



Virginia Department of Planning and Budget **Economic Impact Analysis**

12 VAC 30-40 – Regulations of the Board of Pharmacy
Department of Health Professions
June 20, 2014

Summary of the Proposed Amendments to Regulation

The Board of Pharmacy (Board) proposes to allow correctional facilities to maintain a stock of intravenous fluids, irrigation fluids, sterile water, and sterile saline to be accessed and administered by authorized persons.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

The Board proposes to allow correctional facilities to maintain a stock of intravenous fluids, irrigation fluids, sterile water, and sterile saline to be accessed and administered by authorized persons. Currently, correctional facilities can maintain these drugs only in a stat-drug box.

This change is in response to a request from the Department of Corrections (DOC). According to DOC staff, the fiscal benefit of being able to stock these drugs is not significant. However, the Board expects more efficient medical care of the patients who are inmates in those facilities. In addition, the Board believes these substances have little or no potential for abuse or diversion. Therefore, the proposed change is expected to accommodate better patient care without jeopardizing public health and safety.

Businesses and Entities Affected

The proposed change will primarily affect correctional facilities with clinics in Virginia. According to DOC, approximately 50 prisons, correctional units, and community correctional

centers may be affected. In addition, there are 64 local jails, 4 juvenile correctional centers, and 24 juvenile detention homes that may be affected.

Localities Particularly Affected

The regulation applies throughout the Commonwealth.

Projected Impact on Employment

The proposed change is unlikely to affect employment.

Effects on the Use and Value of Private Property

The proposed change is unlikely to affect the use and value of private property.

Small Businesses: Costs and Other Effects

The proposed change is unlikely to affect small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed change is unlikely to adversely affect small businesses.

Real Estate Development Costs

The proposed change is unlikely to affect real estate development costs.

Legal Mandate

General: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia and Executive Order Number 14 (2010). Section 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to:

- the projected number of businesses or other entities to whom the proposed regulation would apply,
- the identity of any localities and types of businesses or other entities particularly affected,
- the projected number of persons and employment positions to be affected,
- the projected costs to affected businesses or entities to implement or comply with the regulation, and
- the impact on the use and value of private property.

Small Businesses: If the proposed regulation will have an adverse effect on small businesses, § 2.2-4007.04 requires that such economic impact analyses include:

- an identification and estimate of the number of small businesses subject to the proposed regulation,

- the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents,
- a statement of the probable effect of the proposed regulation on affected small businesses, and
- a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

Additionally, pursuant to § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules (JCAR) is notified at the time the proposed regulation is submitted to the *Virginia Register of Regulations* for publication. This analysis shall represent DPB's best estimate for the purposes of public review and comment on the proposed regulation.

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