

**Department of Planning and Budget  
2025 General Assembly Session  
State Fiscal Impact Statement**

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**ORIGINAL**

**Bill Number:** SB1293

**Patron:** Stanley

**Bill Title:** School board employees; health care professionals; professional development and continuing education; optional programs; children with autism spectrum disorder.

**Bill Summary:** Directs the Board of Education to provide guidance on and each school board to provide each year an optional program of high-quality professional development for instructional personnel and school board employees whose duties include regular contact with students on communicating with and supporting students with autism spectrum disorder. The bill provides that any instructional personnel or school board employee who completes such professional development shall be eligible for professional development points toward renewal of his license. The bill also requires each health regulatory board to adopt and implement policies providing for an optional continuing education program each year on communicating with children with autism spectrum disorder for any individual who is registered, certified, licensed, or issued a multistate licensure privilege by any health regulatory board whose duties involve direct contact with children and provides that the completion of such continuing education program shall count toward licensure renewal.

**Budget Amendment Necessary:** Yes

**Items Impacted:** Item 285

**Explanation:** The Department of Health Professions will likely need additional funding to comply with the requirements of this legislation, attributable to Item 285 (Regulation of Professions and Occupations). See table and fiscal analysis below.

**Fiscal Summary:** The proposed legislation is expected to have a minimal impact on the Department of Education that will need to be absorbed as part of existing resources. However, the proposed legislation will require initial and ongoing nongeneral fund expenditures on the part of the Department of Health Professions (DHP) for which they are not currently appropriated. The amount needed by DHP may be variable depending on the interpretation of the bill text; the table below recommends the most severe possibility. For further information, please see the fiscal analysis and “Other” sections below.

**Nongeneral Fund Expenditure Impact:**

<u>Agency</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>
DHP (223)	-	\$1,050,000	\$250,000	\$250,000	\$250,000	\$250,000
<b>TOTAL</b>	-	<b>\$1,050,000</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$250,000</b>

**Fiscal Analysis:** This legislation requires that the Board of Education develop guidance for professional development that can be utilized by local school divisions regarding communicating with and supporting students with autism spectrum disorder. The Department of Education (DOE) estimates that the process of developing such guidance will result in a one-time cost of \$12,935, which is absorbable as part of current

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agency operations. Any impact to local school divisions to provide and implement such professional development opportunities is indeterminate at this time.

This legislation also requires that the Department of Health Professions (DHP) adopt and implement policies providing for an optional annual continuing education program on communicating with children with autism spectrum disorder, which shall subsequently be made available to any member of DHP's health regulatory boards whose duties involve direct contact with children. DHP interprets the phrase in line 237 "to adopt and implement policies providing for an annual continuing education program..." to mean that the agency is required to host a continuing education program on the topic of communicating with children with autism spectrum disorder as defined in the bill. While DHP currently employs continuing education policies for practitioners that are specific to each health regulatory board, the continuing education programs that allow practitioners to comply with these policies are delivered externally and are not hosted by the agency.

In order to host an optional continuing education program for practitioners across DHP regulatory boards, the agency suggests that a web-based platform similar to the Commonwealth Learning Center will be necessary, where practitioners working with children with autism spectrum disorder could access the training content on an as-needed basis. DHP estimates that the cost to develop this platform will be around \$1,000,000 in the first year of implementation, and also estimates that the platform will require ongoing annual maintenance costs of around \$250,000 per year. The estimate for the first year includes costs to contract with an external provider as DHP does not possess the current expertise to develop the system in-house.

Relatedly, it is not clear that online professional development content on the topics defined in the bill exists in a format easily accessible to consumers and/or practitioners, such as within an online module framework. It is possible that DHP will need to contract with a content expert in order to develop evidence-based professional development modules on the required topics. The level of collaboration needed with such an expert is unknown at this time, and as such any costs associated with this potential need are indeterminate. Additionally, depending on how the information for such modules are sourced, DHP may also be subject to licensing fees for existing content. If such fees are required, DHP estimates there will be a one-time cost to the agency of around \$50,000. This cost is reflected in the fiscal impact table in FY 26, alongside the estimated startup costs for the online platform.

It should lastly be noted that the operating costs of the Department of Health Professions and its regulatory boards are wholly sustained by practitioner fee revenue; accordingly, the increase in nongeneral fund appropriation required to sustain this position may need to be generated through a fee increase. Given that the requirements of this bill are not limited to practitioners from one board, it is possible that the fee increase may need to be borne evenly across all boards.

**Other:** The requirements placed on DHP in this bill can be interpreted in a number of ways depending on the reading of the bill text. For example, it could be asserted that line 237 of the bill text places responsibility on DHP only to "**adopt and implement policies** providing for an annual continuing education program..." (emphasis added). If the tasks of adopting and implementing policies are the only requirements intended by the patron, DHP would experience minimal cost impacts related to developing, adopting, and promulgating

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new regulations regarding optional continuing education policies for licensees across all thirteen of its health regulatory boards. The agency expects that while time- and effort-intensive, the responsibility of creating and promulgating new regulations across all boards could be absorbed within existing resources. Still, DHP anticipates that they would still need to locate options for online content that complies with such policy as set forth in the provisions of the bill, even if they are not hosting such content in-house; as such, there may be indeterminate costs related to sourcing and/or developing such professional development content even if the primary responsibility is interpreted as pertaining to regulations.