PROVISO

SUBCOMMITTEE

RECOMMENDATIONS

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HEALTH,

HUMAN SERVICES,

AND

MEDICAID
~~~

PROVISO SUBCOMMITTEE
HEALTH, HUMAN SERVICES AND MEDICAID
RECOMMENDATIONS FOR FY 2010-11
TO THE HOUSE WAYS AND MEANS COMMITTEE

SECTION 21 - J02-DEPARTMENT OF HEALTH AND HUMAN SERVICES

21.31 **AMEND** (Offset Budget Reduction) Directs that if the B&C Board or General Assembly assesses a base budget reduction, the department is authorized to use funds carried forward from Program II.A.3.Z. Case Services/Public Assistance as well as funds appropriated in FY 09-10 for that purpose that are in excess of program requirements in order to offset FY 09-10 base budget reductions. Requires the department to enroll any child who qualifies into the program during FY 09-10.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change fiscal year references from FY "2009-10" to FY "2010-11." Fiscal Impact: No impact on the General Fund.

21.31. (DHHS: Offset Budget Reduction) In the event of a base budget reduction assessed by the Budget and Control Board or the General Assembly, the Department of Health and Human Services is authorized to utilize Program II. A. 3. Z. Case Services/Public Assistance funds carried forward from the prior fiscal year into the current fiscal year as well funds appropriated for the same purpose in Fiscal Year ~~2009-10~~ *2010-11* that are in excess of program requirements in order to offset Fiscal Year ~~2009-10~~ *2010-11* base budget reductions. The department shall be required to enroll into the program any child who qualifies during Fiscal Year ~~2009-10~~ *2010-11*.

21.27 **AMEND** (Upper Payment Limit for Non-State Owned Public Nursing Facilities) Directs the department to prepare and submit a state plan amendment to the Center for Medicare and Medicaid Services by August 1, 2009, to provide Medicaid supplemental payments to non-state owned public nursing facilities who qualify as Essential Public Safety Net providers. Directs that a report on the plan amendment be provided to the House Ways and Means and Senate Finance Committees by August 1st.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "August 1, 2009" to "August 12, 2010." Fiscal Impact: No impact on the General Fund.

21.27. (DHHS: Upper Payment Limit for Non-State Owned Public Nursing Facilities) The department shall prepare and submit to the Center for Medicare and Medicaid Services no later than August ~~1, 2009~~ *12,1010*, a state plan amendment to provide Medicaid supplemental payments to non-state owned public nursing facilities who qualify as Essential Public Safety Net providers. The department shall provide a report on the plan amendment to the House of Representatives Ways and Means Committee and the Senate Finance Committee by the aforementioned date.

21.40 **AMEND** (Community Health Plans) Directs the department to oversee all community health plans approved to operate as a pilot program for the purpose of providing health care. Directs that only plans that receive approval from the department and the Chairmen of the Senate Finance and Ways and Means Committees prior to January 1, 2009 be authorized to operate as an approved community health plan under this provision. Directs that an approved community health plan acting in accordance with these provisions shall not be considered as providing insurance or an unauthorized insurer. Requires the department to submit a report by 1/1/10, to specific Senate and House committee chairmen. Directs that the report include legislative recommendations, an overview and listing of approved community health plans, and individual reports prepared by each approved community health plan that provides an analysis of the

financial status of the program, data on the enrollees and participating health care providers, a description of services used, and other information as requested by the department or committees.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change January 1, "2010" to "2011." Fiscal Impact: No impact on the General Fund.

21.40. (DHHS: Community Health Plans) The Department of Health and Human Services shall oversee all community health plans approved to operate as a pilot program for the purpose of providing health care. Such oversight shall include the review and approval of the financial and business plan of the community health plan. Only those plans receiving approval from the department, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee prior to January 1, 2009 shall be authorized to operate as an approved community health plan pursuant to this provision. The department shall approve participation requirements of community health plans.

An approved community health plan acting in accordance with these provisions shall not be considered as providing insurance or an unauthorized insurer. The department shall submit a report no later than January 1, ~~2010~~ *2011*, to the Chairmen of the Senate Finance Committee; House Ways and Means Committee; Senate Medical Affairs Committee; House Medical, Military, Public and Municipal Affairs Committee; Senate Banking and Insurance Committee; and House Labor, Commerce and Industry Committee. The report shall include legislative recommendations, an overview of approved community health plans, a listing of all approved community health plans, and individual reports to be prepared by each approved community health plan providing an analysis of the financial status of the program, data on the enrollees and participating health care providers, a description of enrollee services utilized, and other information as requested by the department or committees.

21.pers **ADD** (Personal Emergency Response System) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize the department to consider using Personal Emergency Response Systems (PERS) units with additional functionality to include the use of a two button system that is UL or ETL certified. Fiscal Impact: No impact on the General Fund.

21.pers. *(DHHS: Personal Emergency Response System) The Department of Health and Human Services may consider the use of Personal Emergency Response Systems (PERS) units with additional functionality to include the use of a two button system that is UL or ETL certified.*

SECTION 22 - J04 - DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

22.5 **AMEND** (Cancer/Hemophilia) Prohibits $780,573 appropriated for prevention, detection, and surveillance of cancer and cancer treatment services and $1,698,571 appropriated for the hemophilia assistance program from being transferred to other programs within the agency. Provides the manner in which mandated budget reductions may be taken from this item.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "$780,573" to "$686,216" and "$1,698,571" to "$1,493,245." *Conform to recent budget reductions.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.

22.5. (DHEC: Cancer/Hemophilia) Notwithstanding any other provisions of this act, the funds appropriated herein for prevention, detection and surveillance of cancer as well as providing for cancer treatment services, ~~$780,573~~ *$686,216* and the hemophilia assistance program, ~~$1,698,571~~ *$1,493,245* shall not be transferred to other programs within the agency and when instructed by the Budget and Control Board or the General Assembly to reduce funds within the department by a certain percentage, the department may not act unilaterally to reduce the funds for any cancer treatment program and hemophilia assistance program provided for herein greater than such stipulated percentage.

22.9 **AMEND** (Emergency Medical Services) Provides for the allocation of Emergency Medical Services funds to counties to improve and upgrade the EMS system throughout the state. Prohibits $1,831,963 appropriated for Emergency Medical Services from being transferred to any other program. Authorizes unexpended funds to be carried forward. Provides the manner in which mandated budget reductions may be taken from this item.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "$1,831,963" to "$1,610,512." *Conform to recent budget reductions.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.

22.9. (DHEC: Emergency Medical Services) Funds appropriated herein for Emergency Medical Services, shall be allocated for the purpose of improving and upgrading the EMS system throughout the state. The monies allocated to the Counties are for the purpose of improving or upgrading the local EMS system through the licensed ambulance services, the monies allocated to the EMS Regional Councils are for the administration of training programs and technical assistance to local EMS organizations and county systems. All additional funds are to be allocated as follows: to the counties at the ratio of 81% of the additional funds appropriated herein, to the EMS Regions at a ratio of 12% of the additional funds appropriated herein and to the state EMS Office at the ratio of 7% of the additional funds appropriated herein. The Department of Health and Environmental Control shall develop criteria and guidelines and administer the system to make allocations to each region and county within the state, based on demonstrated need and local match. Funds appropriated, ~~$1,831,963~~ *$1,610,512*, to Emergency Medical Services shall not be transferred to other programs within the department's budget. Unexpended funds appropriated to the program may be carried forward to succeeding fiscal years and expended for administrative and operational support and for temporary and contract employees to assist with duties related to improving and upgrading the EMS system throughout the state, including training of EMS personnel and administration of grants to local EMS providers. In addition, when instructed by the Budget and Control Board or the General Assembly to reduce funds by a certain percentage, the department may not reduce the funds appropriated for EMS Regional Councils or Aid to Counties greater than such stipulated percentage.

22.10 **AMEND** (Rape Violence Prevention Contract) Directs that $586,346 of Rape Violence Prevention funds be used to support rape crisis centers programmatic efforts by distributing these funds based on DHEC Rape Violence Prevention Program service standards and each center's accomplishment of a pre-approved annual action plan.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "$586,346" to "$513,481." *Conform to recent budget reductions.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.

22.10. (DHEC: Rape Violence Prevention Contract) Of the amounts appropriated in Rape Violence Prevention, ~~$586,346~~ *$513,481* shall be used to support programmatic efforts of the state's rape crisis centers with distribution of these funds based on the Department of Health and Environmental Control Rape Violence Prevention Program service standards and each center's accomplishment of a pre-approved annual action plan.

22.12 **AMEND** (Sickle Cell Programs) Directs that $1,089,311 is appropriated for Sickle Cell program services and directs that 67% of the funds be divided equitably between existing Community Based Sickle Cell Programs in Spartanburg, Columbia, Orangeburg, and Charleston; and 33% of the funds be used for the Community Based Sickle Cell Program at DHEC. Directs that the funds be used for prevention and educational programs, testing, counseling and newborn screening. Provides the manner in which mandated budget reductions may be taken from this item. Prohibits these funds from being transferred for any other purpose.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "$1,089,311" to "$957,633." *Conform to recent budget reductions.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.

22.12. (DHEC: Sickle Cell Programs) ~~$1,089,311~~ *$957,633* is appropriated for Sickle Cell program services and shall be apportioned as follows:

(1) 67% is to be divided equitably between the existing Community Based Sickle Cell Programs located in Spartanburg, Columbia, Orangeburg, and Charleston; and

(2) 33% is for the Community Based Sickle Cell Program at DHEC.

The funds shall be used for providing prevention programs, educational programs, testing, counseling and newborn screening. The balance of the total appropriation must be used for Sickle Cell Services operated by the Independent Living program of DHEC. The funds appropriated to the community based sickle cell centers shall be reduced to reflect any percent reduction assigned to the Department of Health and Environmental Control by the Budget and Control Board; provided, however, that the department may not act unilaterally to reduce the funds for the Sickle Cell program greater than such stipulated percentage. The department shall not be required to undertake any treatment, medical management or health care follow-up for any person with sickle cell disease identified through any neonatal testing program, beyond the level of services supported by funds now or subsequently appropriated for such services. No funds appropriated for ongoing or newly established sickle cell services may be diverted to other budget categories within the DHEC budget.

22.13 **AMEND** (Genetic Services) Directs that $148,954 under the Independent Living program is to be used to provide appropriate genetic services to medically needy and underserved persons. Directs that the funds be divided equally among the three Regional Genetic Centers of South Carolina, composed of units from MUSC, USC School of Medicine, and the Greenwood Genetic Center.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "$148,954" to "$130,948." *Conform to recent budget reductions.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.

22.13. (DHEC: Genetic Services) The sum of ~~$148,954~~ *$130,948* appearing under the Independent Living program of this act shall be appropriated to and administered by the Department of Health and Environmental Control for the purpose of providing appropriate genetic services to medically needy and underserved persons. Such funds shall be used by the

department to administer the program and to contract with appropriate providers of genetic services. Such services will include genetic screening, laboratory testing, counseling, and other services as may be deemed beneficial by the department, and these funds shall be divided equally among the three Regional Genetic Centers of South Carolina, composed of units from the Medical University of South Carolina, the University of South Carolina School of Medicine, and the Greenwood Genetic Center.

22.35 **AMEND** (South Carolina State Trauma Care Fund) Directs that $3,353,952 of State Trauma Care Fund monies be used to increase the reimbursement rates for trauma hospitals, for trauma specialists' professional fee, for increasing the capability of EMS trauma care providers from counties with a high rate of traumatic injury deaths to care for injury patients, and to support the trauma system. Provides the percentage methodology to be used to disburse the funds.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "$3,353,952" to "$2,948,519." *Conform to recent budget reductions.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.

22.35. (DHEC: South Carolina State Trauma Care Fund) Of the funds appropriated to the South Carolina State Trauma Care Fund, ~~$3,353,952~~ *$2,948,519* shall be utilized for increasing the reimbursement rates for trauma hospitals, for trauma specialists' professional fee, for increasing the capability of EMS trauma care providers from counties with a high rate of traumatic injury deaths to care for injury patients, and for support of the trauma system, based on a methodology as determined by the department with guidance and input from the Trauma Council as established in Section 44-61-530 of the South Carolina Code of Laws. The methodology to be developed will include a breakdown of disbursement of funds by percentage, with a proposed 76.5% disbursed to hospitals and trauma physician fees, 16% of the 21% must be disbursed to EMS providers for training EMTs, Advanced EMTs and paramedics by the four regional councils of this state and the remaining 5% must be disbursed to EMS providers in counties with high trauma mortality rates, and 2.5% allocated to the department for administration of the fund and support of the trauma system. The Department of Health and Environmental Control shall promulgate regulations as required in Section 44-61-540 of the 1976 Code for the administration and oversight of the Trauma Care Fund.

22.38 **AMEND** (Pharmacist Permits) Suspends DHEC from provisions relating to requirements that all department facilities that distribute or dispense prescription drugs must be permitted by the Board of Pharmacy and that each pharmacy have a pharmacist in charge. Requires each DHEC Health Region to have a permit to distribute or dispense prescription drugs. Allows a department pharmacist to serve as the pharmacist-in-charge without being physically present in the pharmacy and allows the department to designate that one pharmacist-in-charge to serve more than one health region. Directs that only pharmacists, nurses, or physicians may dispense and provide prescription drugs/products/vaccines for Family Planning, tuberculosis, sexually transmitted diseases, immunizations, hemophilia, or HIV/AIDS at department facilities. Directs that other medications could be dispensed as necessary in the event of a public health emergency or if the strategic national stockpile is activated.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change the authorization for the department to designate that one pharmacist-in-charge may serve more than one "health region" to more than one "department facility." Delete the specific conditions for which medication may be dispensed and instead direct that medications may be dispensed for conditions or diseases that DHEC treats, monitors, or investigates. Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.

22.38. (DHEC: Pharmacist ~~Permits~~ *Services*) For the current fiscal year, provisions requiring that all department facilities distributing or dispensing prescription drugs be permitted by the Board of Pharmacy and that each pharmacy have a pharmacist-in-charge are suspended. Each Department of Health and Environmental Control Public Health Region shall be required to have a permit to distribute or dispense prescription drugs. A department pharmacist may serve as the pharmacist-in-charge without being physically present in the pharmacy. The department is authorized to designate one pharmacist-in-charge to serve more than one ~~health region~~ *department facility*. Only pharmacists, nurses, or physicians are allowed to dispense and provide prescription drugs/products/vaccines ~~at department facilities for Family Planning, tuberculosis, sexually transmitted diseases, immunizations, hemophilia, or HIV/AIDS~~ *for conditions or diseases that the department treats, monitors, or investigates*. In the event of a public health emergency or upon activation of the strategic national stockpile, other medications may be dispensed as necessary.

22.con **ADD** (Certificate of Need) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that a Certificate of Need awarded by the department is valid for one year. Authorize the department to grant two extensions of up to nine months each if there is evidence that substantial progress has been made. Authorize the DHEC board to grant further extension of up to nine months each only if it determines that substantial progress has been made. *Increases the time for CON implementation from six months to one year and increases extensions from six to nine months. Staffing has been reduced due to budget reductions and this increased time frame will help with workloads.* Fiscal Impact: The department states this will potentially allow the deferral of hiring additional staff to review CONs in order to meet mandated deadlines, since staff currently devoted to processing extension requests may be redirected to CON application review. Requested by: Department of Health and Environmental Control.

22.con. *(DHEC: Certificate of Need) A Certificate of Need, awarded by the department, is valid for one year from the date of issuance. The department may grant two extensions of up to nine months each upon evidence that substantial progress has been made in accordance with procedures set forth in regulations. The board may grant further extension of up to nine months each only if it determines that substantial progress has been made in accordance with the procedures set forth in regulations.*

22.ms **ADD** (Metabolic Screening) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize the department to suspend any blood sample storage activity as outlined in Section 44-37-30 (D) and (E) [NEONATAL TESTING OF CHILDREN: STORAGE AND AVAILABILITY OF BLOOD SAMPLES FOR FUTURE TESTS] if there is not adequate state funds to support the storage requirements. Direct that in that event, after testing the samples may be destroyed in a scientifically appropriate manner. Require the department to notify providers of the suspension within 30 days of its effective date. *Provides the department more flexibility in managing mandated requirements in view of recent budget reductions.* Fiscal Impact: The department states administrative expenses of blood sample storage would be reduced. Requested by Department of Health and Environmental Control.

22.ms. *(DHEC: Metabolic Screening) The department may suspend any activity related to blood sample storage as outlined in Section 44-37-30 (D) and (E) of the 1976 Code, if there are insufficient state funds to support the storage requirements. In that event, the samples may be*

destroyed in a scientifically appropriate manner after testing. The department shall notify providers of the suspension within 30 days of its effective date.

SECTION 23 - J12 - DEPARTMENT OF MENTAL HEALTH

23.8 **AMEND** (Alzheimer's Funding) Requires the department to use $1,000,000 of Community Mental Health Centers funding to contract to provide Alzheimers respite care and diagnostic services to those who qualify as determined by the Alzheimer's Disease and Related Disorders Association and to maximize federal matching dollars. Requires the association to annually submit by September 30th an annual financial statement and outcomes measures attained for the fiscal year just ended to the Governor, Senate Finance & Ways and Means Committees. Prohibits these funds from being expended or transferred during the current fiscal year until the required reports have been received by the specified entities. Directs that when instructed by the B&C Board or the General Assembly to reduce funds by a certain percentage, the department may not reduce the funds transferred to the Alzheimer's Disease and Related Disorders Association greater than such stipulated percentage.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "$1,000,000" to "$911,620." *Conform to recent budget reductions.* Fiscal Impact: No impact on the General Fund.

23.8. (DMH: Alzheimer's Funding) Of the funds appropriated to the Department of Mental Health for Community Mental Health Centers, ~~$1,000,000~~ *$911,620* must be used for contractual services to provide respite care and diagnostic services to those who qualify as determined by the Alzheimer's Disease and Related Disorders Association. The department must maximize, to the extent feasible, federal matching dollars. On or before September 30 of each year, the Alzheimer's Disease and Related Disorders Association must submit to the department, Governor, Senate Finance Committee, and House Ways and Means Committee an annual financial statement and outcomes measures attained for the fiscal year just ended. These funds may not be expended or transferred during the current fiscal year until the required reports have been received by the department, Governor, Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. In addition, when instructed by the Budget and Control Board or the General Assembly to reduce funds by a certain percentage, the department may not reduce the funds transferred to the Alzheimer's Disease and Related Disorders Association greater than such stipulated percentage.

23.10 **DELETE** (Colleton County VA Home) Directs that any under budget surplus from construction of the Colleton County VA Home be first used to satisfy DMH's loan and any monies due to the federal government. Direct that any remaining funds be refunded to Colleton County in the appropriate proportion which reflects Colleton County's cost share contribution.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The project is closed.* Fiscal Impact: No impact on the General Fund. Requested by Department of Mental Health.

23.10. (DMH: Colleton County VA Home) ~~Any under budget surplus from construction of the VA Home in Colleton County shall first be used to satisfy the Department of Mental Health's loan and any monies due to the federal government. Any remaining funds shall be refunded to Colleton County in the appropriate proportion reflecting Colleton County's cost share contribution.~~

23.11 **DELETE** (Children's Facility Construction) Directs that if an award is not made from bids received during FY 2005-06 to provide services at the Hall Institute, the department must begin proceedings to construct a new child and adolescent facility with funds that have been retained for that purpose in order to provide placement for the children and adolescents that must be moved from the Bull Street campus.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The project has changes scope and the proviso is no longer applicable. JBRC has allowed for renovations to the Hall Institute in lieu of constructing a new child and adolescent facility.* Fiscal Impact: No impact on the General Fund. Requested by Department of Mental Health.

23.11. (DMH: Children's Facility Construction) ~~If no award is made from bids received during FY 2005-06 for the provision of services provided at the William S. Hall Institute, the department must begin proceedings for the construction of new a child and adolescent facility with funds that have been retained for this purpose in order to provide placement for children and adolescents that must be moved from the Bull Street campus.~~

23.14 **DELETE** (Borrowing Authorization to Relocate Child and Adolescent Facility) Authorizes the department, subject the JBRC review and B&C Board approval, to borrow up to $24,000,000 to construct and equip a new child and adolescent facility to provide placement for children and adolescents that must be moved from the Bull Street Campus. Authorizes the State Treasurer to negotiate financing terms and conditions, which may include one or more bank loans, revenue bonds, intergovernmental loans, or other financing arrangements and directs that the indebtedness must be repaid from proceeds of the sale of the Bull Street property.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The project has changes scope and the proviso is no longer applicable. JBRC has allowed for renovations to the Hall Institute in lieu of constructing a new child and adolescent facility.* Fiscal Impact: No impact on the General Fund. Requested by Department of Mental Health.

23.14. (DMH: Borrowing Authorization to Relocate Child and Adolescent Facility) ~~Subject to the review of the Joint Bond Review Committee and approval of the Budget and Control Board, the Department of Mental Health is hereby authorized to borrow an amount not to exceed $24,000,000 for the purpose of constructing and equipping a new child and adolescent facility in order to provide placement for children and adolescents that must be moved from the Bull Street Campus. The State Treasurer is authorized to negotiate the terms and conditions of the financing arrangements necessary to effect this borrowing, which may include one or more bank loans, revenue bonds, intergovernmental loans or other financing arrangements, the indebtedness for which must be repaid from proceeds of the sale of the Bull Street property.~~

23.meo **ADD** (Meals in Emergency Operations) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize the department to provide the cost of meals to state employees who are not permitted to leave their stations when they are required to work during actual emergencies and emergency simulation exercises. *Allows the agency to provide meals to employees during disaster relief efforts.* Fiscal Impact: No impact on the General Fund. Requested by Department of Mental Health.

23.meo. *(DMH: Meals in Emergency Operations) The cost of meals may be provided to state employees who are required to work during actual emergencies and emergency simulation exercises when they are not permitted to leave their stations.*

SECTION 25 - J20 - DEPARTMENT OF ALCOHOL & OTHER DRUG ABUSE SERVICES

25.3 **AMEND** (Eligibility for Treatment Services) Directs that any South Carolina resident, upon payment of all applicable fees, is eligible to take part in treatment programs offered by the department during FY 09-10.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change fiscal year from "2009-10" to "2010-11." Fiscal Impact: No impact on the General Fund.

25.3. (DAODAS: Eligibility for Treatment Services) Upon the payment of all applicable fees, any resident of South Carolina is eligible to take part in the treatment programs offered by the Department of Alcohol and Other Drug Abuse Services during the ~~2009-10~~ *2010-11* fiscal year.

SECTION 26 - L04 - DEPARTMENT OF SOCIAL SERVICES

26.7 **AMEND** (Fee Schedule) Authorized DSS to charge fees and accept donations, grants, and bequests for social services provided under their direct responsibility on the basis of a fee schedule approved by the B&C Board. Directs the department to use the fees to further develop and administer the program efforts. Establishes the fee schedule for the current fiscal year.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to add a $50 fee for the Responsible Father Registry Search. *Act 41 of 2009 enacted the Responsible Father Registry. The $50 fee is in line with various other Putative Father Registries around the country.* Fiscal Impact: No impact on the General Fund. OSB states that the department estimates $50,000 will be generated annually from the Responsible Father Registry Search. Requested by Department of Social Services.

26.7. (DSS: Fee Schedule) The Department of Social Services shall be allowed to charge fees and accept donations, grants, and bequests for social services provided under their direct responsibility on the basis of a fee schedule approved by the Budget and Control Board. The fees collected shall be utilized by the Department of Social Services to further develop and administer these program efforts. The below fee schedule is established for the current fiscal year.

Day Care
- Family Child Care Homes (up to six children) ..... $ 15
- Group Child Care Homes (7-12 children) ..... $ 30
- Registered Church Child Care (13+) ..... $ 50
- Licensed Child Care Centers (13-49) ..... $ 50
- Licensed Child Care Centers (50-99) ..... $ 75
- Licensed Child Care Centers (100-199) ..... $ 100
- Licensed Child Care Centers (200+) ..... $ 125

Central Registry Checks
- Non-profit Entities ..... $ 8
- For-profit Agencies ..... $ 25

State Agencies ..... $ 8
Schools ..... $ 8
Day Care ..... $ 8
Other – Volunteer Organizations ..... $ 8
Other Children's Services
Services Related to Adoption of Children from
Other Countries ..... $ 225
Court-ordered Home Studies in Non-DSS Custody Cases ..... $ 850
Licensing Residential Group Homes Fee for an
Initial License ..... $ 250
For Renewal ..... $ 75
Licensing Child Caring Institutions Fee for an
Initial License ..... $ 500
For Renewal ..... $ 100
Licensing Child Placing Agencies Fee for an
Initial License ..... $ 500
For Renewal ..... $ 60
For Each Private Foster Home Under the
Supervision of a Child Placing Agency ..... $ 15
Responsible Father Registry
Registry Search ..... $ 50

26.24 **AMEND** (Day Care Facilities Supervision Ratios) Prohibits the department from implementing Regulations 114-504(B) and (C) [DAY CARE FACILITIES SUPERVISION STAFF:CHILD RATIOS FOR LICENSED CENTERS] during the Fiscal Year 2009-10.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year "2009-10" to 2010-11." Fiscal Impact: No impact on the General Fund.

26.24. (DSS: Day Care Facilities Supervision Ratios) For Fiscal Year ~~2009-10~~ *2010-11*, staff-child ratios contained in Regulations 114-504(B), 114-504(C), 114-524(B), and 114-524(C) shall remain at the June 24, 2008 levels.

SECTION 90 - X91 - STATEWIDE REVENUE

90.6 **DELETE** (Health and Human Services Funding) Directs that $450,762,894 of Department of Health and Human Services general fund appropriations, carry forward funds, earmarked and restricted special revenue fund accounts, and unobligated state match resulting from the increased FMAP provided by ARRA of 2009 are to be disbursed to specified agencies for specific purposes. Directs that the funds be distributed, at a minimum, in four equal disbursements on a quarterly basis. Directs that $225,945,013 of these funds is to be transferred to the General Fund. Creates the Health Care Annualization and Maintenance of Effort Fund within the State Treasurer's Office to be used solely for health care purposes. Directs all agencies, unless specifically exempted, to transfer to the State Treasurer for deposit into the Health Care Annualization and Maintenance of Effort Fund, unobligated state match funds resulting from the increased FMAP funds they received.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. Fiscal Impact: No impact on the General Fund. This proviso was for FY 2009-10 only.

90.6. (SR: Health and Human Services Funding) ~~The source of funds appropriated in this provision is $450,762,894 of Department of Health and Human Services general fund appropriations, carry forward funds, earmarked and restricted special revenue fund accounts, and unobligated state match funds resulting from the increased Federal Medical Assistance Percentage provided by the American Recovery and Reinvestment Act of 2009. The funds designated herein shall be distributed, at a minimum, in four equal disbursements on a quarterly basis.~~

~~Of these funds, the department is directed to transfer $225,945,013 to the General Fund of the State during the current fiscal year.~~

~~Of these funds, the department is directed to disburse the following Department of Health and Human Services appropriations for the purposes stated:~~

~~A. Transitional Medicaid ..... $ 4,250,000;~~
~~B. HIV Waiver ..... $ 56,000;~~
~~C. Breast and Cervical Cancer Screenings ..... $ 1,600,000;~~
~~D. Childcare Disregards ..... $ 2,300,000;~~
~~E. Community Long-Term Care ..... $ 575,000;~~
~~F. Psychiatric Residential Treatment Facility Waiver ..... $ 142,000;~~
~~G. Maintenance of Effort ..... $ 98,897,191~~
~~H. Hospital Cost Rates ..... $ 3,500,000;~~
~~I. Nursing Home Maintenance of Effort and Rate Restoration ..... $ 4,958,000;~~
~~J. Adult Dental Services ..... $ 1,400,000;~~
~~K. Podiatry Services ..... $ 354,000;~~
~~L. Adult Vision Screenings ..... $ 354,000;~~
~~M. Nutritional Supplements ..... $ 177,000;~~
~~N. Allied Health Counseling Sessions ..... $ 177,000;~~
~~O. Speech Therapy ..... $ 177,000;~~
~~P. Home Health Visits ..... $ 495,000;~~
~~Q. Home Health Venipuncture ..... $ 125,000;~~
~~R. CLTC Home Health Meals ..... $ 557,000;~~
~~S. Wheelchair Ramps ..... $ 195,000;~~
~~T. MUSC Disproportionate Share ..... $ 7,500,000;~~
~~U. GAPS ..... $ 4,000,000;~~
~~V. Diabetes ..... $ 210,000;~~
~~W. SYVEK Patch ..... $ 200,000;~~
~~X. MUSC Transplant Services ..... $ 100,000;~~
~~Y. Kidney Early Evaluation Program (KEEP) Health Screenings ..... $ 250,000;~~
~~Z. Supplemental Medicaid Teaching Physician Payments ..... $ 1,000,000;~~
~~AA. Federally Qualified Health Centers ..... $ 750,000;~~
~~BB. MUSC Rural Dentist Program ..... $ 250,000;~~
~~CC. Shared Care ..... $ 500,000;~~
~~DD. OB & Delivery Rates ..... $ 1,141,000; and~~
~~EE. Durable Medical Goods ..... $ 770,000.~~

~~A Medicaid Managed Care Organization or its Pharmacy Benefits Manager (PBM) is encouraged to contract with any Medicaid enrolled Durable Medical Equipment (DME) provider using the appropriate NDC or UPC for billing purposes, for the provision of durable medical equipment and supplies, including diabetic testing strips and meters. Due to the number of Medicaid beneficiaries that receive their durable medical equipment and supplies~~

~~through mail delivery, a Medicaid Managed Care Organization is encouraged to contract with DME providers that provide diabetic testing supplies via mail order.~~

~~Of these funds the department is further directed to transfer the following amounts to the Department of Health and Environmental Control for the purposes stated:~~

~~A. Vaccine Purchases for Underinsured Children ..... $ 2,000,000;~~
~~B. EMS Statewide Data System ..... $ 500,000;~~
~~C. Environmental/Restaurant/Septic Inspections ..... $ 1,000,000;~~
~~D. Water Quality Monitoring ..... $ 1,376,199;~~
~~E. Health Regulation - Nursing Home Inspections ..... $ 400,000;~~
~~F. Aids Drug Assistance Program (ADAP) ..... $ 2,400,000;~~
~~G. Infant Mortality Reduction ..... $ 1,000,000;~~
~~H. BabyNet ..... $ 1,600,000;~~
~~I. Trauma Centers ..... $ 3,000,000;~~
~~J. Best Chance Network ..... $ 2,000,000;~~
~~K. Chronic Disease Prevention - Diabetes ..... $ 2,000,000;~~
~~L. Youth Smoking Prevention & Cessation ..... $ 2,000,000;~~
~~M. Colorectal Cancer Screenings ..... $ 1,000,000;~~
~~N. Camp Burnt Gin ..... $ 200,000;~~
~~O. Hemophilia Services ..... $ 100,000;~~
~~P. Rural Hospital Grants ..... $ 4,000,000;~~
~~Q. HIV Prevention ..... $ 1,000,000;~~
~~R. Rural Hospital Equipment and Facilities ..... $ 2,000,000; and~~
~~S. USC Rural Health Clinics ..... $ 3,000,000.~~

~~Of these funds the department is further directed to transfer the following amounts to the Department of Mental Health for the purposes stated:~~

~~A. Community Mental Health Centers ..... $ 9,000,000; and~~
~~B. Inpatient Services Restoration ..... $ 10,000,000.~~

~~Of these funds the department is further directed to transfer the following amounts to the Department of Disabilities and Special Needs for the purposes stated:~~

~~A. Attrition Slots MR/RD Waiver ..... $ 329,511;~~
~~B. Attrition Slots HASCI Waiver ..... $ 327,600;~~
~~C. Early Intervention Services to Children ..... $ 1,351,003;~~
~~D. Day Support ..... $ 3,819,978;~~
~~E. Residential Day Support Provider Adjustment ..... $ 1,833,210;~~
~~F. Restoration of Waiver Capacity Reductions ..... $ 829,617;~~
~~G. Service Coordination Restoration ..... $ 3,350,831;~~
~~H. Ancillary Waiver Services ..... $ 1,500,000;~~
~~I. Residential Services ..... $ 984,000;~~
~~J. Traumatic Brain or Spinal Cord Injury Post Acute Rehabilitation ..... $ 1,650,000;~~
~~K. Family Support/Respite ..... $ 550,000; and~~
~~L. Summer Services ..... $ 709,741.~~

~~Of these funds the department is further directed to transfer $1,200,000 to the Department of Alcohol and Other Drug Abuse Services of which $1,000,000 shall be utilized for State Block Grant.~~

~~Of these funds the department is further directed to transfer the following amounts to the Department of Social Services for the purposes stated:~~

~~A. Child Support Enforcement System Development & Penalty ..... $ 13,436,000; and~~

~~B. Operating Expenses.....$ 350,000.~~

~~Of these funds the department is further directed to transfer $140,000 to the Commission for the Blind.~~

~~Of these funds the department is further directed to transfer $100,000 to the Governor's Office of Executive Policy and Programs for Children's Trust Fund Prevention of Child Abuse and Neglect Matching Funds.~~

~~Of these funds the department is further directed to transfer $3,050,000 to the Lieutenant Governor's Office of which $2,900,000 shall be utilized for Home and Community Based Services - Meals on Wheels and Congregate Meals.~~

~~Of these funds the department is further directed to transfer $50,000 to the Human Affairs Commission.~~

~~Of these funds the department is further directed to transfer $20,000 to the Commission on Minority Affairs.~~

~~Of these funds the department is further directed to transfer $700,000 to John de la Howe School of which $600,000 shall be utilized for Roof Repair.~~

~~Of these funds the department is further directed to transfer $2,000,000 to Vocational Rehabilitation for Restoration of Services.~~

~~Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.~~

~~There is created with the State Treasurer's Office the Health Care Annualization and Maintenance of Effort Fund which shall be separate and distinct from the General Fund and shall be used exclusively for health care purposes. All agencies, unless specifically exempt by another provision contained in this act, shall transfer unobligated state match funds resulting from the receipt of the increased Federal Medical Assistance Percentage to the State Treasurer to be deposited into the Health Care Annualization and Maintenance of Effort Fund.~~