



HOUSE COMMITTEE ON APPROPRIATIONS

2009-10 Legislative Session

FISCAL NOTE

HOUSE BILL: 309

PRINTER'S NO: 1195

PRIME SPONSOR: Johnson

| FISCAL IMPACT SUMMARY | FY 2008/09 | FY 2009/10 |
|---|------------|------------|
| Expenditure Increase/(Decrease): | | |
| Lottery Fund | \$0 | \$0 |

OVERVIEW:

House Bill 309 amends the Older Adults Protective Services Act (OAPSA) by adding definitions for "chronic dementia" and "cognitive impairment" and by amending the definition of "facility" to include an assisted living residence. The bill also adds a new section 5101 relating to physician disclosures.

Section 5101 would require a physician who holds financial or ownership interest in a long-term care facility, and is the attending or primary care physician for a resident or prospective resident of the facility, to disclose such interest to each facility resident or prospective resident and their responsible family member or legal representative. A physician who violates the disclosure requirement in Section 5101 would be subject to disciplinary action under the Osteopathic Medical Practice Act or the Medical Practice Act of 1985. The Department of Aging shall promulgate rules and regulations regarding oversight, compliance and enforcement under Section 5101, including cases where a facility resident has a cognitive impairment or chronic dementia and has no responsible family member or legal representative.

This act would take effect in 60 days.

ANALYSIS:

It is anticipated that the Department of Aging could carry out its responsibilities under this act with existing resources. Consequently, enactment of House Bill 309 would not require additional Commonwealth Funds.

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House Appropriations Committee, (D)

DATE: March 25, 2009

General Note and Disclaimer: *This Fiscal Note was prepared pursuant to House Rule 19(a), and the elements considered and reported above are required by Section 5 of the rule. Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*