COMMITTEE REPORT

March 7, 2019

**H. 3725**

Introduced by Reps. Felder, King, Elliott, Hill, McDaniel, Simmons, W. Cox, Loftis, Jefferson, R. Williams, Henegan, Erickson and Burns

S. Printed 3/7/19--H.

Read the first time January 23, 2019.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (H. 3725) to amend the Code of Laws of South Carolina, 1976, by adding Section 44‑1‑320 so as to establish an “advisory council on pediatric, 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 striking the bill in its entirety after the enacting words and inserting:

/ SECTION 1. Chapter 1, Title 44 of the 1976 Code is amended by adding:

“Section 44‑1‑320. (A) There is established an advisory council on pediatric acute‑onset neuropsychiatric syndrome (PANS) and its subset, pediatric autoimmune neuropsychiatric disorder associated with streptococcal infections (PANDAS), to advise the Department of Health and Environmental Control on research, diagnosis, treatment, and education relating to the syndrome and disorder.

(B) The advisory council shall consist of the following members who, except as otherwise provided, must be appointed by the director of the department:

(1) a representative of a nonprofit pediatric acute‑onset neuropsychiatric syndrome advocacy organization;

(2) a representative of a professional organization for school psychologists or school social workers organized under the laws of this State;

(3) a representative of a professional organization for school nurses organized under the laws of this State;

(4) a family practice physician licensed and practicing in this State who has experience treating persons with pediatric acute‑onset neuropsychiatric syndrome;

(5) a pediatrician licensed and practicing in this State who has experience treating persons with pediatric acute‑onset neuropsychiatric syndrome;

(6) a child psychiatrist licensed and practicing in this State who has experience treating persons with pediatric acute‑onset neuropsychiatric syndrome;

(7) a representative of the National Alliance on Mental Illness (NAMI), with training on teaching classes on mental health management, ‘NAMI Ending the Silence’, or support group facilitation;

(8) a parent with a child who has been diagnosed with pediatric acute‑onset neuropsychiatric syndrome;

(9) a representative of the State Board of Education with experience in special education;

(10) one member of the House of Representatives, appointed by the Chairman of the House Medical, Military, Public and Municipal Affairs Committee;

(11) one member of the Senate, appointed by the Chairman of the Senate Medical Affairs Committee; and

(12) the director of the department, or a designee, who shall be an ex‑officio, nonvoting member and shall attend all meetings of the advisory council.

(C) Any member of the advisory council appointed pursuant to this section may be a member of the General Assembly. Appointed members shall serve for a period of two years and until their successor is appointed. The members shall elect a chairperson and vice chairperson from among the membership. The department shall provide staff support for the advisory council to perform their duties.

(D) Members of the advisory council may not receive compensation, but are entitled to mileage, subsistence, and per diem as allowed by law for members of state boards, committees, and commissions.

(E) The director of the department shall schedule the first meeting of the advisory council, which must be held no later than ninety days after the effective date of this act. A majority of the voting council members constitutes a quorum. A majority of the quorum is required for any official action of the advisory council. The advisory council shall meet upon the call of the chairperson and at the request of a majority of the members of the advisory council; provided, the advisory council shall meet at least four times per year.

(F) No later than July 1, 2020, and annually thereafter, the advisory council shall issue a report to the General Assembly with recommendations concerning:

(1) up‑to‑date practice guidelines for the diagnosis and treatment of pediatric acute‑onset neuropsychiatric syndrome (PANS) and its subset, pediatric autoimmune neuropsychiatric disorder associated with streptococcal infections (PANDAS);

(2) mechanisms to increase clinical awareness and education regarding the syndrome and disorder among physicians, including pediatricians, school‑based health centers, and providers of mental health services;

(3) outreach to educators and parents to increase awareness of the syndrome and disorder; and

(4) development of a network of volunteer experts on the diagnosis and treatment of the syndrome and disorder to assist in education and outreach.

(G) The advisory council must be dissolved two years after the effective date of this act.”

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

Renumber sections to conform.

Amend title to conform.

LEON HOWARD for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Introduced on January 23, 2019**

**State Expenditure**

This bill establishes a new advisory council under DHEC. The council will consist of twelve members. Members may not receive compensation, but are entitled to mileage, subsistence, and per diem. The council must meet at least four times per year to advise DHEC on research, diagnosis, treatment, and education relating to pediatric acute-onset neuropsychiatric syndrome and pediatric autoimmune and neuropsychiatric disorder. By July 1, 2020, and annually thereafter the advisory council shall issue a report to the General Assembly with their recommendations.

**Department of Health and Environmental Control.**  DHEC indicates that this bill will increase recurring general fund expenditures by $41,672 and 0.25 FTEs in FY 2019-20. Of this total, $21,896 will be for the salary and employer fringe benefit costs of a Program Coordinator II who will provide staff support for the advisory council. Other operating expenses of $19,776 include expenditures for mileage and travel reimbursements for advisory council members, office supplies, and the services of a medical consultant for the advisory council. This bill will increase non-recurring general fund expenditures by $1,213 in FY 2019-20 to provide computer equipment for the Program Coordinator II.

**House of Representatives and Senate**. This bill requires that one member of the House of Representatives, appointed by the Speaker of the House, and one member of the Senate, appointed by the President of the Senate serve on the advisory council. The bill specifies that members of the advisory council may not receive compensation, but are entitled to mileage, per diem, and subsistence. Each House and Senate member will receive per diem of $35, subsistence of $208.27, and mileage of $0.58 per mile for each meeting on non-session days. These expenses will be managed within the budgets of the appointees’ respective legislative bodies. Therefore, the bill does not have an expenditure impact for the general fund, other funds, or federal funds for the Senate or the House of Representatives.

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 44‑1‑320 SO AS TO ESTABLISH AN “ADVISORY COUNCIL ON PEDIATRIC ACUTE‑ONSET NEUROPSYCHIATRIC SYNDROME (PANS) AND PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDER ASSOCIATED WITH STREPTOCOCCAL INFECTIONS (PANDAS)”; TO PROVIDE FOR MEMBERSHIP, DUTIES, AND REPORTING REQUIREMENTS OF THE ADVISORY COUNCIL; TO REQUIRE THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO APPOINT CERTAIN MEMBERS AND TO PROVIDE STAFF SUPPORT; AND FOR OTHER PURPOSES.

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

SECTION 1. Chapter 1, Title 44 of the 1976 Code is amended by adding:

“Section 44‑1‑320. (A) There is established an advisory council on pediatric acute‑onset neuropsychiatric syndrome (PANS) and its subset, pediatric autoimmune neuropsychiatric disorder associated with streptococcal infections (PANDAS), to advise the Department of Health and Environmental Control on research, diagnosis, treatment, and education relating to the syndrome and disorder.

(B) The advisory council shall consist of the following members who, except as otherwise provided, must be appointed by the director of the department:

(1) a representative of a nonprofit pediatric acute‑onset neuropsychiatric syndrome advocacy organization;

(2) a representative of a professional organization for school psychologists or school social workers organized under the laws of this State;

(3) a representative of a professional organization for school nurses organized under the laws of this State;

(4) a family practice physician licensed and practicing in this State who has experience treating persons with pediatric acute‑onset neuropsychiatric syndrome;

(5) a pediatrician licensed and practicing in this State who has experience treating persons with pediatric acute‑onset neuropsychiatric syndrome;

(6) a child psychiatrist licensed and practicing in this State who has experience treating persons with pediatric acute‑onset neuropsychiatric syndrome;

(7) a representative of the National Alliance on Mental Illness (NAMI), with training on teaching classes on mental health management, ‘NAMI Ending the Silence’, or support group facilitation;

(8) a parent with a child who has been diagnosed with pediatric acute‑onset neuropsychiatric syndrome;

(9) a representative of the State Board of Education with experience in special education;

(10) one member of the House of Representatives, appointed by the Speaker of the House;

(11) one member of the Senate, appointed by the President of the Senate; and

(12) the director of the department, or a designee, who shall be an ex‑officio, nonvoting member and shall attend all meetings of the advisory council.

(C) Any member of the advisory council appointed pursuant to this section may be a member of the General Assembly. Appointed members shall serve for a period of three years and until their successor is appointed. The members shall elect a chairperson and vice chairperson from among the membership. The department shall provide staff support for the advisory council to perform their duties.

(D) Members of the advisory council may not receive compensation, but are entitled to mileage, subsistence, and per diem as allowed by law for members of state boards, committees, and commissions.

(E) The director of the department shall schedule the first meeting of the advisory council, which must be held no later than ninety days after the effective date of this act. A majority of the voting council members constitutes a quorum. A majority of the quorum is required for any official action of the advisory council. The advisory council shall meet upon the call of the chairperson and at the request of a majority of the members of the advisory council; provided, the advisory council shall meet at least four times per year.

(F) No later than July 1, 2020, and annually thereafter, the advisory council shall issue a report to the General Assembly with recommendations concerning:

(1) up‑to‑date practice guidelines for the diagnosis and treatment of pediatric acute‑onset neuropsychiatric syndrome (PANS) and its subset, pediatric autoimmune neuropsychiatric disorder associated with streptococcal infections (PANDAS);

(2) mechanisms to increase clinical awareness and education regarding the syndrome and disorder among physicians, including pediatricians, school‑based health centers, and providers of mental health services;

(3) outreach to educators and parents to increase awareness of the syndrome and disorder; and

(4) development of a network of volunteer experts on the diagnosis and treatment of the syndrome and disorder to assist in education and outreach.”

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

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