



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: H. 3952 As signed by the Governor on June 3, 2016
Author: Bannister
Subject: Emergency admission of person
Requestor: House of Representatives
RFA Analyst(s): Kokolis, Gardner, and Wren
Impact Date: June 13, 2016

Estimate of Fiscal Impact

	FY 2016-17	FY 2017-18
State Expenditure		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
Full-Time Equivalent Position(s)	0.00	0.00
State Revenue		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
Local Expenditure	Undetermined	\$0
Local Revenue	\$0	\$0

Fiscal Impact Summary

This bill as amended would have no expenditure impact on the General Fund, Federal Funds, or Other Funds. The expenditure impact on local governments is undetermined.

Explanation of Fiscal Impact

Explanation of Amendment by the Senate on May 24, 2016

State Expenditure

This amendment more specifically relates terms contained in Section 44-17-410, which established the requirements of an affidavit for emergency admissions to definitions contained in Section 44-23-10. The amendment also extends immunity from civil liability to emergency medical technicians acting in accordance with statutory provisions regarding emergency admissions. In addition this amendment removes the requirement for the probate court to issue a search, locate, and return order for a patient who has eloped after being committed, and for a state or local law enforcement officer to transport the patient who eloped. The amendment will not have an expenditure impact on the General Fund, Federal Funds, or Other Funds.

Explanation of Amendment by the House of Representatives on April 14, 2016

State Expenditure

This bill as amended revises Section 44-23-10 to define a gravely disabled person as someone who, due to mental illness, lacks sufficient insight or capacity to make responsible decisions with respect to their treatment and because of this condition is likely to cause harm to themselves through neglect, inability to care for themselves, personal injury, or otherwise.

Section 44-17-440 is amended to require a state or local law enforcement officer, preferably in civilian clothes and trained in crisis intervention, to take into custody and transport a person for emergency admission to the hospital. The emergency admission patient may also be transported to the hospital by an emergency medical technician or by a friend or relative that signs a liability waiver. If the patient has eloped after being committed, a request for an order to search, locate, and return must be issued by the probate court and transportation must be by a state or local law enforcement officer.

Department of Public Safety. The department indicates that this bill will have no expenditure impact on the General Fund, Federal Funds, or Other Funds.

Department of Mental Health. The department indicates that this bill will have no expenditure impact on the General Fund, Federal Funds, or Other Funds.

Law Enforcement Training Council. The council indicates this bill will have no expenditure impact on the General Fund, Federal Funds, or Other Funds.

Department of Juvenile Justice. The department indicates this bill will have no expenditure impact on the General Fund, Federal Funds, or Other Funds.

South Carolina Law Enforcement Division. The agency indicates this bill will have no expenditure impact on the General Fund, Federal Funds, or Other Funds.

State Revenue

N/A

Local Expenditure

The Revenue and Fiscal Affairs Office contacted twenty-three county governments, the Municipal Association of South Carolina, and 232 local law enforcement agencies regarding the expenditure impact of this bill and received eleven responses. Responses from the surveyed entities indicate that this bill would have an expenditure impact on local governments, but a dollar amount could not be determined because the additional expenses would be dependent upon the number of patients transported and the length of each trip to transport patients. The additional expenses would be attributed to the need for additional personnel and training for crisis intervention. Therefore, the expenditure impact of this bill on local governments is undetermined.

Local Revenue

N/A



Frank A. Rainwater, Executive Director