



SENATOR REX RICE

LEGISLATIVE UPDATE

WEEK OF MARCH 4 - MARCH 8, 2019

GREETINGS! As the South Carolina Senator of District 2, who has the great privilege of representing Pickens County, I would like to thank you for reaching out to me. I gladly welcome and encourage feedback from my constituents, and if you are receiving this, I have received an email or phone call from you concerning various legislative matters. As a way of communicating updated information during this 123rd Session of the General Assembly, I will periodically send out informational emails, such as this. I hope you find it helpful.

Please feel free to contact my Senate office with questions or if I can be of service to you. My assistant's email is deanahage@scsenate.gov or you can call 803-212-6116. If you need immediate assistance, you can reach me on my cell phone at 864-884-0408.

WEEK IN REVIEW: March 4 - March 8, 2019

Third Reading and Sent to the House

S.18 -- Minors Interlock Device Program: A bill to provide that in lieu of serving the remainder of a suspension or denial of license or permit, relating to persons who drive motor vehicles and have a certain amount of alcohol concentration, a person may enroll in the Ignition Interlock Device Program. The ignition interlock device is required to be affixed to the motor vehicle for three months. Mopeds and Motorcycles exempt from the provision. The cost of the device must be borne by the person, however the person may submit an affidavit of indigence to the Department of PPP, and other related items.

S.79 -- Child Independence: A bill to provide that child abuse or neglect or harm does not occur if a parent, guardian or other responsible for child's welfare allows a child of certain age to engage in independent activities including independent means of travel to and from school, engaging in recreational facilities, outdoor play, and remaining at home unattended.

S.156-- Telecommunication Device in Correctional Institution: A bill to provide it is unlawful to possess within or introduce a telecommunication device upon the grounds of a correctional facility, except as authorized by the appropriate official in charge of the correctional institution. A person who violates is guilty of a misdemeanor and must be imprisoned for not more than three years and forfeits all earned work credits, education credits and good conduct credits.

S.191 -- Fictive Kin Foster Parents: A bill to provide that fictive kin are eligible to be foster parents under the kinship foster care program and relatives and fictive kin may foster a child before being licensed as a kinship foster care provider under certain circumstances. A ‘fictive kin’ means an individual who is not related by birth, adoption or marriage to a child but who has a significant relationship with the child or the child’s family. If a relative or fictive kin with whom a child has been placed is denied licensure, then the relative or fictive kin must relinquish custody of the child to the department.

S.277 – Speech-Language Pathologists: A bill to make corrections relating to speech-language pathologists to ensure that no person may practice speech-language pathology or audiology without a license issued by the state. An assistant only may practice under direct supervision of a licensed pathologist as specified by the board. A pathologist must complete 1.6 CEUs during each license period, and additional CEUs during a period. To activate an inactive license, an individual shall submit a form approved by the board and evidence attesting to his satisfactory completion of 16 hours or 1.6 CEUs for each two years of inactive licensure.

S.359 -- Pharmacy Benefit Managers: A bill to provide replaces a very light patchwork of regulation for pharmacy benefits managers with a more systematic approach that requires licensure by the Department of Insurance. The provision establishes to introduce a set of standards of conduct, with a referee who is empowered to enforce them, that protects consumers and independent pharmacies from abuse and noncompetitive practices.

S.362 -- Solar Energy Tax Credits A bill to provide that a taxpayer is allowed an income tax credit equal to twenty-five percent of the cost of installation of a solar energy property if he constructs, purchases or leases a solar energy property and other related terms. A credit for each installation of solar energy property may not exceed two million five hundred thousand dollars. The credit is allowed on a first-come, first-served basis, and the total amount of credits available to be taken.

S.397 -- Powers of Sheriffs: A bill to provide that a county sheriff, in counties with a population in excess of one hundred thousand residents according to the latest official U.S. Decennial Census, has the power of constable and enforce cases arising within county limits, including municipal limits. When in fresh and continuous pursuit of a suspect within county limits, police officers may follow and arrest the suspect anywhere in the State.

S.455 -- Armed Forces Training A bill to provide that a board or commission shall issue temporary professional license to the spouse of an active duty member of the United States Armed Forces if meeting certain circumstances. A professional or occupational board or commission shall accept the education, training and experience completed by an individual as a member of the Armed Forces or Reserves of the United States, National Guard of any state, Military Reserves of any state or the Naval Militias of any state and apply this training, education and experience in the manner most favorable toward satisfying the qualifications. Nothing in the provision should be construed as requiring a board or commission to grant licensure to the spouse if not all state law requirements have been met.

This Week in Committee

Senate Corrections and Penology Committee:

S.155 -- Early Release of Inmates: A bill to provide the early release of inmates convicted of a 'no parole offense' decrease the early release from 85% of the time served to 77%. However, for offenses relating to controlled substances or other drugs, the inmate is eligible for early release after serving 65% of the term imposed. Release for these offenses apply retroactively to the term imposed. The percentages are calculated without application of earned work credits, education credits or good conduct credits. The sentencing judge shall announce the minimum and maximum term of the imposed sentence.

Senate Medical Affairs Committee:

S.136 -- Electronic Prescriptions: A bill to provide that a practitioner shall electronically prescribe any targeted controlled substance. The provision does not apply if a person dispenses directly to the user; substance administered in hospital, nursing home, hospice, dialysis or residential facility; there is a technological or electronic failure which is documented; dispensed by a Federal pharmacy and is documented; practiced by veterinary medicine; prescription is not supported by prescription technology; or prescription for patient discharged from hospital, emergency room or urgent care. The dispenser is not required to verify practitioner

exceptions, and may continue to dispense from otherwise legal prescriptions. The dispenser is immune from any civil or criminal liability or disciplinary action from the State Board of Pharmacy for dispensing a prescription written by a prescriber in violation.

S.463 -- Pharmacists and Prescriptions: A bill to provide that a pharmacist may exercise in his professional judgement, in consultation with the patient, to dispense up to a ninety-day supply of medication per refill up to total number of dosage units as authorized by the prescriber in the original prescription. The provision does not apply to scheduled medications, psychotherapeutic drugs or medications for which a report is required under the prescription monitoring program. The provision does not affect third party payer agreements. Practitioner shall electronically prescribe any targeted controlled substance.

S.525 -- Superb Account and Superb Financial Responsibility Fund: A bill to repeal the 2026 sunset of the environmental impact fee for the Superb Account and Superb Financial Responsibility Fund, Section 44-2-90. The accrued interest will continue to be applied to a respective account.

H.3127 -- Mod Abatement and Remediation Study Committee: A bill to create the Mold Abatement and Remediation Study Committee to study the health effects of mold in public areas and to ascertain the best method for abatement of mold. The committee shall consist of three Senators appointed by the President of the Senate, three members of the House of Representatives appointed by the Speaker of the House. The members of the study committee shall seek assistance from agencies and members of the private sector including, but not limited to, the Department on Health and Environmental Control, State Department of Education, Association of Counties, Municipal Association, University of South Carolina Arnold School of Public Health, Association of General Contractors, Realtors and Home Builders. The report is due to the General Assembly by 12/31/19 at which time the study committee is dissolved.