

Department of Planning and Budget
2020 Special Session I - Fiscal Impact Statement

1. Bill Number: HB5121

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

2. Patron: Byron

3. Committee: Committee Referral Pending

4. Title: State Board of Health; public health emergency; patient visitation; notice to family; emergency.

5. Summary: Requires each nursing home, certified nursing facility, and hospice facility to allow each patient to receive visits, either virtually or in person, at least once per week from family or any person designated by the patient. If such visits are conducted virtually, each such facility shall provide access to equipment and staff support that (i) allows each patient the ability to schedule and receive no less than one virtual visit per week and (ii) provides both visual and sound technology allowing the patient to interact with persons outside the facility, unless the patient or power of attorney of the patient waives such rights to virtual visitation and such waiver is noted in the care plan for the patient. Any person visiting a patient in person may be required to comply with all reasonable requirements of such facility adopted to protect the health and safety of patients and staff of the facility. Each such facility shall publish on its website or provide written communication of its plan for providing virtual or in-person family visits. The bill contains an emergency clause.

6. Budget Amendment Necessary: See item 8.

7. Fiscal Impact Estimates: Indeterminate, see item 8.

8. Fiscal Implications: The fiscal impact this bill would have on the Commonwealth cannot be determined at this time. The bill requires that the State Board of Health promulgate regulations requiring nursing homes and hospice facilities to permit either in-person or virtual visitation at least once per week. Since the beginning of the COVID-19 pandemic, the Virginia Department of Health (VDH) has received 21 complaints about the lack of visitation at nursing homes and hospice facilities. While VDH has been able to adequately investigate and inspect the complaints received to date with existing staff and resources, it is unknown if the volume of complaints after passage of this bill would exceed VDH's current capacity. It is possible that this bill may result in the need for additional staff and increased travel expenditures for inspectors traveling to facilities for complaint inspections.

9. Specific Agency or Political Subdivisions Affected: The Virginia Department of Health.

10. Technical Amendment Necessary: No

11. Other Comments: SB5042, as introduced by Senator Kiggans, is a companion bill.