



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. 0040	Introduced on January 14, 2025
Subject:	In Vitro Fertilization Protection Act	
Requestor:	Senate Medical Affairs	
RFA Analyst(s):	Boggs	
Impact Date:	February 10, 2025 - Updated for Additional Agency Response	

Fiscal Impact Summary

This bill enacts the “In Vitro Fertilization Act.” This bill defines assistive reproductive technologies and provides protections to access these technologies. Further, this bill specifies that any fertilized human egg or human embryo that exist in any form outside of the uterus of a human body is not considered an unborn child, a minor child, an unborn person, an unborn fetus, a natural person, or any other term that connotes a human being for any purposes under state law.

Currently, fertilized human eggs or human embryos located outside of the uterus are not considered human beings for any purpose under state law. As this bill codifies current legal practice, Judicial and the Office of the Attorney General anticipate that this bill will not result in additional hearings or causes of action. Therefore, this bill will result in no expenditure impact for Judicial or the Attorney General’s Office.

The Department of Health and Human Services (DHHS) operates South Carolina’s Healthy Connections (Medicaid), which pays medical bills for eligible low-income families and individuals. According to DHHS, Medicaid policy related to infertility procedures specifically indicates that any medications, tests, services, or procedures performed for the diagnosis or treatment of infertility are non-covered. Therefore, DHHS anticipates that this bill will have no fiscal impact on the agency.

The Department of Public Health (DPH) and Medical University of South Carolina (MUSC) do not anticipate that this bill will have a fiscal impact on the agencies since the bill does not alter the responsibilities of the agencies.

This impact statement has been updated to include a response from DPH, DHHS, and MUSC.

Explanation of Fiscal Impact

Updated for Additional Agency Response on February 10, 2025

Introduced on January 14, 2025

State Expenditure

This bill enacts the “In Vitro Fertilization Act.” This bill defines assistive reproductive technologies and provides protections to access these technologies. Further, this bill specifies that any fertilized human egg or human embryo that exist in any form outside of the uterus of a

human body is not considered an unborn child, a minor child, an unborn person, an unborn fetus, a natural person, or any other term that connotes a human being for any purpose under state law.

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DPH and MUSC do not anticipate that this bill will have a fiscal impact on the agencies since the bill does not alter the responsibilities of the agencies.

This impact statement has been updated to include a response from DPH, DHHS, and MUSC.

State Revenue

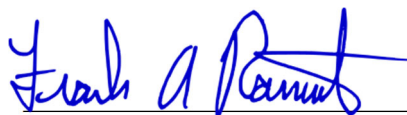
N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director