



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. 3215	Introduced on January 10, 2023
Author:	Moss	
Subject:	No Patient Left Alone Act	
Requestor:	House Medical, Military, Public, and Municipal Affairs	
RFA Analyst(s):	Boggs	
Impact Date:	January 20, 2023	

Fiscal Impact Summary

This bill enacts the “No Patient Left Alone Act” to specify visitation procedures for certain health care facilities must allow visitors to the fullest extent permitted by applicable law. This bill also allows the Department of Health and Environmental Control (DHEC) to impose a civil penalty for violation of these rights.

This bill will have no expenditure impact for the Department of Alcohol and Other Drug Abuse Services (DAODAS), the Department of Disabilities and Special Needs (DDSN), the Department of Health and Human Services (DHHS), the Department of Mental Health (DMH), or the Vocational Rehabilitation Department (VR) as all agencies currently have these processes and procedures in place in any applicable facilities. Additionally, this bill will have no expenditure impact for DHEC as the agency anticipates that any additional duties required by this bill will be able to be managed with existing staff and appropriations.

Also, DHEC anticipates there will be a minimal number of violations. Therefore, DHEC anticipates there will be minimal General Fund revenue generated from penalties.

Further, Revenue and Fiscal Affairs Office (RFA) anticipates this bill will have no local expenditure impact based on the responses received from Clarendon and Dorchester Counties.

Explanation of Fiscal Impact

Introduced on January 10, 2023

State Expenditure

This bill enacts the “No Patient Left Alone Act” to specify visitation procedures for certain health care facilities must allow visitors to the fullest extent permitted by applicable law. This bill also allows DHEC to impose penalties for any facilities in violation of this act. This bill will have no expenditure impact for DAODAS, DDSN, DHHS, DMH, or VR, as all agencies currently have these processes and procedures in place in any applicable facilities.

Department of Health and Environmental Control. DHEC is responsible for enforcing state law requirements in the regulations of healthcare facilities licensed by DHEC. DHEC will be required to ensure that all applicable facilities are implementing the program established in this

bill. DHEC anticipates any addition to their caseload or change in responsibilities will be minimal and will be managed using existing staff and resources. Therefore, this bill will have no expenditure impact for DHEC.

State Revenue

This bill specifies that DHEC may issue a warning to any facility that fails to follow applicable visitation laws and to issue a civil penalty of no less than \$500 if the facility fails to remedy the visitation violation within twenty-four hours of the issuance of the warning. Additionally, this bill allows DHEC to impose a civil penalty of no less than \$500 a day per day for a facility when the facility's alternative visitation protocol during a complete closure is found to be in violation of any federal agency policy or federal law. DHEC anticipates there will be a minimal number of violations. Therefore, DHEC anticipates minimal General Fund revenue from penalties.

Local Expenditure

RFA contacted all county governments regarding the expenditure impact of this bill and received two responses. The counties of Dorchester and Clarendon responded that this bill would result in no expenditure impact. Based on these responses, RFA anticipates this bill will have no local expenditure impact.

Local Revenue

N/A



Frank A. Rainwater, Executive Director