CHAPTER 5

State Health Planning and Development Act

**SECTION 44‑5‑10.** Short title.

This chapter may be cited as the "State Health Planning and Development Act".

HISTORY: 1962 Code Section 32‑501; 1968 (55) 2400; 1979 Act No. 45.

**SECTION 44‑5‑20.** Definitions.

As used in this chapter:

(1) The "state health planning and development agency" or "state agency" means the Department of Health and Environmental Control.

(2) The "federal act" means Public Law 93‑641, known as the National Health Planning and Resources Development Act of 1974 (Titles XV and XVI of the Public Health Services Act).

(3) "State program" means the state administrative program.

(4) "SHCC" means the South Carolina Statewide Health Coordinating Council.

(5) "The secretary" means the Secretary of the United States Department of Health, Education and Welfare.

(6) "Health systems agency" (HSA) means an entity which is organized, operated and designated in accordance with the federal act.

HISTORY: 1962 Code Section 32‑502; 1968 (55) 2400; 1971 (57) 901; 1979 Act No. 45.

**SECTION 44‑5‑40.** Development of state program; collection of statistics and other data regarding health planning and development.

The state health planning and development agency shall develop, in compliance with the federal act, a state program for health planning and development for approval by the secretary. The state agency shall make statistical reports and other reports deemed essential to the determination of the level of health status of services in the State and may collect such information required by the federal act. The state agency shall coordinate with the Revenue and Fiscal Affairs Office and other agencies as appropriate in order to identify the data necessary for health planning and to develop the systems necessary to collect the data within the appropriate organizational structure. All possible efforts should be made by the state agency to use existing data systems in an effort to avoid duplication of effort. Where information necessary for health planning is collected by any person other than the state agency, such information, if requested, shall be made available to the state agency provided any reasonable mandates, guidelines or restrictions concerning confidentiality and dissemination of information which are applicable to this information as originally collected are not violated. A written explanation of how such data and reports will be used, and in what form and text the information will be disseminated, will be provided to those persons providing the information at least fifteen days prior to the general distribution of the information. The state agency shall be responsible for the functions prescribed for it by the federal act. The state agency shall consult with the Governor during the planning process in sufficient time for input and interaction prior to final consideration of the state health plan. It is the intent of this provision to have consultation and cooperation between the state agency and the Governor in the preparation and development of the state health plan.

HISTORY: 1962 Code Section 32‑504; 1968 (55) 2400; 1979 Act No. 45.

Code Commissioner's Note

At the direction of the Code Commissioner, references in this section to the offices of the former State Budget and Control Board, Office of the Governor, or other agencies, were changed to reflect the transfer of them to the Department of Administration or other entities, pursuant to the directive of the South Carolina Restructuring Act, 2014 Act No. 121, Section 5(D)(1).

**SECTION 44‑5‑50.** Statewide health coordinating council.

The Governor shall appoint a statewide health coordinating council to perform functions in compliance with provisions of the federal act for SHCC.

HISTORY: 1962 Code Section 32‑505; 1968 (55) 2400; 1971 (57) 901; 1972 (57) 2382, 2392, 2616; 1979 Act No. 45.

**SECTION 44‑5‑60.** Meetings of Council.

The SHCC and any of its advisory committees shall conduct all of its business meetings in public and the SHCC shall meet at least once in each calendar quarter of a year.

HISTORY: 1962 Code Section 32‑506; 1968 (55) 2400; 1979 Act No. 45.

**SECTION 44‑5‑70.** Compensation of Council members.

The SHCC members, while serving on business of the SHCC, shall receive the usual per diem, mileage and subsistence as provided by law for members of state boards, commissions and committees.

HISTORY: 1962 Code Section 32‑507; 1968 (55) 2400; 1979 Act No. 45.

**SECTION 44‑5‑80.** Charge for cost of reproduction and handling of plans.

The state agency may levy a charge to cover costs of reproduction and handling to parties receiving copies of plans developed pursuant to this chapter.

HISTORY: 1962 Code Section 32‑508; 1968 (55) 2400; 1979 Act No. 45.

**SECTION 44‑5‑90.** Cooperation of other state departments with state agency.

All agencies, departments and commissions of the State may cooperate with the state agency in its health planning and development functions. Any agency, department or commission of the State which has authority, designated by statute or regulation, to administer state or state‑federal programs which involve related health functions shall cooperate with the state agency in its health planning and development functions so that these programs shall be properly considered in the overall state health plan and state medical facilities plan developed pursuant to this chapter.

HISTORY: 1962 Code Section 32‑509; 1968 (55) 2400; 1979 Act No. 45.

**SECTION 44‑5‑100.** Adoption of rules and regulations.

The state agency, with the advice of the SHCC, shall adopt such regulations as are reasonable and necessary in order to effectuate the provisions of this chapter.

HISTORY: 1962 Code Section 32‑510; 1968 (55) 2400; 1979 Act No. 45.