of a doctor subject to the bill. If nurses were also included in this estimate, the fiscal impact would be significantly higher. Since the number of patients seen by any one doctor or practice is highly variable, it is further assumed that each of the practitioners, on average, will require an initial stock of 25 packets. Therefore, the department will have to purchase about 375,000 brochures and DVDs at a cost of about \$1,406,250 in FY 2011. After which, it is assumed the department will need to procure another 133,938 packets each year at a cost of \$482,175 to replenish its inventory. This number estimates the number of pregnancies in Virginia and is based on 125 percent of the number of live births experienced in 2008 (107,150 in Virginia – 2008 census).

In addition to the above practitioners, the bill requires that several other groups receive the shaken baby syndrome informational packet. The department estimates that there are approximately:

- 7,000 child day centers, family day homes, voluntary registered, religious exempt and children's residential facilities with oversight by DSS;
- 80 licensed child placing agencies;
- 120 local departments of social services;
- and the central office located in Richmond.

Based on these numbers, the department estimates that 7,201 facilities would need to provide the materials to their customers. It is estimated that each facility would, on average, receive 100 packets the first year at a cost of \$2,700,375 and need about half of that amount at a cost of \$1,350,188 each year thereafter.

Based on the above assumptions, the department will need to purchase 1,095,100 brochures and DVDs from the National Center on Shaken Baby Syndrome in FY 2011 (at a cost of \$4,106,625) and 493,988 packets (at a cost of \$1,832,363) each year thereafter.

Coordination and Distribution

The department will need to hire one part-time Public Affairs Specialist at an hourly rate of \$12/hour for 1,500 hours annually. This staff person would be responsible for obtaining the needed materials, coordinating and updating the distribution list, preparing documents for distribution as well as overseeing the development of training by the contractor. Total cost for this position would be \$19,377 annually.

This position will coordinate with the Department of Health Professions (DHP) to obtain address information for the required licensed practitioners at no additional cost. The remaining population's information is currently gathered by the department at the time of licensure. It is estimated to cost \$27,000 for postage to distribute all shaken baby syndrome materials. Note: It is assumed that there are no legal barriers to DHP sharing licensee information with DSS.

Training

This legislation also requires that training be developed and provided to staff of licensed child placing programs. It would be more efficient and effective to contract out the development of training on shaken baby syndrome since the department does not have expertise in this area. It is estimated that it would take approximately 80 hours to develop this web-based training at a cost of \$35/hour. The total cost to develop this training would be \$2,800 (\$35/hr x 80 hours). After this training is developed, it would be provided and managed by the Department's Training Management Unit along with all other agency training at minimal cost.

The total cost to purchase and distribute shaken baby syndrome materials as well as develop and provide training as specified in the bill would be \$4,155,802 in FY 2011 and \$1,881,540 each year thereafter. These costs must be entirely supported by the general fund.

9. Specific Agency or Political Subdivisions Affected:

Department of Social Services

Department of Health Professions

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: 2/1/2010

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