



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

Bill Number:	H. 3175	Introduced on January 12, 2021
Author:	Rutherford	
Subject:	Pharmacy Access Act	
Requestor:	House Medical, Military, Public, and Municipal Affairs	
RFA Analyst(s):	Coomer and Payne	
Impact Date:	February 19, 2021 Updated for Additional Agency Response	

Fiscal Impact Summary

This bill will increase Other Fund expenditures for the Department of Labor, Licensing and Regulation (LLR) by \$11,200 in FY 2020-21 for additional meetings of the Board of Medical Examiners and the Board of Pharmacy.

This bill will increase General Funds revenue by \$1,120 for FY 2020-21 because LLR is required to remit an amount equal to 10 percent of board expenditures annually to the General Fund.

This bill may have a minimal impact on Medicaid reimbursement, and the Department of Health and Human Services (DHHS) expects to manage any expenses with existing resources.

This fiscal impact has been updated for an additional response from LLR.

Explanation of Fiscal Impact

Updated for Additional Agency Response on February 19, 2021

Introduced on January 12, 2021

State Expenditure

This bill allows licensed pharmacists to dispense self-administered hormonal contraceptives and to administer injectable hormonal contraceptives with or without a standing prescription order from a provider. This bill requires the Board of Medical Examiners and the Board of Pharmacy to issue a joint protocol authorizing a pharmacist to provide these services without a patient-specific written order from a provider. The bill provides requirements as to what the protocol must address and specifies that the protocol must be issued within six months after the passage of this act. In addition, this bill requires the Board of Medical Examiners and the Board of Pharmacy to establish an algorithm to be used by pharmacists during their patient assessment.

Department of Labor, Licensing and Regulation. This bill requires LLR, in collaboration with the Board of Medical Examiners and the Board of Pharmacy, to approve a patient self-screening risk assessment to be used by pharmacists and interns who dispense a contraceptive pursuant to this chapter. In addition, this bill requires LLR to establish a fee schedule for these services when

provided by pharmacists. The Board of Medical Examiners and the Board of Pharmacy are both administered by LLR.

LLR indicates that the bill charges the agency with responsibilities which can be managed within existing appropriations. However, it will be necessary for the Board of Medical Examiners and the Board of Pharmacy to schedule additional meetings in order to meet the requirements of this bill. LLR indicates that each individual board will need to meet at least once. Board meeting costs include a per diem of \$35 and mileage reimbursement of 56 cents per mile for board members. In addition, court reporter fees average \$2,156 per meeting. The average cost for a meeting of the Board of Medical Examiners and a meeting of the Board of Pharmacy is \$2,300 and \$2,000 respectively, for a total increase in Other Funds expenditures of approximately \$4,300 for the two meetings. In addition, up to three joint committee meetings will be necessary. RFA anticipates that joint committee meetings will average at least \$2,300, for a total increase of \$6,900 in Other Funds expenditures. Therefore, this bill will increase Other Funds expenditures by \$11,200 in FY 2020-21.

This fiscal impact has been updated for an additional response from LLR.

Department of Health and Human Services. This bill details the Medicaid reimbursement procedures for hormonal contraceptives. DHHS currently provides broad coverage for hormonal contraceptives, and any marginal increase in the utilization of contraceptives is expected to be minimal and likely represent a shift from contraceptives prescribed by physicians to those administered by pharmacists. DHHS expects the expenditure impact of complying with this bill will be minimal, and that they will be able to manage any expenses with existing resources.

State Revenue

The Board of Medical Examiners and the Board of Pharmacy fall under the Division of Professional and Occupational Licensing. Pursuant to Proviso 81.3 of the FY 2019-20 Appropriations Act, LLR is required to remit annually to the General Fund an amount equal to 10 percent of board expenditures. Therefore, this bill will increase General Fund revenue by approximately \$1,120 in FY 2020-21 due to additional expenditures of the boards.

This fiscal impact has been updated for an additional response from LLR.

Local Expenditure

N/A

Local Revenue

N/A

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Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director