**A** **BILL**

TO AMEND SECTION 44‑7‑130 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE STATE CERTIFICATION OF NEED AND HEALTH FACILITIES LICENSURE ACT, TO DEFINE CRISIS STABILIZATION UNIT FACILITY; TO AMEND SECTION 44‑7‑170(B), RELATING TO THE APPLICABILITY OF THE CERTIFICATE OF NEED PROCESS TO CERTAIN PROJECTS, TO MAKE THE CERTIFICATE OF NEED PROCESS INAPPLICABLE TO CRISIS STABILIZATION UNIT FACILITIES; AND TO AMEND SECTION 44‑7‑260(A), RELATING TO REQUIREMENTS FOR LICENSURE FOR HEALTH FACILITIES, TO REQUIRE CRISIS STABILIZATION UNIT FACILITIES OBTAIN A LICENSE FROM THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 44‑7‑130 of the 1976 Code is amended by adding:

“(26) ‘Crisis stabilization unit facility’ means a facility operated or authorized by the Department of Mental Health that provides a short‑term residential program, offering psychiatric stabilization services; detoxification services; and brief, intensive crisis services twenty‑four hours a day, seven days a week.”

SECTION 2. Section 44‑7‑170(B) of the 1976 Code is amended to read:

“(B) This article does not apply to:

(1) an expenditure by or on behalf of a health care facility for nonmedical projects for services such as refinancing existing debt, parking garages, laundries, roof replacements, computer systems, telephone systems, heating and air conditioning systems, upgrading facilities which do not involve additional square feet or additional health services, replacement of like equipment with similar capabilities, or similar projects as described in regulations;

(2) facilities owned and operated by the South Carolina Department of Mental Health and the South Carolina Department of Disabilities and Special Needs, except an addition of one or more beds to the total number of beds of the departments’ health care facilities existing on July 1, 1988;

(3) educational and penal institutions maintaining infirmaries for the exclusive use of student bodies and inmate populations;

(4) any federal health care facility sponsored and operated by this State;

(5) community‑based housing designed to promote independent living for persons with mental or physical disabilities. This does not include a facility defined in this article as a ‘health care facility’;

(6) kidney disease treatment centers including, but not limited to, free standing hemodialysis centers and renal dialysis centers;

(7) health care facilities owned and operated by the federal government~~.~~; and

(8) crisis stabilization unit facilities.”

SECTION 3. Section 44‑7‑260(A) of the 1976 Code is amended to read:

“Section 44-7-260. (A) If they provide care for two or more unrelated persons, the following facilities or services may not be established, operated, or maintained in this State without first obtaining a license in the manner provided by this article and regulations promulgated by the department:

(1) hospitals, including general and specialized hospitals;

(2) nursing homes;

(3) residential treatment facilities for children and adolescents;

(4) ambulatory surgical facilities;

(5) ~~Reserved~~ crisis stabilization unit facilities;

(6) community residential care facilities;

(7) facilities for chemically dependent or addicted persons;

(8) end‑stage renal dialysis units;

(9) day‑care facilities for adults;

(10) any other facility operating for the diagnosis, treatment, or care of persons suffering from illness, injury or other infirmity and for which the department has adopted standards of operation by regulation.

(11) intermediate care facilities for persons with intellectual disability;

(12) freestanding or mobile technology.

(13) facilities wherein abortions are performed.

(14) birthing centers.”

SECTION 4. This act takes effect upon approval by the Governor.

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