



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
 (803)734-0640 • RFA.SC.GOV/IMPACTS

**Bill Number:** H. 5193 As signed by the Governor on June 5, 2016  
**Author:** Huggins  
**Subject:** Dispensing opioid antidotes  
**Requestor:** House of Representatives  
**RFA Analyst(s):** Stein  
**Impact Date:** August 23, 2016

**Estimate of Fiscal Impact**

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

**Fiscal Impact Summary**

This bill would have no expenditure impact on the General Fund, Federal Funds or Other Funds.

**Explanation of Fiscal Impact**

**Explanation of Amendment by the Senate on May 31, 2016**

**State Expenditure**

The amended bill directs the Board of Medical Examiners and the Board of Pharmacy (the Boards) to jointly issue a written protocol to authorize a pharmacist to dispense an opioid antidote without a patient-specific prescription to a person at risk of an opioid-related overdose or to that person’s caregiver. The protocol must be issued within six months after passage of this bill, and it must contain, at a minimum, elements specified by the bill. The Boards are authorized to appoint an advisory committee of South Carolina licensed physicians to assist with the development of the protocol.

The amended bill authorizes pharmacists acting in good faith and exercising reasonable care as a pharmacist to dispense an opioid antidote pursuant to a written joint protocol issued by the Boards.

The amended bill quotes a provision from the Veterans Equal Access Amendment to the Military Construction and Veterans Affairs Appropriations Act passed by the United States Congress. This Act requires the Secretary of Veterans Affairs (VA) to authorize health care providers employed by the VA to provide recommendations and opinions to veterans who are residents of states with state medical marijuana programs regarding their participation in such programs. In

this context, the amended bill directs the Department of Health and Environmental Control (DHEC) to (1) study the effect of marijuana on easing opioid-related overdoses and (2) determine the extent to which states have latitude under federal law for a Veterans Affairs' physician licensed in the State of South Carolina to provide a written certification that a veteran would benefit from the use of marijuana for medicinal purposes instead of prescribed opioids. The amended bill requires DHEC to provide the General Assembly with a report on the findings by January 1, 2017.

The Department of Health and Environmental Control and the Department of Labor, Licensing and Regulation both report that this bill would have no expenditure impact on the General Fund, Federal Funds, or Other Funds. Any costs associated with implementation would be absorbed within the agencies' appropriated resources.

**State Revenue**

N/A

**Local Expenditure**

N/A

**Local Revenue**

N/A

**Explanation of Bill filed on April 12, 2016**

**State Expenditure**

This bill amends Section 44-130-30 of the South Carolina Overdose Prevention Act. The bill authorizes licensed prescribers to issue a nonpatient-specific standing order and dispensing protocols for an opioid antidote for persons at risk of overdosing or for their caregiver. The bill further states that the dispenser will provide the patient or caregiver with overdose prevention information. Prescribers issuing nonpatient-specific standing orders and dispensing protocols are not required to document in the medical record that the required opioid overdose information has been provided to the patient or caregiver.

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

**State Revenue**

N/A

**Local Expenditure**

N/A

**Local Revenue**

N/A



---

Frank A. Rainwater, Executive Director