# **Multiple Agency Fiscal Note Summary**

Bill Number: 1745 HB Title: Diversity in clinical trials

# **Estimated Cash Receipts**

| Agency Name                                    | ne 2023-25 |             | 2025-27 |          |             | 2027-29 |          |             |        |
|--|------------|-------------|---------|----------|-------------|---------|----------|-------------|--------|
|  | GF-State   | NGF-Outlook | Total   | GF-State | NGF-Outlook | Total   | GF-State | NGF-Outlook | Total  |
| Department of<br>Social and Health<br>Services | 0          | 0           | 64,000  | 0        | 0           | 62,000  | 0        | 0           | 62,000 |
| Total \$                                       | 0          | 0           | 64,000  | 0        | 0           | 62,000  | 0        | 0           | 62,000 |

# **Estimated Operating Expenditures**

| Agency Name                                    |  | 20              | 023-25      |           |      | 2         | 025-27      |           |      |           | 2027-29     |           |
|--|--|-----------------|-------------|-----------|------|-----------|-------------|-----------|------|-----------|-------------|-----------|
|  | FTEs   | GF-State        | NGF-Outlook | Total     | FTEs | GF-State  | NGF-Outlook | Total     | FTEs | GF-State  | NGF-Outlook | Total     |
| Department of<br>Commerce                      | Fiscal n   | ote not availab | le          |           |      |           |             |           |      |           |             |           |
| Washington State<br>Health Care<br>Authority   | .0   | 0               | 0           | 0         | .0   | 0         | 0           | 0         | .0   | 0         | 0           | 0         |
| Department of<br>Social and Health<br>Services | 1.0  | 226,000         | 226,000     | 290,000   | 1.0  | 222,000   | 222,000     | 284,000   | 1.0  | 222,000   | 222,000     | 284,000   |
| Department of<br>Health                        | .0   | 0               | 0           | 0         | .0   | 0         | 0           | 0         | .0   | 0         | 0           | 0         |
| University of<br>Washington                    | 2.8  | 1,013,255       | 1,013,255   | 1,013,255 | 2.8  | 996,780   | 996,780     | 996,780   | 2.8  | 996,780   | 996,780     | 996,780   |
| University of<br>Washington                    | In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note. |                 |             |           |      |           |             |           |      |           |             |           |
| Washington State<br>University                 | .3   | 92,668          | 92,668      | 92,668    | .4   | 122,229   | 122,229     | 122,229   | .4   | 132,310   | 132,310     | 132,310   |
| Total \$                                       | 4.1  | 1,331,923       | 1,331,923   | 1,395,923 | 4.2  | 1,341,009 | 1,341,009   | 1,403,009 | 4.2  | 1,351,090 | 1,351,090   | 1,413,090 |

# **Estimated Capital Budget Expenditures**

| Agency Name              |          | 2023-25 2025-27   |       |      |       | 2027-29 |      |       |       |
|--------------------------|----------|-------------------|-------|------|-------|---------|------|-------|-------|
|                          | FTEs     | Bonds             | Total | FTEs | Bonds | Total   | FTEs | Bonds | Total |
| Department of Commerce   | Fiscal r | note not availabl | e     |      |       |         |      |       |       |
| Washington State Health  | .0       | 0                 | 0     | .0   | 0     | 0       | .0   | 0     | 0     |
| Care Authority           |          |                   |       |      |       |         |      |       |       |
| Department of Social and | .0       | 0                 | 0     | .0   | 0     | 0       | .0   | 0     | 0     |
| Health Services          |          |                   |       |      |       |         |      |       |       |
| Department of Health     | .0       | 0                 | 0     | .0   | 0     | 0       | .0   | 0     | 0     |
| University of Washington | .0       | 0                 | 0     | .0   | 0     | 0       | .0   | 0     | 0     |
| Washington State         | .0       | 0                 | 0     | .0   | 0     | 0       | .0   | 0     | 0     |
| University               |          |                   |       |      |       |         |      |       |       |
| Total \$                 | 0.0      | 0                 | 0     | 0.0  | 0     | 0       | 0.0  | 0     | 0     |

# **Estimated Capital Budget Breakout**

NONE

| Prepared by: Breann Boggs, OFM | Phone:         | Date Published:       |
|--------------------------------|----------------|-----------------------|
|                                | (360) 485-5716 | Preliminary 2/21/2023 |

| Bill Number: 1745 HB                                     | Title:             | Diversity in clinical trials              | Agency:                      | 107-Washington State Health<br>Care Authority |
|--|--------------------|---|------------------------------|---|
| Part I: Estimates  |                    |   |                              |   |
| X No Fiscal Impact                                       |                    |   |                              |   |
| Estimated Cash Receipts to                               | ):                 |   |                              |   |
| NONE   |                    |   |                              |   |
| <b>Estimated Operating Expe</b><br>NONE                  | enditures from:    |   |                              |   |
| Estimated Capital Budget                                 | mpact:             |   |                              |   |
| NONE   |                    |   |                              |   |
|  |                    |   |                              |   |
|  |                    |   |                              |   |
|  |                    |   |                              |   |
|  |                    |   |                              |   |
|  |                    |   |                              |   |
|  |                    |   |                              |   |
|  |                    |   |                              |   |
|  |                    |   |                              |   |
|  |                    | this page represent the most likely fisca | el impact. Factors impacting | the precision of these estimates,             |
| and alternate ranges (if app<br>Check applicable boxes a |                    |   |                              |   |
| If fiscal impact is grea                                 | _                  | per fiscal year in the current bienniu    | ım or in subsequent biennia  | a, complete entire fiscal note                |
| form Parts I-V.  | 4 050 000          | C 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1   |                              | 1 d' 1 (D d                                   |
|  | _                  | r fiscal year in the current biennium     | or in subsequent biennia, c  | omplete this page only (Part I                |
| Capital budget impac                                     | t, complete Part Γ | V.  |                              |   |
| Requires new rule ma                                     | iking, complete P  | art V.                                    |                              |   |
| Legislative Contact: K                                   | im Weidenaar       |   | Phone: 360-786-7120          | Date: 02/06/2023                              |
| Agency Preparation: S                                    | ue Eckroth         |   | Phone: 360-725-1899          | Date: 02/09/2023                              |
| Agency Approval: C                                       | arl Yanagida       |   | Phone: 360-725-5755          | Date: 02/09/2023                              |
| OFM Review: Ja   | ason Brown         |   | Phone: (360) 742-7277        | Date: 02/09/2023                              |

# II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

See attached narrative.

### II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

See attached narrative.

### II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

See attached narrative.

# Part III: Expenditure Detail

III. A - Operating Budget Expenditures

**NONE** 

### III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.

**NONE** 

# III. D - Expenditures By Program (optional)

NONE

# Part IV: Capital Budget Impact

# IV. A - Capital Budget Expenditures

**NONE** 

# IV. B - Expenditures by Object Or Purpose

**NONE** 

# IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

**NONE** 

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

NONE

Bill # 1745 HB

# Part V: New Rule Making Required Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

# **HCA Fiscal Note**

Bill Number: 1745 HB HCA Request #: 23-118

# **Part II: Narrative Explanation**

This bill aims to improve diversity in clinical trials by inclusion of underrepresented community or underrepresented demographic group.

This bill:

- Amends RCW 43.348.040 (Andy Hill cancer research endowment program)
- Adds a new section to chapter 28B.20 RCW (University of Washington)
- Adds a new section to chapter 28B.30 RCW (Washington State University)
- Adds a new section to chapter 70.41 RCW (Hospital Licensing and Regulation)
- Adds a new chapter to Title 69 RCW (Foods, Drugs, Cosmetics and Poisons)

# II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

The bill adds definition:

"Underrepresented community" or "underrepresented demographic group" means a community
or demographic group that is more likely to be historically marginalized and less likely to be
included in research and clinical trials represented by race, sex, sexual orientation,
socioeconomic status, age, and geographic location.

The bill mandates that any entity that receives funding from the National Institutes of Health to conduct clinical trials of drugs or medical devices shall adopt a policy that requires:

- The ability of the agency to offer the participants materials in their native language.
- The ability to provide culturally appropriate materials.
- The ability to provide electronic consent.
- Evidence that the agency has worked on outreach to increase participation by underrepresented populations.

# II. B - Cash Receipts Impact

None.

### II. C - Expenditures

No fiscal impact. The requirements of this bill can be absorbed using existing resources.

# Part IV: Capital Budget Impact

None.

# Part V: New Rule Making Require

None.

| Bill Number: 1745 HB Title: Diversity in clinical trials | Agency: 300-Department of Social and Health Services |
|--|--|
|--|--|

# **Part I: Estimates**

| No Fiscal Impac |  | No Fisca | al Impac |
|-----------------|--|----------|----------|
|-----------------|--|----------|----------|

# **Estimated Cash Receipts to:**

| ACCOUNT              |       |          | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|----------------------|-------|----------|---------|---------|---------|---------|---------|
| General Fund-Federal | 001-2 |          | 33,000  | 31,000  | 64,000  | 62,000  | 62,000  |
|                      |       | Total \$ | 33,000  | 31,000  | 64,000  | 62,000  | 62,000  |

# **Estimated Operating Expenditures from:**

|                      |          | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|----------------------|----------|---------|---------|---------|---------|---------|
| FTE Staff Years      |          | 1.0     | 1.0     | 1.0     | 1.0     | 1.0     |
| Account              |          |         |         |         |         |         |
| General Fund-State   | 001-1    | 115,000 | 111,000 | 226,000 | 222,000 | 222,000 |
| General Fund-Federal | 001-2    | 33,000  | 31,000  | 64,000  | 62,000  | 62,000  |
|                      | Total \$ | 148,000 | 142,000 | 290,000 | 284,000 | 284,000 |

# **Estimated Capital Budget Impact:**

**NONE** 

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

| X | If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V. |
|---|---|
|   | If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).              |
|   | Capital budget impact, complete Part IV.  |
|   | Requires new rule making, complete Part V.  |
|   |   |

| Legislative Contact: | Kim Weidenaar  | Phone: 360-786-7120   | Date: 02/06/2023 |
|----------------------|----------------|-----------------------|------------------|
| Agency Preparation:  | Teresa Elliott | Phone: 360-902-8177   | Date: 02/13/2023 |
| Agency Approval:     | Dan Winkley    | Phone: 360-902-8236   | Date: 02/13/2023 |
| OFM Review:          | Jason Brown    | Phone: (360) 742-7277 | Date: 02/16/2023 |

## II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

AN ACT Relating to improving diversity in clinical trials. RCW 43.348.040 and 2018 c 4 s 4 are each amended to include that the endowment must solicit requests for grant funding and evaluate the requests by reference to factors such as: the ability to offer trial participants information in a language other than English; (j) the ability to provide culturally specific recruitment materials alongside general enrollment materials; (k) the ability to provide electronic consent; and (l) other evidence of outreach and engagement to increase participation of underrepresented communities in clinical trials.

NEW SECTION. Sec. 4. includes the responsibilities for the Washington State Institutional Review Board (WSIRB). The administrative staff for the WSIRB are assigned to RDA. These responsibilities include establishing a plan to ensure that all submissions or proposals submitted to the WSIRB board shall include, and the review board shall consider a list of requirements for underrepresented populations, including:

- (1.) The ability of the agency to offer trial participants information in a language other than English;
- (2) The ability of the agency to provide culturally specific recruitment materials alongside general enrollment materials;
- (3) The ability to provide electronic consent; and
- (4) Any other evidence of outreach and engagement to increase participation of underrepresented communities in clinical trials."

NEW SECTION. Sec. 5. includes the requirements for any state entity that receives funding from the national institutes of health to conduct clinical trials of drugs or medical devices shall adopt a policy concerning the identification and recruitment of persons who are members of underrepresented demographic groups to participate in clinical trials.

### II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

It is assumed that the provisions of this bill would be eligible for federal funding as follows: 001-2 Federal Food Stamps

# II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The Department of Social and Health Services, Research Data and Analysis (RDA) division estimates there would need to be one additional FTE needed for the duration of the program (WMS Band 1, Research Associate). Initially, this staff will lead efforts to create policies in line with the intent of the bill, to create more diversity in these trials. This would require the new FTE to create outreach materials to provide training and consultation on the delineated required review items, and to develop and update information on a website that is accessible to all submitters to all agencies for whom WSIRB reviews and for RDA/WSIRB. Ongoing, there will be increased workload across all staff to review and ensure that all clinical trial submissions include the four items delineated above and adequately meet the new requirements.

# Part III: Expenditure Detail

# III. A - Operating Budget Expenditures

| Account | Account Title | Type     | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|---------|---------------|----------|---------|---------|---------|---------|---------|
| 001-1   | General Fund  | State    | 115,000 | 111,000 | 226,000 | 222,000 | 222,000 |
| 001-2   | General Fund  | Federal  | 33,000  | 31,000  | 64,000  | 62,000  | 62,000  |
|         |               | Total \$ | 148,000 | 142,000 | 290,000 | 284,000 | 284,000 |

Bill # 1745 HB

# III. B - Expenditures by Object Or Purpose

|                                      | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years                      | 1.0     | 1.0     | 1.0     | 1.0     | 1.0     |
| A-Salaries and Wages                 | 99,000  | 99,000  | 198,000 | 198,000 | 198,000 |
| B-Employee Benefits                  | 33,000  | 33,000  | 66,000  | 66,000  | 66,000  |
| C-Professional Service Contracts     |         |         |         |         |         |
| E-Goods and Other Services           | 6,000   | 6,000   | 12,000  | 12,000  | 12,000  |
| G-Travel                             |         |         |         |         |         |
| J-Capital Outlays                    | 6,000   |         | 6,000   |         |         |
| M-Inter Agency/Fund Transfers        |         |         |         |         |         |
| N-Grants, Benefits & Client Services |         |         |         |         |         |
| P-Debt Service                       |         |         |         |         |         |
| S-Interagency Reimbursements         |         |         |         |         |         |
| T-Intra-Agency Reimbursements        | 4,000   | 4,000   | 8,000   | 8,000   | 8,000   |
| 9-                                   |         |         |         |         |         |
| Total \$                             | 148,000 | 142,000 | 290,000 | 284,000 | 284,000 |

# III. C - Operating FTE Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

| Job Classification    | Salary | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-----------------------|--------|---------|---------|---------|---------|---------|
| WMS BAND 1 - RESEARCH |        | 1.0     | 1.0     | 1.0     | 1.0     | 1.0     |
| ASSOCIATE             |        |         |         |         |         |         |
| Total FTEs            |        | 1.0     | 1.0     | 1.0     | 1.0     | 1.0     |

# III. D - Expenditures By Program (optional)

| Program                                   | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|---|---------|---------|---------|---------|---------|
| Administrative and Support Services (110) | 148,000 | 142,000 | 290,000 | 284,000 | 284,000 |
| Total \$                                  | 148,000 | 142,000 | 290,000 | 284,000 | 284,000 |

# Part IV: Capital Budget Impact

# IV. A - Capital Budget Expenditures

**NONE** 

# IV. B - Expenditures by Object Or Purpose

**NONE** 

### IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

**NONE** 

# Part V: New Rule Making Required

| Bill Number: 1745 HB   | Title: Diversity in clinical tr            | ials A                                | gency: 303-Department of Health           |
|--|--|---------------------------------------|---|
| Part I: Estimates  | •  | ·                                     |   |
| X No Fiscal Impact   |  |                                       |   |
| Estimated Cash Receipts to:  |  |                                       |   |
| NONE   |  |                                       |   |
| Estimated Operating Expendit<br>NONE                               | tures from:                                |                                       |   |
| Estimated Capital Budget Impa                                      | act:                                       |                                       |   |
| NONE   |  |                                       |   |
|  |  |                                       |   |
|  |  |                                       |   |
|  |  |                                       |   |
|  |  |                                       |   |
|  |  |                                       |   |
|  |  |                                       |   |
|  |  |                                       |   |
|  |  |                                       |   |
|  |  |                                       |   |
|  | re estimates on this page represent the mo | ost likely fiscal impact. Factors imp | oacting the precision of these estimates, |
| and alternate ranges (if appropr<br>Check applicable boxes and for | ollow corresponding instructions:          |                                       |   |
| If fiscal impact is greater t                                      | than \$50,000 per fiscal year in the cur   | rrent biennium or in subsequent       | biennia, complete entire fiscal note      |
| form Parts I-V.  If fiscal impact is less that                     | n \$50 000 per fiscal year in the curre    | nt hiennium or in subsequent hi       | ennia, complete this page only (Part I)   |
|  |  | in olemnam of in subsequent of        | minu, complete this page only (1 art 1)   |
| Capital budget impact, co  | •  |                                       |   |
| Requires new rule making   | g, complete Part V.                        |                                       |   |
| Legislative Contact: Kim V   | Weidenaar                                  | Phone: 360-786-7                      | 7120 Date: 02/06/2023                     |
| Agency Preparation: Sheri  | Spezze                                     | Phone: (360) 236-                     | -4557 Date: 02/09/2023                    |
| Agency Approval: Kristin   | n Bettridge                                | Phone: 36079116                       | 57 Date: 02/09/2023                       |
| OFM Review: Brean  | in Boggs                                   | Phone: (360) 485                      | -5716 Date: 02/13/2023                    |

## II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

This bill requires the Andy Hill Cancer Research Endowment and the Washington State Institutional Review Board to consider an entity's ability to engage underrepresented communities and demographic groups as part of grant submissions. It requires any state entity, the University of Washington, Washington State University, and any hospital that receives funding from the National Institutes of Health to conduct clinical trials of drugs or medical devices to adopt policies concerning the identification and recruitment of persons who are members of underrepresented demographic groups to participate in clinical trials. It outlines minimum policy requirements and defines underrepresented community and underrepresented demographic group.

This bill does not create any new work for the Department of Health and therefore is no fiscal impact.

### II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

## II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

# Part III: Expenditure Detail

III. A - Operating Budget Expenditures

**NONE** 

III. B - Expenditures by Object Or Purpose

**NONE** 

III. C - Operating FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.

**NONE** 

III. D - Expenditures By Program (optional)

**NONE** 

# Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

**NONE** 

### IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

**NONE** 

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

NONE

# Part V: New Rule Making Required

| <b>Bill Number:</b> 1745 HB   | Title:            | Diversity in clinica                          | l trials                |                   | Agency: 360-Univ      | versity of Washington |
|---|-------------------|---|-------------------------|-------------------|-----------------------|-----------------------|
| Part I: Estimates   | •                 |   |                         | •                 |                       |                       |
| No Fiscal Impact  |                   |   |                         |                   |                       |                       |
| Estimated Cash Receipts to:   |                   |   |                         |                   |                       |                       |
| -   |                   |   |                         |                   |                       |                       |
| NONE  |                   |   |                         |                   |                       |                       |
| <b>Estimated Operating Expend</b>   | ditures from:     |   |                         |                   |                       |                       |
| 1 0 1   |                   | FY 2024                                       | FY 2025                 | 2023-25           | 2025-27               | 2027-29               |
| FTE Staff Years   |                   | 2.9   | 2.8                     | 2.                | 8 2                   | 2.8                   |
| Account   |                   |   |                         |                   |                       |                       |
| General Fund-State 00   | )1-1<br>T-4-1-0   | 514,865                                       | 498,390                 | 1,013,25          | · ·                   | · · ·                 |
| T 1112 4 1  | Total \$          | 514,865                                       | 498,390                 | 1,013,25          | <u> </u>              |                       |
| in addition to the es   | ilmates above, ti | here are additional ir                        | ndeterminate cost       | s and/or savings  | . Please see discuss  | ion.                  |
| The cash receipts and expendi<br>and alternate ranges (if appro   |                   |   | e most likely fiscal ii | mpact. Factors in | npacting the precisio | n of these estimates, |
| Check applicable boxes and  |                   |   |                         |                   |                       |                       |
| X If fiscal impact is greate form Parts I-V.  If fiscal impact is less the Capital budget impact, or Requires new rule making | r than \$50,000 p | per fiscal year in the fiscal year in the cur |                         | -                 | •                     |                       |
| Legislative Contact: Kim  | n Weidenaar       |   | ]                       | Phone: 360-786    | -7120 Date:           | 02/06/2023            |
| Agency Preparation: Cha   | rlotte Shannon    |   | ]                       | Phone: 2066858    | 868 Date:             | 02/09/2023            |
| Agency Approval: Cha  | rlotte Shannon    |   | ]                       | Phone: 2066858    | 868 Date:             | 02/09/2023            |
| OFM Review: Ran   | nona Nabors       |   | ]                       | Phone: (360) 74   | 2-8948 Date:          | 02/10/2023            |

# II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

HB 1745 seeks to improve diversity in clinical trials. The bill requires that submissions or proposals to the Washington State Institutional Review Board include the ability of the agency to offer trial participants information in a language other than English, the ability of the agency to provide culturally specific recruitment materials alongside general enrollment materials, the ability to provide electronic consent, and any other evidence of outreach and engagement to increase participation of underrepresented communities in clinical trials. The Andy Hill Cancer Research Endowment Program is also required to evaluate grant funding requests by the ability to offer trial participants information in a language other than English, the ability to provide culturally specific recruitment materials alongside general enrollment materials, the ability to provide electronic consent, and other evidence of outreach and engagement to increase participation of underrepresented communities in clinical trials.

Any state entity, including University of Washington and Washington State University, and hospitals receiving funding from the National Institutes of Health to conduct clinical trials of drugs or medical devices are required to adopt policies concerning the identification and recruitment of individuals in underrepresented groups to participate in clinical trials. The policy must include requirements for clinical trials to offer participants information in a language other than English, provide culturally specific recruitment materials with the general enrollment materials, provide electronic consent, and provide other strategies of outreach and engagement to increase participation of underrepresented communities in clinical trials.

Underrepresented community and underrepresented demographic group are defined as a community or demographic group that is more likely to be historically marginalized and less likely to be included in research and clinical trials represented by race, sex, sexual orientation, socioeconomic status, and age.

### II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

# II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

To comply with the requirement to adopt a new policy to recruit individuals from underrepresented groups to participate in clinical trials, the University of Washington (UW) central Institutional Review Board (IRB) office would require an additional 0.25 FTE in FY24 to generate and communicate the new policy, with an ongoing need for 0.15 FTE in FY25 and each year thereafter to manage compliance with the policy (average annual salary: \$125,000; benefits rate: 31.8%).

To comply with the legislation's requirement for increased clinical trial diversity, the UW would hire additional staff in the Office of Health Care Equity to coordinate with investigators to support efforts to enroll members of underrepresented communities. An additional 1.0 FTE would be needed to expand community engagement work (Community Engagement Research Coordinator, annual salary: \$85,000 FTE, benefits 31.8%), and an additional 1.0 FTE would be needed to support a project manager (annual salary: \$75,000, benefits rate: 31.8%). Faculty and administrative support would also be required (0.1 FTE faculty and 0.5 FTE staff administrative support, Faculty lead annual salary: \$225,000, 24.1% benefits rate, Admin Support salary: \$125,000, 31.8% benefits rate).

Investigators at the UW engage in approximately 600 active clinical trials per year. Approximately 150 new clinical trials begin each year. Existing federal requirements require translation only when clinical trial enrollment is targeting populations with Limited English Proficiency. The language in HB 1745 is broader and would require language translation for every

clinical trial. We will assume all 150 new clinical trials each year will all require translation into at least one language. For the purposes of this fiscal note, the UW assumes translation into one language for all applicable clinical trials, which is displayed in the expenditures table. In reality translation into additional languages would likely be necessary but would be dependent on each individual trial. Individual investigators must procure translation services independently; no central translation purchasing exists at UW. To comply with the requirement to offer clinical trial information in a language other than English and assuming an average translation cost of \$600 for a five-page consent form, the cost of translation would be \$90,000. We have provided a determinate baseline for translation expenses; the needs will vary by trial, length of written clinical trial materials, and targeted populations and are likely to be significantly higher. We also assume the Office of Health Care Equity would create some translated outreach materials for outreach to underrepresented communities that could be used for multiple clinical trials. We assume 500 pages of translated materials per year at a cost of \$125 per page, which would cost approximately \$62,500.

In line with UW Medicine policies and best practices, and in order to reasonably implement this legislation, significant community engagement would be necessary to increase clinical trial diversity as directed by the policy. Additional initiatives in this area could include creating a new program to improve overall outreach to community organizations (e.g., hiring a project manager), additional funding to support honoraria for 20 community participants (estimates include approximately \$15,000 per community champion each year), funding to support professional service contracts with community-based organizations, and funding for goods and services to support community outreach meetings and education sessions. These additional initiatives would likely be needed in order to achieve desired outcomes, but because they are not specifically prescribed by this legislation and are indeterminate at this time, we are not including them in the budget tables.

No additional costs are assumed for the requirement to offer electronic consent for clinical trials because UW already uses electronic consent forms where applicable according to federal granting agencies.

# Part III: Expenditure Detail

# III. A - Operating Budget Expenditures

| Account | Account Title | Type     | FY 2024 | FY 2025 | 2023-25   | 2025-27 | 2027-29 |
|---------|---------------|----------|---------|---------|-----------|---------|---------|
| 001-1   | General Fund  | State    | 514,865 | 498,390 | 1,013,255 | 996,780 | 996,780 |
|         |               | Total \$ | 514,865 | 498,390 | 1,013,255 | 996,780 | 996,780 |

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

# III. B - Expenditures by Object Or Purpose

|                                      | FY 2024 | FY 2025 | 2023-25   | 2025-27 | 2027-29 |
|--------------------------------------|---------|---------|-----------|---------|---------|
| FTE Staff Years                      | 2.9     | 2.8     | 2.8       | 2.8     | 2.8     |
| A-Salaries and Wages                 | 276,250 | 263,750 | 540,000   | 527,500 | 527,500 |
| B-Employee Benefits                  | 86,115  | 82,140  | 168,255   | 164,280 | 164,280 |
| C-Professional Service Contracts     | 152,500 | 152,500 | 305,000   | 305,000 | 305,000 |
| E-Goods and Other Services           |         |         |           |         |         |
| G-Travel                             |         |         |           |         |         |
| J-Capital Outlays                    |         |         |           |         |         |
| M-Inter Agency/Fund Transfers        |         |         |           |         |         |
| N-Grants, Benefits & Client Services |         |         |           |         |         |
| P-Debt Service                       |         |         |           |         |         |
| S-Interagency Reimbursements         |         |         |           |         |         |
| T-Intra-Agency Reimbursements        |         |         |           |         |         |
| 9-                                   |         |         |           |         |         |
| Total \$                             | 514,865 | 498,390 | 1,013,255 | 996,780 | 996,780 |

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. C - Operating FTE Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

| Job Classification              | Salary  | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|---------------------------------|---------|---------|---------|---------|---------|---------|
| Administrative Support Staff    | 125,000 | 0.5     | 0.5     | 0.5     | 0.5     | 0.5     |
| Community Engagement - Research | 85,000  | 1.0     | 1.0     | 1.0     | 1.0     | 1.0     |
| Coordinator                     |         |         |         |         |         |         |
| Faculty                         | 225,000 | 0.1     | 0.1     | 0.1     | 0.1     | 0.1     |
| IRB Staff                       | 125,000 | 0.3     | 0.2     | 0.2     | 0.2     | 0.2     |
| Project Manager                 | 75,000  | 1.0     | 1.0     | 1.0     | 1.0     | 1.0     |
| Total FTEs                      |         | 2.9     | 2.8     | 2.8     | 2.8     | 2.8     |

# III. D - Expenditures By Program (optional)

**NONE** 

# Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

**NONE** 

# IV. B - Expenditures by Object Or Purpose

NONE

# IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

**NONE** 

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

**NONE** 

# Part V: New Rule Making Required

| Bill Number: 1745 HB   | Title:      | Diversity in clinica    | al trials              | A                  | gency: 365-Washin<br>University | gton State         |
|--|-------------|-------------------------|------------------------|--------------------|---------------------------------|--------------------|
| Part I: Estimates  No Fiscal Impact                                      |             |                         |                        |                    |                                 |                    |
|  |             |                         |                        |                    |                                 |                    |
| <b>Estimated Cash Receipts to:</b>                                       |             |                         |                        |                    |                                 |                    |
| NONE   |             |                         |                        |                    |                                 |                    |
| <b>Estimated Operating Expenditur</b>                                    | es from:    |                         |                        |                    |                                 |                    |
|  |             | FY 2024                 | FY 2025                | 2023-25            | 2025-27                         | 2027-29            |
| FTE Staff Years  |             | 0.3                     | 0.3                    | 0.3                | 0.4                             | 0.4                |
| Account  |             |                         |                        |                    |                                 |                    |
| General Fund-State 001-1   |             | 43,793                  | 48,875                 | 92,668             | 122,229                         | 132,310            |
|  | Total \$    | 43,793                  | 48,875                 | 92,668             | 122,229                         | 132,310            |
| The cash receipts and expenditure e                                      |             |                         | e most likely fîscal i | mpact. Factors imp | pacting the precision o         | f these estimates, |
| and alternate ranges (if appropriate Check applicable boxes and follows) |             |                         |                        |                    |                                 |                    |
| X If fiscal impact is greater than form Parts I-V.                       | _           | _                       |                        | or in subsequent   | biennia, complete en            | ntire fiscal note  |
| If fiscal impact is less than \$   | 50,000 per  | r fiscal year in the cu | ırrent biennium or     | in subsequent bie  | ennia, complete this            | page only (Part    |
| Capital budget impact, comp  | lete Part Γ | V.                      |                        |                    |                                 |                    |
| Requires new rule making, c  | omplete Pa  | art V.                  |                        |                    |                                 |                    |
| Legislative Contact: Kim Wei   | idenaar     |                         |                        | Phone: 360-786-7   | 120 Date: 02                    | 2/06/2023          |
| Agency Preparation: Brittney   | Gamez       |                         | 1                      | Phone: 509-335-5   | 406 Date: 02                    | 2/07/2023          |
| Agency Approval: Chris Jon   | nes         |                         | ]                      | Phone: 509-335-9   | 682 Date: 02                    | 2/07/2023          |
| OFM Review: Ramona   | Nabors      |                         | 1                      | Phone: (360) 742-  | 8948 Date: 02                   | 2/08/2023          |

# II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

1745 HB would require WSU to ensure there is diversity among the human subjects who participate in clinical trials.

# II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

### II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

This fiscal impact of 1745 HB would require WSU Office of Research to 1) Draft a policy that addresses diversity in trials, including a requirement for working with community-based organizations to develop recruitment strategies; 2) Update forms and processes to implement the new policy once drafted; 3) Alter the review process to ensure recruitment diversity is considered. In total, this would require approximately 0.1 employee FTE, with costs slightly higher in FY 2024 and FY 2025 to draft the policy and update forms. The Elson S. Floyd College of Medicine estimates additional staff time of a Grants & Contracts Manager to track and manage the requirements of the bill (e.g., maintaining a website and report submissions). The College of Nursing and the College of Pharmacy and Pharmaceutical Sciences each estimate 0.05 FTE of a Clinical Trial Coordinator's time to collaborate with community partners and records management to ensure the requirements of the bill are met. Personal service contract costs are for collaboration with community-based organizations that may consult on the development and implementation of the diversity requirements and aid in recruitment efforts. Goods and services costs are for additional records management services and further collaboration with community partners.

# Part III: Expenditure Detail

# III. A - Operating Budget Expenditures

| Account | Account Title | Type     | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|---------|---------------|----------|---------|---------|---------|---------|---------|
| 001-1   | General Fund  | State    | 43,793  | 48,875  | 92,668  | 122,229 | 132,310 |
|         |               | Total \$ | 43,793  | 48,875  | 92,668  | 122,229 | 132,310 |

### III. B - Expenditures by Object Or Purpose

|                                      | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years                      | 0.3     | 0.3     | 0.3     | 0.4     | 0.4     |
| A-Salaries and Wages                 | 19,068  | 22,818  | 41,886  | 52,632  | 56,382  |
| B-Employee Benefits                  | 6,725   | 8,057   | 14,782  | 18,597  | 19,928  |
| C-Professional Service Contracts     | 10,000  | 10,000  | 20,000  | 35,000  | 40,000  |
| E-Goods and Other Services           | 8,000   | 8,000   | 16,000  | 16,000  | 16,000  |
| G-Travel                             |         |         |         |         |         |
| J-Capital Outlays                    |         |         |         |         |         |
| M-Inter Agency/Fund Transfers        |         |         |         |         |         |
| N-Grants, Benefits & Client Services |         |         |         |         |         |
| P-Debt Service                       |         |         |         |         |         |
| S-Interagency Reimbursements         |         |         |         |         |         |
| T-Intra-Agency Reimbursements        |         |         |         |         |         |
| 9-                                   |         |         |         |         |         |
| Total \$                             | 43,793  | 48,875  | 92,668  | 122,229 | 132,310 |

III. C - Operating FTE Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

| Job Classification        | Salary  | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|---------------------------|---------|---------|---------|---------|---------|---------|
| Assistant Director - JC   | 102,201 | 0.1     | 0.1     | 0.1     | 0.2     | 0.2     |
| Director - DB             | 75,636  | 0.0     | 0.0     | 0.0     |         |         |
| Director - MK             | 137,101 | 0.0     | 0.0     | 0.0     |         |         |
| IRB Co-chair/faculty - AL | 185,751 | 0.0     | 0.0     | 0.0     | 0.0     | 0.0     |
| IRB Co-chair/faculty - CB | 97,038  | 0.0     | 0.0     | 0.0     | 0.0     | 0.0     |
| Manager - MJ              | 59,436  | 0.1     | 0.1     | 0.1     | 0.1     | 0.1     |
| Total FTEs                |         | 0.3     | 0.3     | 0.3     | 0.4     | 0.4     |

# III. D - Expenditures By Program (optional)

**NONE** 

# Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

**NONE** 

# IV. B - Expenditures by Object Or Purpose

**NONE** 

# IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

**NONE** 

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

**NONE** 

# Part V: New Rule Making Required