

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. **Bill Number:** HB103 H1

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

2. **Patron:** Hope

3. **Committee:** Public Safety

4. **Title:** State Board of Local and Regional Jails; powers and duties.

5. **Summary:** The substitute bill requires the State Board of Local and Regional Jails (the Board), when promulgating regulations and adopting any policy or guidance document related to the enforcement of any minimum standards applicable to local, regional, and community correctional facilities, to expressly and specifically include such items in its published agenda for meetings of the Board or any of its subcommittees.

The substitute bill requires the Board to follow the procedures of the Administrative Process Act (§ 2.2-4000 et seq.) when 1) developing and implementing policies and procedures for the review of the death of any inmate that the Board determines warrants review that occurs in any local, regional, or community correctional facility and 2) promulgating minimum standards and adopting any policy or procedure related to the enforcement of any minimum standards applicable to local, regional, and community correctional facilities.

The bill also prohibits the Board, in enforcing any adopted health care or behavioral healthcare standards, from finding the facility or its non-health care staff in violation of any such standards due to the actions or inactions of licensed medical or mental health professionals if the local, regional, or community correctional facility has met the applicable standards to have such care available. However, in such instances, the Board may report any alleged violations of standards or care to the appropriate state health professions licensing board. The substitute bill establishes that facilities are responsible for hiring or contracting with qualified, licensed providers of health care services and ensuring that such care is accessible and available to inmates pursuant to state standards.

6. **Budget Amendment Necessary:** No

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

8. **Fiscal Implications:** According to the Board, the provisions of this bill are not expected to have a fiscal impact on agency operations.

9. **Specific Agency or Political Subdivisions Affected:** State Board of Local and Regional Jails, Department of Corrections

10. Technical Amendment Necessary: No

11. Other Comments: None