

## Department of Planning and Budget 2019 Fiscal Impact Statement

**1. Bill Number:** HB1627

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

**2. Patron:** Orrock

**3. Committee:** Health, Welfare and Institutions

**4. Title:** Child welfare agencies; Commissioner of Social Services shall prioritize inspection of agencies.

**5. Summary:** Requires the Commissioner of Social Services to prioritize inspections of child welfare agencies in the following order: (i) inspections conducted in response to a complaint; (ii) inspections of licensed or registered child welfare agencies; (iii) inspections of license-exempt or unlicensed child welfare agencies that have entered into a contract with the Department of Social Services or a local department to provide child care services funded by the Child Care and Development Block Grant; and (iv) inspections of license-exempt and unlicensed child welfare agencies.

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

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

**8. Fiscal Implications:** This legislation does not have a fiscal impact. Under current law, the Commissioner of the Department of Social Services is required to inspect any child day center in response to a complaint, regardless of the center's licensing status. Additionally, the Commissioner is required to inspect licensed child welfare agencies not less than two times annually. Federal law requires annual inspections of any facility receiving Child Care Development Fund (CCDF) subsidy payments, licensed or unlicensed. Furthermore, the Commissioner may inspect voluntary-registered, certified preschools with reports of noncompliance, and religiously exempt child day centers at his discretion. All other unlicensed child day centers may be inspected by the Commissioner with permission of the center's owner or person in charge, or pursuant to a warrant.

**9. Specific Agency or Political Subdivisions Affected:** Department of Social Services, local departments of social services

**10. Technical Amendment Necessary:** It is unclear whether the inclusion of the fourth (iv) category could be interpreted to override the provisions of § 63.2-1718, which states, "...the Commissioner may enter and inspect any unlicensed child or adult care operation with the

consent of the owner or person in charge, or pursuant to a warrant.” If this bill creates a new mandatory inspection category, the two sections of code may be in conflict.

**11. Other Comments:** None.