COMMITTEE REPORT

March 30, 2017

**H. 3821**

Introduced by Reps. Fry, Bedingfield, Henderson, Huggins, Johnson, Hewitt, Crawford, Duckworth, Allison, Arrington, Forrester, Tallon, Hamilton, Felder, Elliott, Jordan, B. Newton, Martin, Erickson, Jefferson, Cobb‑Hunter, Govan, Long, Putnam, Cogswell and Knight

S. Printed 3/30/17--H.

Read the first time February 22, 2017.

**THE COMMITTEE ON EDUCATION AND**

**PUBLIC WORKS**

To whom was referred a Bill (H. 3821) to amend the Code of Laws of South Carolina, 1976, by adding Section 59-103-155 so as to require certain institutions of higher education to offer mandatory courses, 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, by deleting all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 103, Title 59 of the 1976 Code is amended by adding:

“Section 59‑103‑155. Any public or private institution of higher education in the State from which a student may earn a degree in a health care profession that allows the person to prescribe controlled substances listed in Schedules II, III, and IV in the State shall require for those programs that students complete coursework on the prescription and monitoring of Schedule II, III, and IV controlled substances, including coursework on the prescription of Schedule II controlled substances to treat or manage pain, and strategies that can be employed to recognize signs of and reduce the likelihood of patient addiction. These institutions of higher education shall coordinate with the state’s Commission on Higher Education, Board of Medical Examiners, Board of Dentistry, and Board of Nursing to develop the curriculum.”

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

Renumber sections to conform.

Amend title to conform.

MERITA A. ALLISON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Amended by the Higher Education Subcommittee of the House Education and Public Works Committee on March 22, 2017**

**State Expenditure**

The amended bill requires public and private institutions of higher education offering degrees in a health care profession that allows graduates to prescribe controlled substances listed in Schedules II, III, and IV to develop mandatory course work on the prescription and monitoring of controlled substances, including Schedule II drugs used to treat or manage pain. The amended bill also requires coursework to include instruction on strategies to recognize and reduce the likelihood of patient addiction. In developing the curriculum, the institutions are to coordinate with the Commission on Higher Education, Board of Medical Examiners, Board of Dentistry, and Board of Nursing

**Commission on Higher Education and the public institutions of higher education**. The Commission on Higher Education (CHE) indicated minimal expenditures for the additional time to monitor future adjustments to curriculum that could be managed within existing resources. The amended bill will not impact the commission’s expenditures.

Based on responses CHE submitted for the four public institutions of higher education that offer degrees subject to the bill, this bill will not impact the institution’s expenditures. The Medical University of South Carolina reported the amended bill will not impact expenditures as the curriculum required by the bill is already provided. The University of South Carolina expects minimal additional expenditures for potentially adjusting course requirements that can be absorbed within current appropriations. Clemson University indicates the amended bill will increase expenditures by a negligible amount that could be managed within existing resources. Francis Marion University indicates the amended bill will create no expenditure increase.

**Department of Labor, Licensing and Regulation**. This amended bill would have no expenditure impact on the general fund or federal funds. The department may incur an expenditure of other funds depending upon the degree of cooperation requested by the Commission on Higher Education. It is anticipated that related expenditures would be minimal and would be absorbed within the agency’s other funds budget authorization.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑103‑155 SO AS TO REQUIRE CERTAIN INSTITUTIONS OF HIGHER EDUCATION TO OFFER MANDATORY COURSES ON THE PRESCRIBING AND MONITORING OF SCHEDULE II, III, AND IV CONTROLLED SUBSTANCES.

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

SECTION 1. Article 1, Chapter 103, Title 59 of the 1976 Code is amended by adding:

“Section 59‑103‑155. Any public or private institution of higher education in the State from which a student may earn a degree in a health care profession that allows the person to prescribe controlled substances listed in Schedules II, III, and IV in the State shall require for those programs that students complete coursework on the prescription and monitoring of Schedule II, III, and IV controlled substances, including coursework on the prescription of Schedule II controlled substances to treat or manage pain. These institutions of higher education shall coordinate with the state’s Board of Medical Examiners, Board of Dentistry, and Board of Nursing to develop the curriculum.”

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

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