

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

1. Bill Number: HB5140

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: Robinson

3. Committee: Committee Referral Pending

4. Title: Long-term care facilities; public health emergency; patient visitation; end of life.

5. Summary: Provides that during a declared public health emergency related to a communicable disease of public health threat, every hospital, nursing home, nursing facility, hospice, and assisted living facility shall allow visits from a patient's or resident's family members or any person designated by the patient when the patient has been diagnosed with a terminal condition or illness and the patient's death is expected to be imminent.

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 hospitals, nursing homes, certified nursing facilities, and hospice facilities to permit visitation if a patient or resident has a terminal illness and the patient's or resident's death is imminent. 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: None.