

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: HB 634

House of Origin	<input type="checkbox"/> Introduced	<input checked="" type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Roem

3. Committee: -

4. Title: Guardianship; duties of guardian; visitation requirements

5. Summary: The substitute bill requires the Department for Aging and Rehabilitative Services to convene a work group to (i) evaluate how a requirement for private guardians to visit the individual under their guardianship in person at least once every 90 days would reduce the availability of willing and qualified individuals to serve as private guardians, if at all; (ii) consider whether a different number and frequency of visits per year, other than least once every 90 days, would better balance resource constraints with the importance of guardian visits to the incapacitated person under their care; (iii) determine the additional resources, if any, needed to mitigate the negative impacts of an increased visitation requirement on the willingness and availability of qualified individuals to serve as private guardians; (iv) determine how those resources could be allocated to the relevant private and public entities in the guardianship system to promote compliance with an increased visitation requirement; and (v) determine whether expansion of the Virginia Public Guardian and Conservator Program would substantially alleviate issues related to these concerns.

The work group must develop a summary of its activities and recommendations for establishing the number of required private guardian visits per year, the frequency with which they should occur, whether they should be in-person or virtual, the resources needed to carry out the work group's recommendations, and any other parameters that should be incorporated into a new visitation requirement. The summary and recommendations must be submitted to the Chairs of the House Committee for Courts of Justice and the Senate Committee on the Judiciary by November 1, 2022.

6. Budget Amendment Necessary: No

7. Minimal Fiscal Impact

8. Fiscal Implications: It is expected that the provisions of this bill can be met with existing resources.

9. Specific Agency or Political Subdivisions Affected:
Department for Aging and Rehabilitative Services

10. Technical Amendment Necessary: No

11. Other Comments: None