

Department of Planning and Budget 2021 Fiscal Impact Statement

1. **Bill Number:** HB2162EH1

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

2. **Patron:** Tran

3. **Committee:** Health, Welfare and Institutions

4. **Title:** Medical care facilities; persons with disabilities; designated support persons.

5. **Summary:** Requires every general hospital, outpatient surgical hospital, or hospice licensed by the Virginia Department of Health (VDH) or institution exempt from licensure pursuant to clause (vi) of § 32.1-124 to allow a person with a disability who requires assistance as a result of such disability to be accompanied by a designated support person at any time during which health care services are provided. The bill defines "person with a disability", "designated support person", and "care provider"; provides that a designated support person shall not be subject to restrictions on visitation adopted by a medical care facility but may be required to comply with reasonable requirements of the medical care facility adopted to protect the health and safety of patients and staff; and requires medical care facilities to establish policies applicable to designated support persons, make such policies available to the public on a website maintained by the medical care facility, and provide such policies, in writing, to the patient at such time as health care services are provided.

6. **Budget Amendment Necessary:** See item 8.

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

8. **Fiscal Implications:** The fiscal impact this bill, as amended, would have on the Commonwealth cannot be determined at this time. The provisions of the bill would allow a person with a disability who requires assistance as a result of such disability to be accompanied by a designated support person at any time during which health care services are provided. While designated support persons are not visitors, for comparative purposes, visitor data was used to estimate any potential fiscal impact. Since the beginning of the COVID-19 pandemic, VDH has received 22 complaints in total about the lack of visitation and many more telephone calls and emails about what visitation was permitted under current state and federal guidance during the COVID-19 public health emergency. While VDH has been able to adequately investigate and inspect the visitation complaints received to date with existing staff and resources, it is unknown if the volume of complaints involving designated support persons 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. Any cost to post information required in this bill on the website can be absorbed within existing resources.

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

10. Technical Amendment Necessary: No.

11. Other Comments: This bill is similar to language in Item 300(F) of Chapter 56 (2020 Acts of Assembly, Special Session I).