COMMITTEE REPORT

March 21, 2013

**H. 3236**

Introduced by Reps. Sellers, J.E. Smith and W.J. McLeod

S. Printed 3/21/13--H.

Read the first time January 8, 2013.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (H. 3236) to amend the Code of Laws of South Carolina, 1976, by adding Section 44‑29‑185 so as to enact the “Cervical Cancer Prevention Act”, to provide, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

LEON HOWARD for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

A Cost to the General Fund (See Below)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

A Cost to Federal and/or Other Funds (See Below)

**EXPLANATION OF IMPACT:**

Department of Health & Environmental Control

While the bill does not require the department to take any action if funding is not fully provided, the bill does authorize the department to develop and distribute informational brochures (estimated at $9,446 annually) and to provide vaccinations directly to children or provide funding for vaccinations (estimated at $455,827 annually due to the increase in requested HPV vaccinations resulting from promotional efforts). In addition to the $465,273 in annual full-implementation State costs, the federal government is expected to contribute an additional $1,991,917 for vaccines under the Vaccines for Children program. However, the Federal Affordable Care Act, now being debated in Congress, may impact costs associated with implementation. DHEC reports that the federal Act may alter eligibility to the VFC program, and may limit grants that DHEC (under current law) receives. DHEC also estimates that about $85,432 could be recouped from Medicaid-eligible students, offsetting a portion of the State’s estimated implementation $455,827 cost.

South Carolina Department of Education (SCDE)

The South Carolina Department of Education indicates this bill will have no impact on agency expenditures.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑29‑185 SO AS TO ENACT THE “CERVICAL CANCER PREVENTION ACT”, TO PROVIDE THAT BEGINNING WITH THE 2013-2014 SCHOOL YEAR, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY OFFER THE CERVICAL CANCER VACCINATION SERIES TO ADOLESCENT STUDENTS ENROLLING IN THE SEVENTH GRADE OF ANY PUBLIC OR PRIVATE SCHOOL IN THIS STATE, TO PROVIDE THAT NO STUDENT IS REQUIRED TO HAVE THE VACCINE BEFORE ENROLLING IN OR ATTENDING SCHOOL, TO PROVIDE THAT THE DEPARTMENT MAY DEVELOP AN INFORMATIONAL BROCHURE RELATED TO OFFERING THIS VACCINATION WITH SPECIFIC CONTENT REQUIREMENTS, TO DEFINE “CERVICAL CANCER VACCINATION SERIES”, AND TO PROVIDE THAT IMPLEMENTATION OF THIS ACT IS CONTINGENT UPON RECEIPT OF FULL FUNDING BY STATE AND FEDERAL FUNDS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act may be cited as the “Cervical Cancer Prevention Act”.

SECTION 2. Chapter 29, Title 44 of the 1976 Code is amended by adding:

“Section 44‑29‑185. (A) Beginning with the 2013-2014 school year, the Department of Health and Environmental Control may offer the cervical cancer vaccination series for adolescent students enrolling in the seventh grade in any school, public or private, in this State. No student is required to have the cervical cancer vaccination series before enrolling in or attending school.

(B)(1) The department may develop and provide to each school whose grade levels include grade six informational brochures concerning adolescent vaccinations, including the cervical cancer vaccination series. The brochure specifically must state that the cervical cancer vaccination series is optional and shall encourage the parent or guardian of a student to take the child to the child’s own health care provider to be vaccinated.

(2) At the beginning of the school year each school district may provide this informational brochure to the parents or guardians of all students in the sixth grade.

(C) For the purposes of this section ‘cervical cancer vaccination series’ means the human papillomavirus vaccination series.

(D) Implementation of this section is contingent upon the appropriation of state and federal funding to the department to fully cover the costs of providing this vaccination series to eligible students as well as the availability of funds to produce the informational brochure provided for in subsection (B).”

SECTION 3. This act takes effect upon approval by the Governor.

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