

## Session 118 - (2009-2010)

### S 0871 General Bill, By Thomas and Jackson

**Summary:** Adult Protection Coordinating Council

A BILL TO AMEND CHAPTER 21, TITLE 43 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION ON AGING IN THE OFFICE OF THE LIEUTENANT GOVERNOR, SO AS TO RENAME THIS THE OFFICE ON AGING IN THE OFFICE OF THE LIEUTENANT GOVERNOR; TO TRANSFER THE ADMINISTRATION AND OPERATION OF THE FOLLOWING SERVICES AND PROGRAMS TO THE OFFICE ON AGING: LOW INCOME HOME ENERGY ASSISTANCE PROGRAM, RESPITE CARE, HOME HEALTH SERVICES, VETERANS NURSING HOMES, C. M. TUCKER NURSING HOME AND OTHER LONG TERM CARE FACILITIES FOR PERSONS WHO ARE MENTALLY ILL, ADULT PROTECTION SERVICES, ADULT PROTECTION COORDINATING COUNCIL, MEDICAID TRANSPORTATION SERVICES, NURSING FACILITY SERVICES AND ADMINISTRATION, COMMUNITY LONG TERM CARE, PALMETTO SENIOR CARE, GAP ASSISTANCE PHARMACY PROGRAM FOR SENIORS, AND VETERANS AFFAIRS; TO PROVIDE THAT THE OFFICE ON AGING SHALL CONTRACT WITH THE APPROPRIATE STATE AGENCY TO PROVIDE LONG TERM CARE OMBUDSMAN SERVICES; TO ESTABLISH THE RESPITE CARE ADVISORY COUNCIL, THE HOME HEALTH ADVISORY COUNCIL, VETERANS NURSING HOMES ADVISORY COUNCIL, THE MEDICAID TRANSPORTATION ADVISORY COUNCIL, AND THE NURSING FACILITY ADVISORY COUNCIL, ALL TO ADVISE THE OFFICE ON AGING ON MATTERS PERTAINING TO THEIR RESPECTIVE AREAS OF EXPERTISE; TO AMEND SECTION 43-35-55, AS AMENDED, RELATING TO LAW ENFORCEMENT RESPONSIBILITIES WHEN TAKING A VULNERABLE ADULT INTO PROTECTIVE CUSTODY, SO AS TO PROVIDE THAT LAW ENFORCEMENT SHALL REPORT SUCH ACTION TO THE OFFICE ON AGING; TO AMEND SECTION 43-35-310, AS AMENDED, RELATING TO THE ADULT PROTECTION COORDINATING COUNCIL, SO AS TO PROVIDE THAT THIS COUNCIL IS UNDER THE AUSPICES OF THE OFFICE ON AGING; TO AMEND SECTION 44-6-30, AS AMENDED, RELATING TO DUTIES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, SO AS TO DELETE THE PROVISIONS AUTHORIZING THE DEPARTMENT TO ADMINISTER THE MEDICAID COMMUNITY LONG TERM CARE SYSTEM; TO AMEND SECTIONS 44-6-620, 44-6-630, 44-6-640, 44-6-650, 44-6-660, ALL AS AMENDED, ALL RELATING TO THE GAP ASSISTANCE PHARMACY PROGRAM FOR SENIORS, SO AS TO CONFORM THESE SECTIONS TO THE PROVISIONS OF THIS ACT TRANSFERRING THE ADMINISTRATION OF THIS PROGRAM TO THE OFFICE ON AGING; TO AMEND SECTION 44-11-10, RELATING TO THE DUTIES OF THE DEPARTMENT OF MENTAL HEALTH, SO AS TO DELETE THE PROVISION AUTHORIZING THE DEPARTMENT TO OPERATE LONG TERM CARE FACILITIES; AND TO AMEND SECTION 44-21-60, RELATING TO SERVICES INCLUDED IN THE FAMILY SUPPORT PROGRAM ADMINISTERED BY THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, SO AS TO DELETE RESPITE CARE FROM THIS PROGRAM; TO PROVIDE TRANSITION PROVISIONS, INCLUDING, BUT NOT LIMITED TO, EMPLOYEES AND POSITIONS, APPROPRIATIONS, AND REAL AND PERSONAL PROPERTY; AND TO REPEAL SECTIONS 44-1-200 AND 44-1-210 RELATING TO HOME HEALTH SERVICES PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND SECTIONS 44-11-30 AND 44-11-40 RELATING TO THE VETERANS NURSING HOMES OPERATED BY THE DEPARTMENT OF MENTAL HEALTH.

**05/20/09 Senate Introduced and read first time SJ-5**

**05/20/09 Senate Referred to Committee on Medical Affairs SJ-5**