



Economic Impact Analysis Virginia Department of Planning and Budget

12 VAC 5-475 – Regulations Implementing the Virginia Organ and Tissue Donor Registry
Virginia Department of Health
November 1, 2012

Summary of the Proposed Amendments to Regulation

The Board of Health (Board) proposes to update and clarify the current *Regulations Implementing the Virginia Organ and Tissue Donor Registry*. The proposed amendments include changing the references to the Virginia Organ and Tissue Donor Registry to the “Virginia Donor Registry” as determined by the 2006 amendments to §§ 32.1-292.2 and 32.1-297.1 of the Code of Virginia and to replace references to §§ 32.1-289 *et seq.* and 32.1-290, which were repealed by the 2007 General Assembly, with references to the Revised Uniform Anatomical Gift Act (§ 32.1-291.1 *et seq.*). Also the Board proposes to make definitions consistent with the Revised Uniform Anatomical Gift Act (§ 32.1-291.1 *et seq.*), to delete definitions no longer required or used in the text, and to amend or add definitions to include donor registration processes available on the DonateLifeVirginia.org website and clarify other functions and entities. Further the Board proposes to specify the data that are maintained and annually reported to the Board, to specify that designees may assist individuals to complete a signed application and that people may indicate their willingness to donate through a donor registration process or mail-in form available on the DonateLifeVirginia.org website.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

None of the proposed amendments change requirements in practice. Thus, the proposed amendments have no impact beyond improving clarity.

Businesses and Entities Affected

These regulations affect the four organ procurement organizations, two eye banks, four tissue recovery agencies and hospitals in the commonwealth, as well as associated medical staff, potential donors and transplant recipients.

Localities Particularly Affected

There are no localities that bear any identified disproportionate material impact from these amended regulations.

Projected Impact on Employment

The proposed amendments do not affect employment.

Effects on the Use and Value of Private Property

The proposed amendments do not significantly affect the value and use of private property.

Small Businesses: Costs and Other Effects

The proposed amendments do not produce costs for small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed amendments do not adversely affect small businesses.

Real Estate Development Costs

The proposed amendments do not affect real estate development costs.

Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.04 of the Administrative Process Act and Executive Order Number 14 (10). Section 2.2-4007.04 requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the 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. Further, if the proposed

regulation has adverse effect on small businesses, Section 2.2-4007.04 requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.