



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: H. 3602 Signed by Governor on May 24, 2019
Author: Rose
Subject: Health Care Decisions for Unable to Consent Persons
Requestor: House of Representatives
RFA Analyst(s): Mitchell
Impact Date: July 3, 2019

Fiscal Impact Summary

This bill will have no impact on the General Fund, Other Funds, or Federal Funds, as the provisions of the bill do not materially or financially alter the responsibilities of the Department of Disabilities and Special Needs.

Explanation of Fiscal Impact

Signed by Governor on May 24, 2019

State Expenditure

This bill modifies language related to persons who may make health care decisions for a patient who is unable to consent, by adding that if persons listed in items one through nine are unavailable to consent on behalf of the patient, a person with an established relationship to the patient who can reliably convey the patient's wishes and is not a paid caregiver or provider of health care services to the patient may make decisions on the patient's behalf. Further, the bill amends the order or priority for those persons authorized to make decisions on behalf of a person unable to consent by stating that a spouse of the patient is third in priority, and a person given authority through another statutory provision is ninth. The bill updates related code section references for clarity.

The Department of Disabilities and Special Needs indicates that these changes to the list of authorized persons who may make health care decisions on behalf of an incapacitated patient do not materially alter the department's responsibilities. As such, the bill will have no impact on the General Fund, Other Funds, or Federal Funds.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A

A handwritten signature in blue ink that reads "Frank A. Rainwater".

Frank A. Rainwater, Executive Director