



**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. 4600    Prefiled on November 17, 2021  
**Author:** West  
**Subject:** Electro-Convulsion Therapy, Third-Party Consent  
**Requestor:** House Medical, Military, Public, and Municipal Affairs  
**RFA Analyst(s):** Boggs  
**Impact Date:** December 21, 2021

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### **Fiscal Impact Summary**

This bill amends the Rights of Mental Health Patients code to change the definition of who may consent to electro-convulsion therapy or major medical treatment on behalf of patients. Further, this bill changes the order of priority of such persons to that of the Adult Health Care Consent Act. The Department of Mental Health (DMH) does not anticipate any fiscal impact as it is expected that this bill will not materially alter their responsibilities.

### **Explanation of Fiscal Impact**

#### **Prefiled on November 17, 2021**

#### **State Expenditure**

This bill amends the definition of persons who may consent on the behalf of patients to electro-convulsion therapy or major medical treatment in the Rights of Mental Health Patients code. In addition, the bill changes the order of priority of those persons who may consent. DMH is responsible for providing a complete array of medical and support services for children, adults, and families of those who suffer from mental illnesses. According to DHM, this bill does not impact the roles of their agency, and consequently, they do not anticipate any change in caseloads or responsibilities. Therefore, DMH does not expect the bill to have an expenditure impact.

#### **State Revenue**

N/A

#### **Local Expenditure**

N/A

#### **Local Revenue**

N/A

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Frank A. Rainwater, Executive Director