



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE

STATEMENT OF ESTIMATED FISCAL IMPACT

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This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

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| Bill Number: | H. 3336 | Introduced on January 12, 2021 |
| Author: | G.M. Smith | |
| Subject: | Insulin or Glucagon | |
| Requestor: | House Medical, Military, Public, and Municipal Affairs | |
| RFA Analyst(s): | Wren and Coomer | |
| Impact Date: | January 22, 2021 | |

Fiscal Impact Summary

This bill, which allows trained volunteer school personnel to administer glucagon or insulin to a student who is diagnosed with diabetes, will have no expenditure impact on the State Department of Education (SDE) in FY 2021-22 since it requires the agency to perform activities that will be conducted in the normal course of business.

This bill is not expected to have a direct expenditure impact on the state agency schools in FY 2021-22. However, the Governor's School for the Arts and Humanities expressed a concern that the bill could potentially increase liability insurance premiums.

This bill will have no expenditure impact on the Department of Labor, Licensing and Regulation (LLR) because it does not materially alter the duties of the agency or its regulatory board.

This bill will have no direct expenditure impact on local school districts in FY 2021-22. However, some school districts expressed concerns with the potential for an increase in liability insurance premiums. Also, some districts emphasized concern with a potential loss in Medicaid revenue that would result because the services performed by a volunteer could not be billed to Medicaid.

Explanation of Fiscal Impact

Introduced on January 12, 2021

State Expenditure

This bill allows trained volunteer school personnel to administer glucagon or insulin, or both, to a student who is diagnosed with diabetes. A licensed registered nurse employed by a school district or other health care professional must annually train volunteer school personnel designated as care providers to administer glucagon or insulin, or both, to a student with diabetes. The parent or guardian of a student with diabetes must sign an authorization to allow the administration of glucagon or insulin, or both, to the student by volunteer school personnel. A school district must strive to achieve certain staffing ratios for students with diabetes at each public school. A school district must not require a parent or guardian of a student with diabetes to provide diabetes care at school or a school-related activity. A school district, an employee of

a school district, or an agent of a school district, including a health care professional who trained volunteer school personnel are not liable for any damages resulting from actions or inactions taken in good faith pursuant to this bill. The Board of Nursing and the State Board of Education must promulgate regulations necessary to implement and administer the provisions of this bill.

State Department of Education. SDE indicates that this bill requires the agency to perform activities that will be conducted in the normal course of business. Therefore, this bill will have no expenditure impact on SDE in FY 2021-22.

State Agency Schools. The Governor's School for the Arts and Humanities indicates that this bill will have no direct impact on the agency. However, the agency expressed a concern with the potential for an increase in liability insurance premiums, but the amount could not be quantified at this time. The Wil Lou Gray Opportunity School and the Governor's School for Science and Mathematics indicate that this bill will have no expenditure impact since both schools currently have registered nurses that can administer these medications. Based upon these responses, we do not anticipate that this bill will have a direct expenditure impact on the Governor's School for Agriculture at John de la Howe or the School for the Deaf and Blind. Therefore, this bill will have no direct expenditure impact on the state agency schools in FY 2021-22.

Department of Labor, Licensing and Regulation. This bill makes changes to the Nurse Practice Act. The practice of nursing is regulated by the Board of Nursing, which is under the administration of LLR. This bill requires the board to promulgate regulations pertaining to these changes. LLR indicates that this is part of the normal activities of the board. Therefore, this bill will have no expenditure impact on LLR or the Board of Nursing.

State Revenue

N/A

Local Expenditure

This bill allows trained volunteer school personnel to administer glucagon or insulin, or both, to a student who is diagnosed with diabetes. A licensed registered nurse employed by a school district or other health care professional must annually train volunteer school personnel designated as care providers to administer glucagon or insulin, or both, to a student with diabetes. The parent or guardian of a student with diabetes must sign an authorization to allow the administration of glucagon or insulin, or both, to the student by volunteer school personnel. A school district must strive to achieve certain staffing ratios for students with diabetes at each public school. A school district must not require a parent or guardian of a student with diabetes to provide diabetes care at school or a school-related activity. A school district, an employee of a school district, or an agent of a school district, including a health care professional who trained volunteer school personnel are not liable for any damages resulting from actions or inactions taken in good faith pursuant to this bill. The Board of Nursing and the State Board of Education must promulgate regulations necessary to implement and administer the provisions of this bill.

SDE indicates that this bill will have no direct impact on local school districts in FY 2021-22. However, some school districts expressed concerns with the potential for an increase in liability

insurance premiums. Also, some districts emphasized concern with a potential loss in Medicaid revenue that would result because the services performed by a volunteer could not be billed to Medicaid.

Local Revenue

N/A



Frank A. Rainwater, Executive Director