



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:	H. 4541	Introduced on January 11, 2022
Author:	Haddon	
Subject:	Treatment of Pregnant and Postpartum Inmates	
Requestor:	House Medical, Military, Public, and Municipal Affairs	
RFA Analyst(s):	Gardner	
Impact Date:	March 24, 2022 Updated for Additional Agency Response	

Fiscal Impact Summary

This bill establishes requirements for prisons, local detention facilities, and prison work camps regarding the treatment of pregnant and postpartum inmates.

This bill will have no expenditure impact on the Department of Corrections (DOC) as any additional expenses can be managed within existing General Fund appropriations.

Revenue and Fiscal Affairs (RFA) anticipates this bill will have no local expenditure impact because any additional local government expenditure impact can be absorbed within existing resources.

Explanation of Fiscal Impact

Updated for Additional Agency Response on March 24, 2022
Introduced on January 11, 2022

State Expenditure

This bill establishes requirements for prisons, local detention facilities, and prison work camps regarding the treatment of pregnant and postpartum inmates. These requirements include the following:

- Within seven days of arrival at a prison, detention center, or prison work camp, an inmate who is confirmed to be pregnant must be scheduled for a pregnancy examination by a qualified provider.
- Pregnant inmates must receive a prescribed schedule of prenatal care visits and have access to newborn care.
- Pregnant inmates who have used opioids prior to incarceration must be provided with medication-assisted treatment and information on withdrawal.
- An inmate who gives birth after incarceration must be provided with information on relevant community-based programs and be referred to a social worker.
- A pregnant inmate who is in labor must be transported to a state licensed hospital or birthing center for the purpose of giving birth and may opt to have an approved support person present.

- Postpartum inmates must be allowed twelve weeks for recovery, during which time they must receive follow-up medical care.

The Department of Corrections indicates that it already provides treatment to fifteen to twenty pregnant and postpartum inmates each year. The agency states that some modification may be needed to the current postpartum follow up exam schedule, but any expenditure impact due to this change is expected to be minimal and can be managed within existing appropriations. Therefore, this bill will have no expenditure impact for DOC.

State Revenue

N/A

Local Expenditure

This bill establishes requirements for prisons, local detention facilities, and prison work camps regarding the treatment of pregnant and postpartum inmates. Based on the response from DOC, RFA anticipates that local facilities have a treatment plan in place for pregnant and postpartum inmates. While this bill may require changes to this treatment plan, RFA anticipates that any additional local government expenditure will be minimal and can be absorbed within existing resources.

Local Revenue

N/A

Introduced on January 11, 2022

State Expenditure

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- An inmate who gives birth after incarceration must be provided with information on relevant community-based programs and be referred to a social worker.
- A pregnant inmate who is in labor must be transported to a state licensed hospital or birthing center for the purpose of giving birth and may opt to have an approved support person present.
- Postpartum inmates must be allowed twelve weeks for recovery, during which time they must receive follow-up medical care.

A determination of the bill's fiscal impact is pending, as the Department of Corrections is still reviewing the bill.

State Revenue

N/A

Local Expenditure

This bill establishes requirements for prisons, local detention facilities, and prison work camps regarding the treatment of pregnant and postpartum inmates. The local expenditure impact is pending, contingent upon responses from local law enforcement.

Local Revenue

N/A



Frank A. Rainwater, Executive Director