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COMMITTEE REPORT

March 12, 2014

**H. 4347**

Introduced by Reps. Bannister, Cobb‑Hunter, McCoy, Allison, Whipper and Gilliard

S. Printed 3/12/14--S.

Read the first time March 5, 2014.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 4347) to amend the Code of Laws of South Carolina, 1976, so as to enact the “South Carolina Children’s Advocacy Medical Response System Act” by adding Article 4 to Chapter 11, etc., respectfully

**REPORT:**

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

Amend the bill, as and if amended, page 1, by striking lines 28 through 38.

Renumber sections to conform.

Amend title to conform.

CREIGHTON B. COLEMAN for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

See Below

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

See Below

**EXPLANATION OF IMPACT:**

The University of South Carolina indicates that the bill, if passed, would not result in any additional expenses. Currently, the institution expends $766,590 in general funds ($541,590 in recurring and $225,000 non-recurring) to support medical staff providing direct care and cover program costs incurred by the twelve statewide sites. Of the $766,590 in current expenditures, approximately $121,888 is used as a match to acquire $226,131 in additional federal funding.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA CHILDREN’S ADVOCACY MEDICAL RESPONSE SYSTEM ACT” BY ADDING ARTICLE 4 TO CHAPTER 11, TITLE 63 SO AS TO CREATE THE SOUTH CAROLINA CHILDREN’S ADVOCACY MEDICAL RESPONSE SYSTEM, A PROGRAM TO PROVIDE COORDINATION AND MEDICAL SERVICE RESOURCES STATEWIDE TO AGENCIES AND ENTITIES THAT RESPOND TO VICTIMS OF CHILD ABUSE AND NEGLECT, AND TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE PROGRAM; AND TO AMEND SECTION 63‑11‑310, RELATING TO RESPONSIBILITIES OF CHILDREN’S ADVOCACY CENTERS, SO AS TO REQUIRE THESE CENTERS TO COMPLY WITH REQUIREMENTS OF THE SOUTH CAROLINA CHILDREN’S MEDICAL RESPONSE SYSTEM AND OTHERWISE COORDINATE WITH THE PROGRAM.

Whereas, the General Assembly has determined that the State is in need of a coordinated program to respond to the medical needs of victims of child abuse and neglect; and

Whereas, the purpose of this program is to provide coordination and medical service resources to those entities responding to cases of child abuse and neglect in order to assist in the process of obtaining forensic medical information and to perform other activities as are consistent with this act. Now, therefore,

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

SECTION 1. Chapter 11, Title 63 of the 1976 Code is amended by adding:

“Article 4

South Carolina Children’s Advocacy Medical Response System

Section 63‑11‑400. This article may be cited as the ‘South Carolina Children’s Advocacy Medical Response System Act’.

Section 63‑11‑410. There is created the South Carolina Children’s Advocacy Medical Response System, a program to provide coordination and administration of medical service resources to those entities responding to cases of suspected child abuse or neglect. The program is administered by the University of South Carolina School of Medicine.

Section 63‑11‑420. For purposes of this article:

(1) ‘Child’ has the same meaning as provided for in Section 63‑7‑20.

(2) ‘Child abuse or neglect’ has the same meaning as provided for in Section 63‑7‑20.

(3) ‘Children’s advocacy centers’ has the same meaning as provided for in Section 63‑11‑310.

(4) ‘Program’ means the South Carolina Children’s Advocacy Medical Response System, created pursuant to this article.

(5) ‘Health care provider’ means a physician, advanced practice registered nurse, or physician assistant licensed to practice in this State pursuant to Article 1, Chapter 47, Title 40, Article 1, Chapter 33, Title 40, and Article 7, Chapter 47, Title 40, respectively.

Section 63‑11‑430. (A) The program coordinates and administers child abuse medical service resources for the State, assisting and collaborating with children’s advocacy centers and state agencies charged with the investigation, assessment, treatment, and prosecution of child abuse or neglect for children in the State.

(B) The program shall develop, support, and maintain a consistent quality standard of care and practice for the following services intrinsic to the assessment of children with suspected abuse or neglect:

(1) forensic medical examinations, assessments, and diagnoses;

(2) medical consultations;

(3) participation in multidisciplinary team case conferences and reviews; and

(4) medical expert witness services.

(C) The program also shall develop, support, and maintain:

(1) guidelines for the educational, clinical training, and professional development requirements of health care providers participating in the forensic medical assessment of children who are suspected victims of child abuse or neglect;

(2) a standardized clinical assessment tool to report the findings of the forensic medical assessment; and

(3) guidelines for the South Carolina Department of Social Services and law enforcement agencies on when to obtain a forensic medical assessment.

(D) The program shall collect and manage data from child abuse health care providers participating in the program, children’s advocacy centers, and children’s hospitals for the purposes of establishing quality assurance programs, research, and public policy guidance.”

SECTION 2. This act takes effect upon approval by the Governor.

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