



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.

Bill Number: S. 1179 Amended by the Senate on April 5, 2022
Author: Shealy
Subject: Telehealth
Requestor: House Medical, Military, Public, and Municipal Affairs
RFA Analyst(s): Coomer
Impact Date: April 25, 2022 Updated for Additional Agency Response

Fiscal Impact Summary

This bill as amended allows for licensed social workers, professional counselors, marriage and family therapists, addiction counselors, and psycho-educational specialists to provide services using behavioral telehealth.

The bill as amended will increase Other Funds expenditures of the Board of Social Work Examiners and Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, and Psycho-Educational Specialists (boards), under the regulation of the Department of Labor, Licensing and Regulation (LLR), by an undetermined amount due to the development of new registries.

This bill as amended will increase the Other Funds revenue of LLR by an undetermined amount due to fees from new applicants.

This bill as amended will increase General Fund revenue by an undetermined amount because LLR is required to remit an amount equal to 10 percent of board expenditures to the General Fund.

This fiscal impact statement has been updated to include an additional response from LLR.

Explanation of Fiscal Impact

Updated for Additional Agency Response on April 25, 2022

Amended by the Senate on April 5, 2022

State Expenditure

This bill as amended allows for licensed social workers, professional counselors, marriage and family therapists, addiction counselors, and psycho-educational specialists to practice behavioral telehealth. A behavioral health provider who holds an active license to provide services in another state may provide services using behavioral telehealth to a client located in this State if the individual is registered with one of the boards and provides the services within the applicable scope established by this State. To be registered, this individual must complete an application, be licensed in another state, be free of disciplinary licensure action for five years, and pay a \$10 fee. This bill as amended additionally requires each board to publish an extensive list of all

registrants on its website and allows each board to take disciplinary action against out-of-state registrants.

LLR indicates that this bill as amended will require the agency to develop a registration form, a website list, and an internal registration tracking system. The agency is unable to estimate the number of individuals who may submit a registration application and is therefore unable to estimate the costs associated with the registries. If the number of applicants is low, LLR anticipates that the costs of establishing these registries may be able to be absorbed by existing staff.

This portion of the fiscal impact statement has been updated to include an additional response from LLR.

State Revenue

This bill as amended requires a behavioral telehealth provider licensed to provide services in another state to be registered to provide services using behavioral telehealth to a client in this State. To be registered, this individual must complete an application, be licensed in another state, be free of disciplinary licensure action for five years, and pay a \$10 fee.

LLR is unable to estimate the number of individuals who may submit a registration application. Therefore, the revenue impact of this bill as amended on LLR is undetermined.

Additionally, Proviso 81.3 of the FY 2021-22 Appropriations Act requires LLR to remit 10 percent of expenditures of the Division of Professional and Occupational Licensing (POL) to the General Fund. Because LLR does not know the total increased cost to the board, the agency is unable to determine the exact impact to General Fund revenue.

This portion of the fiscal impact statement has been updated to include an additional response from LLR.

Local Expenditure

N/A

Local Revenue

N/A

Amended by the Senate on April 5, 2022

State Expenditure

This bill as amended allows for licensed social workers, professional counselors, marriage and family therapists, addiction counselors, and psycho-educational specialists to practice behavioral telehealth. A behavioral health provider who holds an active license to provide services in another state may provide services using behavioral telehealth to a client located in this State if the individual is registered with one of the boards and provides the services within the applicable scope established by this State. To be registered, this individual must complete an application, be licensed in another state, be free of disciplinary licensure action for five years, and pay a \$10 fee.

This bill as amended additionally requires each board to publish an extensive list of all registrants on its website and allows each board to take disciplinary action against out-of-state registrants.

The expenditure impact of this bill as amended on the boards, under the regulation of LLR, is pending, contingent upon a response from LLR.

State Revenue

This bill as amended requires a behavioral telehealth provider licensed to provide services in another state to be registered to provide services using behavioral telehealth to a client in this State. To be registered, this individual must complete an application, be licensed in another state, be free of disciplinary licensure action for five years, and pay a \$10 fee.

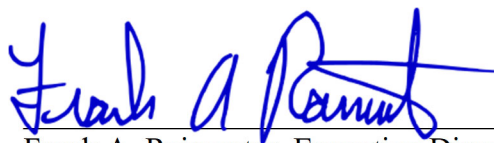
The revenue impact of this bill as amended on the boards, under the regulation of LLR, is pending, contingent upon a response from LLR.

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director