

## **Department of Planning and Budget**

### **2014 Fiscal Impact Statement**

**1. Bill Number:** SB 572

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

**2. Patron:** Barker

**3. Committee:** Rehabilitation and Social Services

**4. Title:** Office of State Long-Term Care Ombudsman; access to clients, patients, individuals, facilities, etc.

**5. Summary:** The bill provides that the Office of the State Long-Term Care Ombudsman shall have access to client records, during the investigation of complaints, of licensed assisted living facilities, licensed adult day care centers, home care organizations, hospice facilities other behavioral health and developmental services providers, state training centers and area agencies on aging or entities providing services through contracts with an area agency on aging. The bill further requires that if an individual is unable to consent to the review of their medical records and has no legal representative, or has a legal representative that refuses to consent, then the records can still be reviewed if the Office of the State Long-Term Care Ombudsman believes the representative's refusal is contrary to the best interests of the individual and the records are necessary to investigate the complaint.

**6. Budget Amendment Necessary:** No.

**7. No Fiscal Impact**

**8. Fiscal Implications:** This bill has no fiscal impact. It adds to the list of long-term care providers that must allow access to medical records by the Office of the State Long-Term Care Ombudsman during investigations of complaints filed with the office. In addition, it specifies how that access is granted if the client is unable to consent.

**9. Specific Agency or Political Subdivisions Affected:** Department for Aging and Rehabilitative Services.

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

**11. Other Comments:** None.