

Department of Planning and Budget 2022 Fiscal Impact Statement

1. **Bill Number:** SB617

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

2. **Patron:** Locke

3. **Committee:** Education and Health

4. **Title:** Commissioner of Health and local health director qualifications; local variances.

5. **Summary:** Requires the Commissioner of Health to possess a Doctor of Public Health degree, a Master of Public Health degree, or a doctoral degree in the area of public health in addition to the current requirement that the Commissioner of Health be a physician licensed to practice medicine in the Commonwealth with certification from the American Board of Preventive Medicine or a recognized board in a primary care specialty as approved by the American Board of Medical Specialties. The bill allows local health directors to possess a Doctor of Public Health degree, a Master of Public Health degree, or a doctoral degree in the area of public health as an alternative to the current requirement that local health directors be physicians licensed to practice medicine in the Commonwealth. Additionally, the bill allows the Commissioner to grant a variance to a state law or regulation of the Board when the Commissioner determines that, upon review of an application from a county, city, or town, (i) the applicant for such variance has demonstrated that the implementation of a regulation would impose a substantial financial or programmatic hardship and (ii) the variance would not adversely affect the safety and well-being of residents of the county, city, or town or the Commonwealth.

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

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

8. **Fiscal Implications:** The total impact this bill would have on the Commonwealth cannot be determined. Currently, as required by the code, all local health directors are licensed physicians and in some health districts the only licensed physician on staff. The bill would allow a local health director to not be a licensed physician if they meet other qualifications. According to §54.1-2957, a nurse practitioner shall practice in consultation with a licensed physician in accordance with a practice agreement between the nurse practitioner and the licensed physician. In order to meet current code requirements that a nurse practitioner shall practice in consultation with a licensed physician, some local health departments may need to hire or contract with a licensed physician to fulfill this requirement. It cannot be determined if a local health department would have a local health director that is not a licensed physician in the future.

9. Specific Agency or Political Subdivisions Affected: The Virginia Department of Health and all local health departments.

10. Technical Amendment Necessary: No.

11. Other Comments: None.