

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: HB808

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Delaney

3. Committee: Health, Welfare and Institutions

4. Title: Services for survivors of sexual assault.

5. Summary: Requires every hospital in the Commonwealth to provide treatment or transfer services, as defined in the bill, to survivors of sexual assault pursuant to a plan approved by the Department of Health; establishes specific requirements for providers of services to pediatric survivors of sexual assault; requires the Criminal Injuries Compensation Fund to pay the costs of services provided to survivors of sexual assault; establishes the Task Force on Services for Survivors of Sexual Assault to facilitate the development of services for survivors of sexual assault; and establishes the Sexual Assault Forensic Examiner Program to increase the number of qualified sexual assault forensic services providers available in the Commonwealth.

6. Budget Amendment Necessary: Yes, item 300.

7. Fiscal Impact Estimates: Preliminary.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2021	\$638,128	4 FTE	01000
2022	\$506,128	4 FTE	01000
2023	\$506,128	4 FTE	01000
2024	\$506,128	4 FTE	01000
2025	\$506,128	4 FTE	01000
2026	\$506,128	4 FTE	01000

8. Fiscal Implications: This bill would have a fiscal impact on the Commonwealth. The bill provides a requirement that every hospital licensed by the Virginia Department of Health (VDH) shall provide to VDH an approved plan for services that are provided to survivors of sexual assault. This requirement will initially create a large influx of plans for the 106 licensed hospitals, which the agency estimates would require two contractors in the first year at a rate of \$132,000.

The bill also introduces requirements that no pediatric health care facility shall provide pediatric sexual assault treatment or transfer services to a pediatric survivor of sexual assault

unless a pediatric sexual assault survivor treatment plan for the pediatric health care facility has been approved by the VDH. "Pediatric health care facility" is defined in the bill as a hospital, clinic, or physician's office that provides health care services to pediatric patients. The quantity of providers for the Commonwealth that will require consistent updating as new providers are introduced to the region and would be consistently changing. The agency estimates that this requirement will create more consistent and ongoing review of plans. A minimum of 2.0 FTEs with a medical background at a rate of \$105,069 (with fringe benefits) per position (\$210,138 for 2 FTEs) would be needed.

The bill also requires for the periodic inspection of hospitals licensed by the VDH as necessary to ensure that sexual assault survivor treatment plans, sexual assault survivor transfer plans, and pediatric sexual assault survivor transfer plans are implemented in accordance with the requirements of this article. With 106 licensed hospitals, VDH estimates a need for 2.0 forensic nurses to ensure compliance with appropriateness of treatment and transfer plans. The average salary for a forensic nurse in Virginia is \$81K/annually. The total including fringe, \$1,800 for training, and \$20,000 for travel is \$147,995, or \$295,990 for both FTEs annually.

According to the Virginia Workers' Compensation Commission (VWC), the fiscal impact the proposed legislation may have to the Criminal Injuries Compensation Fund (CICF) cannot be determined at this time.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Health and the Virginia Workers' Compensation Commission.

10. Technical Amendment Necessary: No.

11. Other Comments: None.