



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: H. 4999 As signed by the Governor on May 25, 2016
Author: Goldfinch
Subject: Immunity from Liability for Providing Free Health Care Services
Requestor: House of Representatives
RFA Analyst(s): Stein, Fulmer, and Wren
Impact Date: August 5, 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	\$0	\$0
Local Revenue	\$0	\$0

Fiscal Impact Summary

This bill is expected to have no expenditure impact on the General Fund, Federal Funds, or Other Funds. This bill is expected to have minimal to no expenditure impact on local government entities.

Explanation of Fiscal Impact

State Expenditure

This bill amends Chapter 30, Title 44 by changing the Chapter title to “Health Care Professionals” and by titling Sections 44-30-10 through 44-30-90 as the “Health Care Professional Compliance Act.” The bill adds Section 44-30-310 and amends Section 38-79-30 relating to the Good Samaritan statute. These sections provide that a licensed health care provider, prior to rendering free services to a patient, must notify the patient that the services are being provided voluntarily and free of charge, in order for the provider to qualify under the Good Samaritan statute. The agreement to provide free medical services must be made in writing or by electronic medical record device. When this provision is met, the licensed health care provider cannot be held liable for civil damages for personal injury resulting from treatment, except for acts or omissions amounting to gross negligence or willful misconduct.

The bill further amends Section 38-78-30 to include dentists, practitioners, and chiropractors holding restricted volunteer licenses in the definition of health care provider for the purposes of the Good Samaritan statute.

The bill also adds a new section declaring that any licensed health care provider who renders medical services voluntarily and without compensation may fulfill one hour of continuing education for each hour of volunteer medical service rendered, up to a maximum of twenty-five percent of the provider's continuing education requirement for the licensure period.

Department of Health and Environmental Control. The Department indicates that this bill would have no expenditure impact on the General Fund, Federal Funds, or Other Funds.

Medical University of South Carolina. The University indicates this bill would 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-five county governments regarding the expenditure impact of companion bill S. 0357. The responding counties indicated that the bill would have no expenditure impact on county governments. Since this bill restricts the type of health care provider that may render free medical services, we anticipate that this bill will have no expenditure impact on county governments.

Local Revenue

N/A



Frank A. Rainwater, Executive Director