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Indicates New Matter

COMMITTEE REPORT

April 21, 2022

**S. 1059**

Introduced by Senator Verdin

S. Printed 4/21/22--H.

Read the first time March 1, 2022.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (S. 1059) to amend Section 40‑33‑43, as amended, Code of Laws of South Carolina, 1976, relating to the authorized provision of medications by unlicensed persons in certain, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

LEON HOWARD for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Introduced on February 8, 2022**

**State Expenditure**

This bill adds intermediate care facilities for persons with intellectual disability to the list of facilities authorized to allow selected employees who are not licensed nurses but have documented medication training and skill competency evaluation to provide medications. Currently, only licensed nurses may provide medication in these care facilities. This bill allows for certified medication technicians (CMTs) to administer medication in DDSN facilities. DDSN anticipates this could potentially reduce the need for licensed nurses by approximately 10 percent. However, since not all medications could be administered by a CMT and supervision of the CMT by a nurse is required, DDSN cannot project the exact reduction in licensed nurses.

DDSN estimates that 168 direct care staff will need to be trained at a cost of $90 for training material and $840 for a week of training costs per individual, resulting in a recurring training cost of approximately $156,000. Instructor costs include $200 for materials, a salary of $1,885 for 7 classes totaling $13,195, and $3,770 for 2 weeks’ worth of an instructor’s time for skill checks, resulting in an instructor cost of approximately $17,000 and a total annual general fund expenditure of $173,000. This increase in expenditures will be offset by savings associated with the reduced need for licensed nurses. The potential reduction for licensed nurses at 10 percent results in a savings of $1,760,000. Therefore, this bill will result in an overall potential savings of approximately $1,587,000 in general fund appropriations beginning in FY 2023-24. However, no savings will occur until non-licensed personnel receive training and become CMTs.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 40‑33‑43, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORIZED PROVISION OF MEDICATIONS BY UNLICENSED PERSONS IN CERTAIN FACILITIES, SO AS TO EXTEND THIS AUTHORIZATION TO INTERMEDIATE CARE FACILITIES FOR PERSONS WITH INTELLECTUAL DISABILITY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 40‑33‑43 of the 1976 Code, as last amended by Act 19 of 2021, is further amended to read:

“Section 40‑33‑43. In intermediate care facilities for persons with intellectual disability as defined in Article 3, Chapter 7, Title 44, community residential care facilities as defined in Article 3, Chapter 7, Title 44, and correctional facilities, the provision of medications may be performed by selected unlicensed persons with documented medication training and skill competency evaluation. The provision of medications by selected unlicensed persons is limited to oral and topical medications, and regularly scheduled insulin, and prescribed anaphylactic treatments under established medical protocol and does not include sliding scale insulin or other injectable medications. Licensed nurses may train and supervise selected unlicensed persons to provide medications and, after reviewing their competency evaluations, may approve selected unlicensed persons for the provision of medications.”

SECTION 2. This act takes effect upon approval by the Governor.

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