

## Department of Planning and Budget 2020 Fiscal Impact Statement

**1. Bill Number:** HB475ER

<b>House of Origin</b>	<input 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 checked="" type="checkbox"/> Enrolled

**2. Patron:** Mullin

**3. Committee:** Passed by both the House and Senate

**4. Title:** Virginia Sexual Assault Forensic Examiner Coordination Program

- 5. Summary:** The proposed legislation establishes the Virginia sexual assault forensic examiner coordination program within the Department of Criminal Justice Services (DCJS), which is to be headed by a coordinator (Coordinator). The bill also provides that the Coordinator shall: (i) create and coordinate an annual statewide sexual assault forensic nurse examiner training program, in partnership with specified entities; (ii) coordinate the development and enhancement of sexual assault forensic examiner programs across the Commonwealth, as specified; (iii) participate in the development of hospital protocols and guidelines for treatment of survivors of sexual assault in partnership with the Department of Health; (iv) coordinate and strengthen communications among sexual assault nurse examiner medical directors, sexual assault response teams, and hospitals for existing and developing sexual assault nurse examiner programs; (v) provide technical assistance for existing and developing sexual assault forensic examiner programs; (vi) create and maintain a statewide list, updated biannually, that includes specified components; (vii) coordinate, share, and disseminate the specified list to the emergency operations communications system available to emergency medical services and law-enforcement agencies as well as the internal emergency and hospital communications system; (viii) share and disseminate the list created with all other relevant agencies, including law-enforcement agencies, attorneys for the Commonwealth, victim-witness programs, sexual assault service organizations, the Department of Juvenile Justice, the Department of Social Services, the Department of Education, and school divisions; (ix) create sexual assault nurse examiner recruitment materials for universities and colleges with nursing programs in partnership with the State Council of Higher Education for Virginia; and (x) support and coordinate community education and public outreach, when appropriate, relating to sexual assault nurse examiner issues for the Commonwealth.

The proposed legislation also establishes that the Coordinator may request and shall receive from every department, division, board, bureau, commission, authority, or other agency created by the Commonwealth, or to which the Commonwealth is a party, or any political subdivision thereof, cooperation and assistance in the performance of its duties. The bill also specifies that the Coordinator may also consult and exchange information with local government agencies and interested stakeholders.

The proposed legislation also establishes that the Coordinator shall report annually on or before October 1 to the Governor and the General Assembly. The report shall include a summary of activities for the year and any recommendations to address sexual assault exams within the Commonwealth, including budget needs to increase the availability of sexual assault exam services across the Commonwealth. DCJS is also required to ensure that such report is available to the public.

The engrossed bill includes an enactment clause stating that the provisions of the proposed legislation shall not become effective unless an appropriation effectuating its purposes is included in a general appropriation act passed in 2020 by the General Assembly that become law.

6. **Budget Amendment Necessary:** Yes, Item 406.
7. **Fiscal Impact Estimates:** Final (see Item 8 below).
8. **Fiscal Implications:** The proposed legislation establishes a sexual assault forensic examiner coordination program within the Virginia Department of Criminal Justice Services (DCJS), and a new position to coordinate the program. The bill also delineates 11 responsibilities of the new program coordinator (Coordinator), and it establishes the Coordinator's authority and subsequent reporting requirements. DCJS reports that this new position established under the proposed legislation will cost the Department \$131,174, which consists of \$80,000 in salary costs and benefits and personnel costs. Additionally, DCJS states that it cannot determine at this time whether or not the duties and responsibilities specified in the proposed legislation can be fulfilled by one position, and therefore, DCJS reports that additional staffing may be necessary in the future. Furthermore, DCJS reports that, based on past experience, it will cost the agency approximately \$18,000 annually to conduct the annual statewide sexual assault forensic nursing training as required in the proposed legislation.

The other agencies named in the proposed legislation (the Attorney General, Department of Health, the Secretary of Health and Human Services, the Department of Juvenile Justice, the Department of Social Services, the Department of Education, school divisions, and the State Council of Higher Education) do not anticipate a fiscal impact.

9. **Specific Agency or Political Subdivisions Affected:** Department of Criminal Justice Services; Office of the Attorney General; Department of Health; Secretary of Health and Human Services; Department of Juvenile Justice; Department of Social Services, the Department of Education local school divisions; State Council of Higher Education.
10. **Technical Amendment Necessary:** No.
11. **Other Comments:** This bill is similar to SB373ER.