~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 17, 2022

**H. 3958**

Introduced by Reps. McGarry, Yow, Dabney, B. Newton, Bennett, Bustos, Haddon, Erickson, McCabe, Bryant, Robinson, Huggins, Ott, Ballentine, Oremus, Anderson, T. Moore, Long, Pope, Felder, Ligon, B. Cox, Morgan, Lucas, McKnight, Simrill, J.L. Johnson, Matthews and Jones

S. Printed 2/17/22--H.

Read the first time February 23, 2021.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (H. 3958) to amend the Code of Laws of South Carolina, 1976, by adding Section 17‑5‑135 so as to provide that a coroner may act as a first responder, 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**

**Explanation of Fiscal Impact**

**State Expenditure**

This bill deems a coroner or his designee as a first responder when administering an opioid antidote to a person experiencing an opioid overdose. DHEC regulates and monitors usage of opioid antidotes. However, the agency expects to manage any additional monitoring related to this bill within its existing appropriations.

**Local Expenditure**

The Revenue and Fiscal Affairs Office reached out to twenty-three counties to determine if the bill will have any fiscal impact on its coroners. Per Saluda County, the South Carolina Coroner’s Association does not believe the bill will result in any additional expenditures to counties by adding coroners as first responders when administering an opioid antidote. Additionally, Marlboro County reported that its coroner does not respond until after a death. Therefore, there is expected to be no expenditure impact on any counties or its coroners from this legislation.

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 17‑5‑135 SO AS TO PROVIDE THAT A CORONER MAY ACT AS A FIRST RESPONDER UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 44‑130‑20, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO THE “SOUTH CAROLINA OVERDOSE PREVENTION ACT” SO AS TO INCLUDE A CORONER IN THE DEFINITION OF THE TERM “FIRST RESPONDER”.

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

SECTION 1. Article 3, Chapter 5, Title 17 of the 1976 Code is amended by adding:

“Section 17‑5‑135. A coroner or his designee who responds to an emergency is deemed a first responder and may possess and administer an opioid antidote pursuant to the requirements of the South Carolina Overdose Prevention Act. The coroner must comply with all of the requirements of Section 44‑130‑60 and is entitled to immunity from civil or criminal liability or professional disciplinary action when administering an opioid antidote to a person he believes in good faith is experiencing an opioid overdose.”

SECTION 2. Section 44‑130‑20(5) of the 1976 Code, as last amended by Act 169 of 2018, is further amended to read:

“(5) ‘First responder’ means an emergency medical services provider, a law enforcement officer, or a fire department worker directly engaged in examining, treating, or directing persons during an emergency. For the purposes of administering an opioid antidote, the term ‘first responder’ includes coroners and his designee if they meet all applicable requirements for the possession, administration, and disposal of the opioid antidote and administration device.”

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

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