

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

SECTION 23 - H51-MEDICAL UNIVERSITY OF SOUTH CAROLINA

- 23.2 CONFORM TO FUNDING** (Telemedicine) Directs the MUSC Hospital Authority to use the \$8,000,000 appropriated to MUSC for the Authority to continue to develop the Telemedicine network and to determine which hospitals are best suited for a Telemedicine partnership.
SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

23.2. (MUSC: Telemedicine) From the \$8,000,000 appropriated to the Medical University of South Carolina for the MUSC Hospital Authority, the Authority is directed to continue the development of its Telemedicine network. The MUSC Hospital Authority shall determine which hospitals are best suited for a Telemedicine partnership.

SECTION 33 - J02-DEPARTMENT OF HEALTH AND HUMAN SERVICES

- 33.9 DELETE** (Provider Reimbursement Rate Report) Requires the department in conjunction with the B&C Board, Office of Research and Statistics prepare a report comparing the reimbursement rate of Medicaid providers to the reimbursement rate of the Medicare Program and the State Health Plan. Directs that the report be submitted to the Governor and to members of the General Assembly
WMC: DELETE proviso. *Funds directed toward this report could be used for Medicaid services.* Requested by Department of Health and Human Services.
HOU: ADOPT deletion of proviso.
SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

33.9. (DHHS: Provider Reimbursement Rate Report) ~~The Department of Health and Human, in conjunction with the Office of Research and Statistics of the Budget and Control Board, shall prepare a report that compares the reimbursement rate of Medicaid providers to the reimbursement rate of the Medicare Program and the State Health Plan. This report shall be completed by January thirty first, each year, and submitted to the Governor and the members of the General Assembly.~~

- 33.16 AMEND** (Medicaid Cost and Quality Effectiveness) Directs the department to establish a procedure to assess the various forms of managed care to measure cost effectiveness and quality. Requires the cost effectiveness measures include a comparison of managed care vs. fee-for-service and requires annual healthcare report cards for each managed care plan participating in the Medicaid program.
WMC: AMEND proviso to delete specific references to types of managed care and refer to “health care delivery systems” instead. Direct the identifiable benchmarks be measured annually that broadly address agency program areas and initiatives using national and state measures and delete the directive that HEDIS be used for quality measurement and be performed by an independent 3rd party. *The agency is moving towards the Managed Care Organization model. Medical Home Networks, as they exist today, will no longer be available through the SC Medicaid program. Updates terminology more in line with efforts of the Coordinated Care Group.* Requested by Department of Health and Human Services.
HOU: ADOPT proviso as amended.
SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

33.16. (DHHS: Medicaid Cost and Quality Effectiveness) The Department of Health and Human Services shall establish a procedure to assess the various forms of ~~managed care~~

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

~~(Health Maintenance Organizations and Medical Home Networks, and any other forms authorized by the department) *health care delivery systems* to measure cost effectiveness and quality. These measures must be compiled on an annual basis *on identifiable benchmarks. These measures must broadly address agency program areas and initiatives using national and state measures.* The Healthcare Effectiveness Data and Information Set (HEDIS) shall be utilized for quality measurement and must be performed by an independent third party according to HEDIS guidelines. Cost effectiveness shall be determined in an actuarially sound manner and data must be aggregated in a manner to be determined by a third party in order to adequately compare cost effectiveness of the different managed care programs versus Medicaid fee for service. The methodology must use appropriate case-mix and actuarial adjustments that allow cost comparison of managed care organizations, medical home networks, and fee for service. The department shall issue *an* annual healthcare report cards for each participating Medicaid managed care plan and Medical Home Network operating in South Carolina and the Medicaid fee for service program *of statewide measures deemed appropriate by the department required under state and federal guidelines.* The report card measures shall be developed by the department and the report card shall be formatted in a clear, concise manner in order to be easily understood by Medicaid beneficiaries *and other stakeholders.* The *annual* results of the cost effectiveness calculations, quality measures and the report cards shall be made public on the department's website by December thirty-first for the prior state fiscal year.~~

- 33.20 DELETE** (Community Health Plans) Requires the Department to oversee all community health plans approved to operate as a pilot program for the purpose of providing health care. Directs that such oversight shall include the review and approval of the financial and business plan of the community health plan.
WMC: DELETE proviso. *This activity is not a core function of the Medicaid program.*
HOU: ADOPT deletion of proviso.
SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**33.20.** (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.~~

- 33.23 DELETE** (Medicaid Reporting) Directs the department to report quarterly on all cost-saving measures they have implemented; designates what information shall be reported by county; and directs the reports be posted on the department's website.
WMC: DELETE proviso. *Agency monitors such impacts.* Requested by Department of Health and Human Services.
HOU: ADOPT deletion of proviso.
SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**33.23.** (DHHS: Medicaid Reporting) Within ninety days of the end of each quarter during the current fiscal year, the department shall report each cost savings measure implemented. By~~

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

county, the department shall report the number of enrolled and active providers by provider type, provider specialty and sub-specialty, the number of recipients, the number of recipients by provider type, the expenditures by provider type and specialty, and service level utilization trends. The department shall continue to annually report HEDIS measures, noting where measures improve or decline. Each report shall be prominently displayed on the department's website.

33.24 **AMEND** (~~Grant~~ Contract Authority) Authorizes the department to issue a total of \$20 million in grants to community-based not-for-profit organizations for local projects that further the objectives of department programs and limits individual grants to \$500,000. Requires the department develop policies and procedures and allows them to promulgate regulations associated with the grants. Authorizes the department to require grant recipients to provide match funds. Requires the department report to the Chairmen of the Senate Finance and House Ways and Means Committee on the grants awarded.

WMC: AMEND proviso to allow the department to "contract with" rather than "make grants to" community-based not-for-profit organizations and delete the references to funding amounts. Requested by Department of Health and Human Services.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

33.24. (DHHS: ~~Grant~~ Contract Authority) The Department of Health and Human Services is authorized to ~~make grants to~~ contract with community-based not-for-profit organizations for local projects that further the objectives of department programs. ~~The department is authorized to issue a total of \$20,000,000 in grants, with no individual grant exceeding \$500,000.~~ The department shall develop policies and procedures and may promulgate regulations to assure compliance with state and federal requirements associated with the funds used for the ~~grants~~ contracts and to assure fairness and accountability in the award and administration of these ~~grants~~ contracts. The department may require a match from ~~grant~~ contract recipients. The department shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committees on the ~~grants awarded~~ contracts administered.

33.25 **DELETE** (Community Health Center/FQHC) Directs that entities that receive funding under the Public Health Services Act, Health Center Program (Section 330) shall qualify to receive "Community Health Center/FQHC" funds appropriated in Part IA. Directs that the funds be disbursed: 30% divided among qualifying entities with the balance distributed 40% based on uninsured patients served and 30% based on the number of patients seen from counties with a population of less than 125,000. Directs that a newly established FQHC shall receive an amount equivalent to the average disbursement made to all FQHCs.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

33.25. (DHHS: Community Health Center/FQHC) ~~Entities receiving funding under Section 330 of the Public Health Services Act, qualify to receive funds provided in this act for Community Health Center/FQHC. FQHC Look A Likes are also included in the distribution of these funds. However, no entity is eligible to receive funds allocated by this proviso if the Chief Executive Officer is not an employee of the entity or is hired under a management agreement to operate the entity.~~

~~This appropriation shall be disbursed as follows: (1) thirty percent of the total appropriation will be divided among qualifying entities; and (2) the balance of the appropriation will be distributed with forty percent based on uninsured patients served and~~

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

~~thirty percent based on the number of patients seen from counties with a population of less than 125,000. Any newly established Community Health Center/FQHC shall receive an amount equivalent to the average disbursement made to all Centers/FQHCs.~~

33.26 CONFORM TO FUNDING (Medicaid Accountability and Quality Improvement Initiative) Directs the department to implement accountability and quality improvements initiatives for: (A) Healthy Outcomes Initiative; (B) Disproportionate Share (DSH) Payment Accountability; (C) Rural Hospital DSH Payment; (D) Primary Care Safety Net; (E) Rural Provider Capacity; and (F) Community Residential Care Optional State Supplement, and to publish quarterly progress reports on their website.

WMC: AMEND proviso as follows: (A) Healthy Outcomes Initiative- to delete the specific amount of up to \$35 million to be made available to participating hospitals and instead tie DSH payments to participation in the Healthy Outcomes Initiative and allow the program to be expanded as DSH funds are available. Delete references to working with Kershaw Health and its LiveWell Kershaw program Delete previous (B) Disproportionate Share (DSH) Payment Accountability. (C) Rural Hospital DSH Payment - delete directive that Medicaid-designated rural hospitals “shall receive full coverage” of uncompensated care as part of the DSH program and instead direct that they “may be eligible to receive up to 100%” of the costs. Change the limit on funds allocated from the existing DSH program from \$20 million to \$25 million. (D) Primary Care Safety Net - Direct the department to “implement” rather than “develop” a methodology to reimburse safety net providers. Include “local alcohol and drug abuse authorities established by Act 301 of 1973” to the list of qualifying safety net providers. Delete the restriction that no FQHC or FQHC Look-A-Like that operates under a management agreement or is operated by a Chief Executive Officer who is not an employee of the entity is eligible to receive these funds. Direct the department to formulate a separate methodology and allocate at least \$8 million for baseline funding to FQHCs; at least \$3 million for documented capital needs; at least \$2 million for HOP with local alcohol and drug abuse authorities; and at last \$5 million for innovative care strategies. Delete the requirement that the department consult with the SC Primary Health Care Association to determine entities with the most critical capital needs and the requirement that Welvista receive at least an additional \$600,000. (E) Rural and Underserved Area Provider Capacity - Direct the department incentivize development of primary care access in rural “and underserved” areas. Require the department leverage Medicaid spending on the GME program. Change the amount of funds allocated to the MUSC Hospital Authority for telemedicine from “\$4,000,000” to “\$10,000,000 non-recurring.” (F) Community Residential Care Optional State Supplement - Delete requirement that the department establish policies and procedures. Direct that to be eligible to receive funds through this provision, providers must provide the department with patient, service and financial data. (G) Authorize the department to pilot test an in-home health care system within the counties to assist in overall improvement of the state’s health quality and to contract with a 3rd party provider or vendor to furnish and operate the program.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

33.26. (DHHS: Medicaid Accountability and Quality Improvement Initiative) From the funds appropriated and authorized to the Department of Health and Human Services, the department ~~shall~~ is authorized to implement the following accountability and quality improvement initiatives:

(A) Healthy Outcomes Initiative - ~~Upon approval of the Centers for Medicare and Medicaid Services (CMS), the~~ The Department of Health and Human Services shall ~~make available to participating hospitals up to a \$35,000,000 aggregate rate incentive effective October 1, 2013.~~

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

~~This incentive shall be directly linked to a hospital's tie Disproportionate Share Hospital (DSH) payments to participation in initiatives designed to reduce system cost and increase health outcomes the Healthy Outcomes Initiative and may expand the program as DSH funding is available.~~

~~(B) To improve community health, the department may explore various health outreach, education, and patient wellness and incentive programs. Working with Kershaw Health and its LiveWell Kershaw program, the The department may pilot health interventions targeting diabetes, smoking cessation, weight management, and heart disease, and other health conditions interventions to identify the potential to offer such interventions as models for other hospitals to pursue. These programs may be expanded as their potential to improve health and lower costs are identified by the department. These initiatives may include, but are not limited to:~~

~~(1) entering into a Memorandum of Understanding (MOU) with selected primary health care and other providers to co-manage chronically ill uninsured high-utilizers of emergency room services; and~~

~~(2) participating in price and quality transparency efforts initiated by the department.~~

~~In designing these initiatives the department shall receive public input, and make the final determination of the initiative design. The department shall, no later than August 1, 2013, publish the manner in which participation in these initiatives will correspond with incentives. If at the end of the state fiscal year the department determines that this program is not generating cost savings or increasing health outcomes the department may retract this incentive in part or full.~~

~~(B) Disproportionate Share (DSH) Payment Accountability—Upon approval of CMS, in order to increase accountability for money reimbursed to hospitals under the DSH program and to improve outcomes for the uninsured, hospitals shall:~~

~~(1) submit claims level data for all individuals receiving uncompensated care; and~~

~~(2) obtain a patient attestation to determine whether or not the individual receiving uncompensated care has access to affordable health insurance or does not have other means to pay for services.~~

~~(C) Rural Hospital DSH Payment --Upon approval of CMS, Medicaid-designated rural hospitals in South Carolina shall may be eligible to receive full coverage up to one hundred percent (100%) of costs associated with uncompensated care as part of the State's Medicaid Disproportionate Share (DSH) program. Funds shall be allocated from the existing DSH program and shall not exceed \$20,000,000 \$25,000,000 total funds. Rural Hospitals are ineligible for this increased coverage should they not To be eligible, rural hospitals must participate in reporting and quality guidelines published by the department and outlined in the Healthy Outcomes Initiative in the Fiscal Year 2013-14 Appropriations Act. These guidelines shall be published no later than August 1, 2013. In addition to the requirements placed upon them by the department, rural hospitals must actively participate with the department and any other stakeholder identified by the department, in efforts to design an alternative health care delivery system in these regions.~~

~~(D) Primary Care Safety Net - The department shall ~~develop~~ implement a methodology to reimburse safety net providers to provide primary care, behavioral health services, and pharmacy services for chronically ill individuals that do not have access to affordable insurance. Qualifying safety net providers are approved, licensed, and duly organized Federally Qualified Health Centers (FQHCs, entities receiving funding under Section 330 of the Public Health Services Act, and FQHC Look-A-Likes), Rural Health Clinics (RHCs), local alcohol and drug abuse authorities established by Act 301 of 1973, Free Clinics, other clinics serving the uninsured, and Welvista. ~~No FQHC and FQHC Look A-Likes operating under a~~~~

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

management agreement or operated by a Chief Executive Officer who is not an employee of the entity is eligible to receive funds allocated by this proviso.

The department shall formulate a separate methodology and allocate at least \$5,000,000 ~~\$8,000,000~~ for baseline funding to FQHCs as ~~defined in paragraph (D)~~; at least \$2,000,000 ~~\$3,000,000~~ for documented capital needs for FQHCs as ~~defined in paragraph (D)~~; at least \$2,000,000 for baseline funding for Free Clinics, and at least \$2,000,000 for HOP with local alcohol and drug abuse authorities created under Act 301 of 1973. The department shall formulate methodology and allocate at least \$5,000,000 for innovative care strategies for qualifying safety net providers participating in a hospital Healthy Outcomes Initiative program.

The department shall consult with the SC Primary Health Care Association to determine the entities with the most critical capital needs. From the aforementioned \$14,000,000, Welvista shall receive at least an additional \$600,000.

~~To be eligible for funds, qualifying providers shall be required to provide the department patient and service data to assist in the overall improvement of the state's health quality and when appropriate safety net providers must enter into a MOU with hospitals to co-manage chronically ill uninsured high-utilizers of emergency room services. Participants in this program shall submit evaluations of effectiveness annually to the department.~~

(E) Rural and Underserved Area Provider Capacity - The department shall incentivize the development of primary care access in rural physician coverage and capacity building and underserved areas through the following mechanisms:

(1) the department shall leverage ~~the~~ Medicaid spending on Graduate Medical Education (GME) program and ~~develop a methodology to improve accountability and increased outcomes for the State's GME and Supplemental Teaching Payments investment by implementing methodologies that support recommendations contained in the~~ January 4, 2014 report of the South Carolina GME Advisory Group;

(2) the department shall develop a program to leverage the use of teaching hospitals to provide rural physician coverage, expand the use of Telemedicine, and ensure targeted placement and support of OB/GYN services in at least four counties with a demonstrated lack of adequate OB/GYN resources by ~~July 1, 2014~~ June 30, 2015; and

(3) during the current fiscal year the department shall allocate \$4,000,000 \$10,000,000 non-recurring funds to the MUSC Hospital Authority for telemedicine.

~~(F) Community Residential Care Optional State Supplement - The department shall establish policies and procedures to include establishing a facility rate per eligible beneficiary at \$1,500 per month for recipients and providers who meet the requirements for the enhanced maximum OSS payment; establish eligibility criteria; and establish a methodology for increasing the personal needs allowance. The department will revise the net income limit to accommodate the change in the maximum OSS facility rate. A total of at least \$12,000,000 shall be made available for this rate increase. The facility rate shall increase a minimum of \$100 per month per eligible beneficiary. All current recipients shall remain eligible for the supplement during the fiscal year and nothing contained herein may conflict with or limit existing regulations.~~

~~In addition, the department will establish Quality of Care Standards and other requirements for facilities licensed as a Community Residential Care Facility and participating in the OSS program and Medicaid Waiver services. To be eligible for funds in this proviso, providers must provide the department with patient, service and financial data to assist in the operation and ongoing evaluation of both the initiatives resulting from this proviso, and also other price and quality transparency efforts initiated by the department. The Office of Research and Statistics shall provide the department with any information required by the department in order to~~

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

implement this proviso. ~~(G)~~ The department shall publish quarterly reports on the agency's website regarding the department's progress in meeting the goals established by this provision.

(G) The Department of Health and Human Services, with the funds appropriated, may pilot test an in-home health care system within the counties and to the population as determined by the Director of the Department of Health and Human Services to assist in the overall improvement of the state's health quality. The in-home health care system option must consist of three main components: (1) a medical console that works with a land line and has wireless capabilities for persons without a telephone land line; (2) the medical triage center; and (3) the emergency response call center. The department, in implementing this program on a pilot-testing basis, also is authorized to contract with a third-party provider or vendor to furnish and operate the program.

33.27 AMEND (Medicaid Healthcare Initiatives Outcomes) Requires the department director present a report to the House Ways and Means Healthcare Budget Subcommittee before February 15th on outcomes of Medicaid healthcare initiatives that were enacted during FY 13-14 to improve the well-being of persons receiving services from Medicaid providers.

WMC: AMEND proviso to change fiscal year reference to "the current fiscal year." Requested by Department of Health and Human Services.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

33.27. (DHHS: Medicaid Healthcare Initiatives Outcomes) Prior to February 15 of the current fiscal year, the Director of the Department of Health and Human Services shall make a presentation to the House Ways and Means Healthcare Budget Subcommittee on the outcomes of Medicaid healthcare initiatives enacted during ~~Fiscal Year 2013-14~~ *the current fiscal year* to improve the well being of persons enrolled in the Medicaid program and receiving services from Medicaid providers.

33.30 ADD (Healthy Connections Prime) **WMC:** ADD new proviso to instruct the department to request a delay in the July 1, 2014 implementation of its demonstration for dual eligible beneficiaries known as Healthy Connections Prime and direct that the requested new enrollment date be no earlier than January 1, 2015.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

***33.30.** (DHHS: Healthy Connections Prime) The Department of Health and Human Services is instructed to request from the Centers for Medicare and Medicaid Services, a delay in the July 1, 2014 implementation of its demonstration for dual eligible (Medicare/Medicaid) beneficiaries known as Healthy Connections Prime. The requested date to begin enrollment will be no earlier than January 1, 2015.*

33.31 DELETE NEW PROVISO (Medicaid Recipient Eligibility) **HOU:** ADD new proviso to direct the department to study Medicaid eligibility policies and procedures to determine how they monitor eligibility to ensure that recipients who are no longer eligible are not enrolled. Sponsors: Reps. Putnam and G.M. Smith.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso

***33.31.** (DHHS: Medicaid Recipient Eligibility) ~~From funds appropriated, the department shall study Medicaid eligibility policies and procedures in order to determine how a recipient's~~*

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

~~eligibility is monitored so as to ensure that recipients who are no longer eligible are not enrolled.~~

- 33.pls** **ADD** (In-state Medicaid Providers Lab Services) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that, whenever possible, contracts with managed care plans shall include an in-state provider preference for laboratory services if the in-state provider is able to provide the service at the same or less cost as an out-of-state provider.

33.pls. (DHHS: In-state Medicaid Providers Lab Services) Whenever possible, contracts with managed care plans participating in the Healthy Connections Choices program shall apply an in-state provider preference when contracting for laboratory services if the in-state provider is able to provide the requested service at the same or less cost as an out-of-state provider.

SECTION 34 - J04-DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

- 34.9** **AMEND FURTHER** (Rape Violence Prevention Contract) Requires \$1,103,956 of Rape Violence Prevention funds be used to support the state’s rape crisis centers. Prohibits the department from reducing rape crisis center contracts below the current funding level.
WMC: AMEND proviso to update fiscal year reference to 2014-15.
HOU: ADOPT proviso as amended.
SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to delete specific fiscal year reference and insert “the current fiscal year.”

34.9. (DHEC: Rape Violence Prevention Contract) Of the amounts appropriated in Rape Violence Prevention, \$1,103,956 shall be used to support programmatic efforts of the state’s rape crisis centers with distribution of these funds based on the Standards and Outcomes for Rape Crisis Centers and each center’s accomplishment of a pre-approved annual action plan. For ~~Fiscal Year 2013-14 2014-15~~ the current fiscal year, the department shall not reduce these contracts below the current funding level.

- 34.11** **AMEND FURTHER** (Sickle Cell Programs) Provides for distribution of funds appropriated for Sickle Cell program services.
WMC: AMEND proviso to update fiscal year reference to 2014-15.
HOU: ADOPT proviso as amended.
SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to delete specific fiscal year reference and insert “the current fiscal year.”

34.11. (DHEC: Sickle Cell Programs) \$761,233 is appropriated for Sickle Cell program services and shall be apportioned as follows:

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

(2) thirty-three percent 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

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

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. For ~~Fiscal Year 2013-14~~ 2014-15, the current fiscal year the department shall not reduce these funds below the current funding level.

- 34.30** **AMEND** (Beach Renourishment and Monitoring and Coastal Access Improvement) Directs the expenditure of Beach Renourishment funds.
WMC: AMEND proviso to delete authorization for \$1,000,000 of beach renourishment funds to be spent on specific beach erosion efforts and for \$500,000 to be spent on constructing outfalls for stormwater from specific areas. *Agency indicates budget items related to beach renourishment and ocean outfalls for stormwater will be encumbered and expended within FY 2014.* Requested by Department of Health and Environmental Control.
HOU: ADOPT proviso as amended.
SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

~~**34.30.** (DHEC: Beach Renourishment and Monitoring and Coastal Access Improvement) \$1,000,000 of funds allocated or carried forward for beach renourishment may be spent in accordance with all required state and federal permits and certifications to benefit an area in which the erosion of the beaches located in state jurisdiction is attributed to a federally authorized navigation project as documented by the findings of a Section 111 Study conducted under the authority of the federal Rivers and Harbors Act of 1968, as amended by the federal Water Resources Development Act of 1986, and approved by the United States Army Corps of Engineers and \$500,000 may be spent in accordance with all required state and federal permits and certifications for the purpose of constructing outfalls for stormwater emanating from jurisdictions where maintenance of near shore water quality is critical to tourism. If state funds are made available or carried forward from any general revenue, capital, surplus or bond funding appropriated to the department for beach renourishment and maintenance, the department shall be able to expend not more than \$100,000 of these funds annually to support annual beach profile monitoring. Additional funds made available or carried forward for beach renourishment projects that are certified by the department as excess may be spent for beach renourishment and departmental activities that advance the policy goals contained in the State Beachfront Management Plan, R.30-21.~~

- 34.42** **DELETE** (Laurens County) Directs the department to transfer \$39,425 to Laurens County by August 1st to reimburse the county for expenses associated with reroofing a building the department subsequently vacated.
WMC: DELETE proviso. *Transfer has been completed.* Requested by Department of Health and Environmental Control.
HOU: ADOPT deletion of proviso.
SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**34.42.** (DHEC: Laurens County) By August 1, 2013, the department shall transfer \$39,425 to the County of Laurens, South Carolina to reimburse the county for the expenses of reroofing a building vacated by the department.~~

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

- 34.43** **DELETE** (Cancer Early Detection/Screenings) Directs the department to use \$1,000,000 for the Best Chance Network and \$500,000 as matching funds for the Colon Cancer Prevention Network, but excludes the use of Restricted fund accounts
WMC: DELETE proviso. *Agency states it received one time funding for this purpose for FY 2013-14.* Requested by Department of Health and Environmental Control.
HOU: ADOPT deletion of proviso.
SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~34.43. (DHEC: Cancer Early Detection/Screenings) Of the funds appropriated and/or authorized to the Department of Health and Environmental Control, excluding department Restricted fund accounts, \$1,000,000 shall be used for the Best Chance Network and \$500,000 shall be used as matching funds for the Colon Cancer Prevention Network.~~

- 34.45** **AMEND** (Residential Treatment Facilities Swing Beds) Allows residential treatment facilities to swing/convert up to 10 beds to acute psychiatric beds. Includes stipulation the conversion would have to comply with federal CMS rules and regulations.
WMC: AMEND proviso to update fiscal year reference to "2014-15."
HOU: ADOPT proviso as amended.
SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

~~34.45. (DHEC: Residential Treatment Facilities Swing Beds) For Fiscal Year 2013-14 2014-15 in coordination with the South Carolina Health Plan and to improve access for acute psychiatric beds as patient populations demand, Residential Treatment Facilities (RTF) may swing up to 10 beds per qualifying facility to accommodate patients with a diagnosis of an acute psychiatric disorder. In order to qualify to utilize swing beds a facility must meet the following criteria: the facility must currently have both licensed acute psychiatric and residential treatment facility beds, the RTF beds must meet the same licensure requirements as the existing licensed acute psychiatric beds, and any facility utilizing swing beds must keep the acute and RTF patient populations separate and distinct. The utilization of swing beds must also comply with all federal Centers for Medicare and Medicaid Services rules and regulations.~~

- 34.46** **DELETE** (Surface Water Withdrawal Permit) Allows any existing surface water withdrawer as defined in Section 49-4-20(9) to file a permit application, pay the \$1,000 application fee, and receive an existing surface water withdrawer permit as long as the application is submitted before July 15, 2013.
WMC: DELETE proviso.
HOU: ADOPT deletion of proviso.
SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~34.46. (DHEC: Surface Water Withdrawal Permit) For purposes of compliance with the requirements of R.61-119, any existing surface water withdrawer, as defined in Section 49-4-20(9) of the 1976 Code, as amended, shall be allowed to file a permit application, pay the \$1,000 application fee and receive a permit as an existing surface water withdrawer, as long as the application is submitted prior to July 15, 2013.~~

- 34.47** **AMEND** (Sand-scraping and Sandbagging) Allows sand-scraping and sandbagging at golf courses as protection, if the department permits, until December 31, 2013. Directs that type of protection will no longer be allowed after that time.
WMC: AMEND proviso to permit sand-scraping and sandbagging at golf courses until June 30, 2015 and to suspend the payment of any fines the department assessed associated with

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

sandbagging, sand-scraping or renourishment on golf courses. Direct the department to refund any fines paid the prior fiscal year.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

34.47. (DHEC: Sand-scraping and Sandbagging) Sand-scraping and sandbagging is allowed as protection for golf courses, if permitted by the department, until ~~December 31, 2013~~ June 30, 2015, at which time sand-scraping and sandbagging will no longer be allowed for the protection of golf courses. The payment of any fines assessed by the department regarding the use of sandbags, sand scraping or renourishment on golf courses are suspended. Any fines paid during the prior fiscal year regarding the use of sandbags, sand scraping or renourishment on golf courses are to be refunded by the department.

34.48 REINSERT/AMEND (Tuberculosis Outbreak) Allows the department, upon discovering a TB outbreak, to expend any available funds for related surveillance, investigation, containment, and treatment.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: REINSERT original proviso and AMEND to stipulate procedures for DHEC to follow for notifying the community or specific individuals regarding any tuberculosis contact investigation.

34.48. (DHEC: Tuberculosis Outbreak) (A) Upon discovery of a tuberculosis outbreak, the Department of Health and Environmental Control may expend any funds available to the agency, for the purpose of surveillance, investigation, containment, and treatment activities related thereto.

(B) During an investigation of an index tuberculosis patient, the Department of Health and Environmental Control, through the South Carolina Health Alert Network, must notify the patient's community that a tuberculosis contact investigation is being conducted into the possible exposure to tuberculosis. This subsection only applies if the investigation of the patient has met all of the following criteria:

(1) abnormal chest x-rays;

(2) positive Acid Fast Bacilli (AFB) sputum results; and

(3) first round of contact investigation completed with results of individuals testing positive outside of the index patient's family.

(C) Upon being informed of or having reason to suspect a case of tuberculosis that is capable of transmitting tubercle bacilli at a school or child care center involving a student, teacher, employee, volunteer, or an individual working at the school or child care center for an employer providing services to the school or child care center, the department immediately shall notify:

(1) (a) if the case is at a school, the principal, and the Superintendent of the school district if the school is a public school; and

(b) if the case is at a child care center, the director of the child care center; and

(D) When informing the principal of a school or the director of a child care center about a known or suspected case of tuberculosis that is capable of transmitting tubercle bacilli as provided for in subsection (C), the department shall provide:

(1) an update addressing the:

(a) status of the investigation, including the steps the department is taking to identify the source and extent of the exposure and the risks of additional exposure; and

SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15

(b) steps the school or child care center must take to assist the department in controlling the spread of the tuberculosis infection; and

(2) information and other resources to distribute to parents and guardians that discuss how to assist the department in identifying and managing the tuberculosis infection.

34.49 DELETE NEW PROVISO (Abstinence-Until-Marriage Emerging Programs) **HOU:** ADD new proviso to direct the department to use the “Abstinence-Until Marriage Emerging Programs” special item to award a 36 month grant for abstinence-until marriage emerging programs. Allow grant recipients to apply for grant renewals for an additional 2 years for a total of 5 years of grant funding under the same requirements set in this provision. Require the award only be made through a competitive bidding process to non-profit 501(c)(3) agencies that meet specific requirements to demonstrate an emerging program/curricula that meets the A-H Title V, Section 510 definition of Abstinence Education. Sponsors: Reps. Loftis and G.R. Smith

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~34.49. (DHEC: Abstinence-Until-Marriage Emerging Programs) (A) From the funds appropriated to DHEC in this Act as a Special Item and titled "Abstinence Until Marriage Emerging Programs" the department shall award 36 month grant for abstinence until marriage emerging programs. After an award of the 36 month grant, recipients may apply to the department for grant renewals for up to an additional two years for a total of five years of grant funding under same requirements as set forth in this proviso. This funding shall be awarded by the department only to non-profit 501(c)(3) agencies meeting the following requirements through a competitive bid process to demonstrate an emerging program/curricula that meets the A-H Title V, Section 510 definition of Abstinence Education.~~

~~(B) Contracts must be awarded utilizing a competitive approach in accordance with the South Carolina Procurement Code.~~

~~(C) Applicants will be given priority that have, for at least two years prior to application, effectively implemented in South Carolina the program/curricula for which funding is being applied.~~

~~(D) Applicants must provide a current third party audit that indicates the applicant has the infrastructure and experience to efficiently and effectively manage the funding applied for.~~

~~(E) Applicants must provide a budget and budget narrative that explains how the funds will be used.~~

~~(F) Applications must allocate a minimum of 15% of the budget for a qualified third party evaluator to assess both process outputs and behavioral outcomes of the program.~~

~~(G) Prior to application, proposed programs/curricula must be certified as medically accurate by a government or private agency that has the capacity to provide a quality review of materials for medical accuracy.~~

~~(H) Prior to application, proposed programs/curricula must be certified by the National Abstinence Education Association (NAEA) as meeting and being in compliance with all of the Title V, Section 510 A-H requirements for abstinence until marriage education programs.~~

~~(I) Applicants must provide proof of an agreement with a federally certified IRB for review of program and evaluation processes and protocol and must provide proof of the IRB's approval prior to program implementation.~~

~~(J) The programs implemented by the entity awarded a contract pursuant to this proviso may not violate any portion of the South Carolina Comprehensive Health Education Act when implemented in a school setting. An entity that violates any portion of the South Carolina Comprehensive Health Education Act must reimburse the State for all funds disbursed. Applications must include at an minimum, the following:~~

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

~~1) Proposed 3 year budget with the following detail for the 36 month grant period. The applicant must agree to submit quarterly reports to the department detailing the expenditure of funds and the accomplishments of the project including:~~

~~a) Personnel costs and fringe by position for each of the following areas: administration, training, education, and other positions identified;~~

~~b) Operational cost identified in the application;~~

~~c) Onetime costs over \$500 such as supplies;~~

~~d) Administration cost may not exceed 10% of total project budget.~~

~~Administration is defined expenses other than educational.~~

~~2) Description of program and curriculum to be used;~~

~~3) Description of training;~~

~~4) Schedule and brief description of project activities for each quarter;~~

~~5) Participation Reports at the end of every three months on the following:~~

~~a) Number of persons who participated;~~

~~b) Total number of hours provided;~~

~~c) Number of train the trainer events;~~

~~d) Other data regarding the activities of the project;~~

~~6) A description of the project evaluation to be used;~~

~~7) Copy of latest completed independent financial audit and agency's response to any audit exceptions;~~

~~8) Qualifications of project personnel;~~

~~9) Best Practices to be used; and~~

~~10) Evidence Based Curriculum to be used.~~

~~Organizations or individuals awarded grants must provide quarterly reports on expenditures and participation to DSS within 15 days of the end of each quarter.~~

~~(K) Grantees failing to submit reports within 30 days of the end of each quarter will be terminated.~~

34.50 AMEND NEW PROVISO (Abstinence Until Marriage Evidence-Based Programs Funding) HOU: ADD new proviso to direct the department to use "Continuation of Teen Pregnancy Prevention" funds to award contracts to separate private, non-profit 501(c)(3) entities to provide Abstinence Until Marriage teen pregnancy prevention programs and services that use a proven effective program that meets the A-H Title V, Section 510 definition of Abstinence Education and require a competitive bidding process be used. Sponsors: Reps. Loftis and G.R. Smith

SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to delete the requirement that monies must be paid over a 5-year basis for services rendered and instead direct that monies will be paid over a 12 months basis for services rendered.

34.50. (DHEC: Abstinence Until Marriage Evidence-Based Programs Funding) From the monies appropriated for the Continuation of Teen Pregnancy Prevention, contracts must be awarded to separate private, non-profit 501(c)(3) entities to provide Abstinence Until Marriage teen pregnancy prevention programs and services within the State using a proven effective program/curricula that meets the A-H Title V, Section 510 definition of Abstinence Education. Contracts must be awarded utilizing a competitive approach in accordance with the South Carolina Procurement Code. Applicants will be given priority that have, for at least two years prior to application, effectively implemented in South Carolina the program/curricula for which funding is being applied. Applicants contracted to provide SC Title V, Section 510 funding will be given priority in order to meet the State's Title V, Section 510 federal match requirement. Proposed programs/curricula must be certified as medically accurate by a

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

government of private agency that has the capacity to provide a quality review of materials for medical accuracy. Proposed programs/curricula must be certified by the National Abstinence Education Association (NAEA) as meeting and being in compliance with all of the Title V, Section 510 A-H requirement for abstinence-until-marriage education programs. Applicants must provide proof of an agreement with a federally certified IRB for review of program and evaluation processes and protocol and must provide proof of the IRB's approval prior to program implementation. Applicants must provide a budget for the proposed project and a recent third party audit indicating the applicant has sufficient experience and capacity for properly managing the level of funding for which the application is being made. ~~The monies appropriated must be paid over a five year basis for services rendered.~~ **Monies will be paid over a twelve month basis for services rendered.** Unexpended funds shall be carried forward for the purpose of fulfilling the department's contractual agreement. The programs implemented by the entity awarded a contract pursuant to this proviso may not violate any portion of the South Carolina Comprehensive Health Education Act when implemented in a school setting. An entity that violates any portion of the South Carolina Comprehensive Health Education Act must reimburse the State for all funds disbursed.

34.wdd ADD (Wave Dissipation Device) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to allow the initiation of a Wave Dissipation Device pilot program and direct that deployment of a qualified wave dissipation device is not construction and meets specific permitting exceptions. Require a fee of 10 cents per linear foot be paid to the department before deploying or expanding a qualified wave dissipation device. Authorize the department to order the device to be removed if it determines the device causes material harm, to flora, fauna, physical, or aesthetic resources. Provide a definition for a “qualified wave dissipation device.”

34.wdd. (DHEC: Wave Dissipation Device) From funds appropriated to the department for the Coastal Resource Improvement program, the department shall permit a Wave Dissipation Device pilot program to be initiated.

The deployment of a qualified wave dissipation device seaward of the setback line or baseline pursuant to a study conducted by the Citadel or a research university is not construction and meets the permitting exception contained in Section 48-39-130(D)(2). Prior to deploying or expanding a qualified wave dissipation device, a person proposing to deploy or expand the device must pay the department a fee of ten cents per linear foot of the proposed deployment or expansion. The department may order the removal of all or any portion of a qualified wave dissipation device that the department determines causes material harm to the flora, fauna, physical or aesthetic resources of the area under Section 48-39-130(D)(2) of the 1976 Code.

A 'qualified wave dissipation device' is a device that:

- (1) is placed mostly parallel to the shoreline;
- (2) is designed to dissipate wave energy;
- (3) is designed to minimize scouring seaward of and adjacent to the device by permitting sand to move landward and seaward through the device;
- (4) can be deployed within seventy-two hours or less and can be removed within seventy-two hours or less;
- (5) does not negatively impact or inhibit sea turtle nesting or other fauna;
- (6) can be adjusted after initial deployment in response to fluctuations in beach elevations; and
- (7) otherwise prevents down-coast erosion, protects property, and limits negative impacts to public safety and welfare, beach access, and the health of the beach dune system.

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

- 34.con ADD** (Certificate of Need Project or Equipment Purchase) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that any project or equipment that was procured by a facility during the department's suspension of the Certificate of Need program shall not require a Certificate of Need, an exemption, or non-applicability determination. Exclude any project or equipment which has been involved in a contested case or if an appeal is in process.

34.con. (DHEC: Certificate of Need Project or Equipment Purchase) During the current fiscal year any project or equipment purchase procured by a facility that would require a Certificate of Need, where the procurement or project began during the department's suspension of the Certificate of Need program, may be placed in service without requiring a Certificate of Need, an exemption or non-applicability determination. This provision does not apply if a contested case has been requested or an appeal is in process concerning the purchase of the same type of equipment or project if the equipment or project is to be located in the same service area as defined in the State Health Plan.

SECTION 35 - J12-DEPARTMENT OF MENTAL HEALTH

- 35.3 DELETE** (Practice Plan) Authorizes department employees affiliated with the USC School of Medicine, who hold faculty appointments in the School, to participate in the School's Practice Plan if that participation does not take place during regular working hours.

WMC: DELETE proviso. *Due to changes in the University's Practice Plan, faculty appointments of DMH employees in the School of Medicine no longer result in a requirement to participate in the Plan.* Requested by Department of Mental Health.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~35.3. (DMH: Practice Plan) Employees of the department affiliated with the University of South Carolina School of Medicine, who hold faculty appointments in the School, may participate in the School's Practice Plan provided that participation not take place during regular working hours. Funds generated by such participants shall be handled in accordance with University policies governing Practice Plan funds.~~

- 35.4 DELETE** (Huntington's Disease) Requires the department to designate \$150,000 for administrative and personnel costs for Huntington's Disease clinical services within the department.

WMC: DELETE proviso. *The department states that since it consistently expends more than the \$150,000 required the proviso is outdated. In FY 2013, the department expended approximately \$572,287 for the care of patients with Huntington's Disease.* Requested by Department of Mental Health.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~35.4. (DMH: Huntington's Disease) Of funds appropriated, the Department of Mental Health shall designate \$150,000 for administrative and personnel costs for Huntington's Disease clinical services within the Department of Mental Health.~~

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

35.8 **AMEND** (Uncompensated Patient Medical Care)) Establishes an Uncompensated Patient Care Fund to be used by the department for medical costs incurred for patients that must be transferred to a private hospital for services.

WMC: AMEND proviso to delete requirement that the funds be used for patients “that must be transferred to a private hospital for services.” *Patients at the department often require services beyond the scope of the department, but that do not rise to the level of hospital care (e.g. specialists in private practice) for which these funds should also be applicable.* Requested by Department of Mental Health.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

35.8. (DMH: Uncompensated Patient Medical Care) There is created an Uncompensated Patient Care Fund to be used by the department for medical costs incurred for patients ~~that must be transferred to a private hospital for services.~~ These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

35.11 **DELETE** (State Veterans Domiciliary Facility) Requires the department prepare a report that evaluates the feasibility and desirability of the State furnishing domiciliary care to eligible veterans in State Veterans’ Homes. Requires the report consider and discuss the feasibility of locating a facility near current State Veterans Nursing Homes and to consider the private sector’s role in operating such facilities. Requires the report be submitted by January 10, 2014.

WMC: DELETE proviso. *Report has been submitted.* Requested by Department of Mental Health.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

35.11. (DMH: State Veterans Domiciliary Facility) ~~The Department of Mental Health shall prepare a report evaluating the feasibility and desirability of the State furnishing domiciliary care to eligible veterans in State Veterans’ Homes. Domiciliary care is the provision of shelter, sustenance, and incidental medical care on an ambulatory self-care basis to assist eligible veterans, disabled by age or illness to attain physical, mental, and social well-being through rehabilitative programs. This report must consider and discuss the feasibility of locating a facility in proximity to current State Veterans Nursing Homes, including but not limited to available space at the agency’s C.M. Tucker Nursing Care Center in Columbia. The report must also consider and discuss opportunities for the private sector’s role in operating such facilities. This report shall be provided to the Chairman of the Senate Finance Committee, the Chairman of the Senate Medical Affairs Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the Medical, Military, Public, and Municipal Affairs Committee by January 10, 2014.~~

35.12 **DELETE NEW PROVISO** (School Safety Task Force) **HOU:** ADD new proviso to create a school safety task force to examine funding streams for school-based mental health services to determine how the funds can be best used to provide more accessible and efficient delivery of mental health programs; to examine school mental health staffing ratios and provide suggestions that allow full delivery of services and effective school-community partnerships; to develop standards for district level policies to promote effective school discipline and mental health intervention services; to examine intra and interagency collaboration; and to examine how to best support multi-tiered systems of support. Establish the composition of the task force; direct that members serve without compensation, mileage reimbursement, subsistence or per diem; and direct that the House Education and Public Works and Senate Education

SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15

Committees provide staffing. Require any task force recommendations be revenue neutral and be reported to the General Assembly by December 31, 2014 after which the task force shall be dissolved. Sponsor: Rep. Govan

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso. *H.3365 has been referred to Senate Education Committee.*

~~35.12. (DMH: School Safety Task Force) (A) Of the funds appropriated to the Department of Mental Health, there is created a school safety task force to:~~

~~(1) examine the various funding streams for school-based mental health services and determine how these streams may best be utilized in order to provide more accessible and efficient delivery of mental health programs;~~

~~(2) examine school mental health staffing ratios and provide suggestions that allow for the full delivery of services and effective school-community partnerships, including collaboration between school districts;~~

~~(3) develop standards for district-level policies to promote effective school discipline and mental health intervention services;~~

~~(4) examine current intra- and interagency collaboration and suggest ways to improve cooperation; and~~

~~(5) examine how to best support multi-tiered systems of support.~~

~~(B) The task force is composed of:~~

~~(1) one member appointed by the South Carolina School Counselor Association;~~

~~(2) one member appointed by the South Carolina Association of School Psychologists;~~

~~(3) one member appointed by the South Carolina Association of School Social~~

~~Workers;~~

~~(4) one member appointed by the South Carolina Association for Marriage and Family~~

~~Therapy;~~

~~(5) one member appointed by the South Carolina Association of School~~

~~Administrators;~~

~~(6) one member appointed by the South Carolina School Boards Association;~~

~~(7) one member appointed by the South Carolina Department of Mental Health;~~

~~(8) one member appointed by the South Carolina Association of School Resource~~

~~Officer;~~

~~(9) one member appointed by the Chief of the State Law Enforcement Division;~~

~~(10) one member appointed by the Governor;~~

~~(11) one appointed by the State Superintendent of Education;~~

~~(12) two members appointed by the Chairman of the House Education and Public~~

~~Works Committee; and~~

~~(13) two members appointed by the Chairman of the Senate Education Committee.~~

~~(C) Vacancies in the membership of the task force must be filled in the manner of original appointment.~~

~~(D) Members of the task force shall serve without compensation and may not receive mileage, subsistence, or per diem.~~

~~(E) The staffing for the task force must be provided by the staff of the House Education and Public Works Committee and Senate Education Committee.~~

~~(F) Any recommendations made by the task force must be revenue neutral.~~

~~(G) The task force shall make a report of its recommendations to the General Assembly no later than December 31, 2014, at which time the task force is dissolved.~~

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

SECTION 36 - J16-DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS

36.9 DELETE (Modular Ramps) Authorizes the department to lease modular ramps if determined the ramps would generate a cost-savings to the department.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**36.9.** (DDSN: Modular Ramps) The Department of Disabilities and Special Needs is authorized to lease modular ramps in the event the department can foresee demonstrated cost-savings to the department.~~

36.11 AMEND (Debt Service Account) Allows the department to utilize uncommitted funds in the agency's debt service account for operations and services not funded in the Appropriation Act.

WMC: AMEND proviso to require the department report by August 1st to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees on the balance in the account and on the amounts purposes for which the funds were used in the prior fiscal year.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

36.11. (DDSN: Debt Service Account) The department shall utilize the uncommitted dollars in their debt service account, account E164660, for operations and services that are not funded in the appropriations bill. By August 1, the department must report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on the remaining balance in this account and on the amounts and purposes for which the account was used in the prior fiscal year.

36.14 CONFORM TO FUNDING (Waiting List) **WMC:** ADD new proviso to direct the \$13,293,825 appropriated for "Waiting List" be transferred to the Department of Health and Human Services by August 1, 2014 and used for incremental home and community based waiver services to reduce the waiting lists of persons who qualify for the waiver programs.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

36.14. (DDSN: Waiting List) The recurring General Funds appropriation of \$13,293,825 in Part IA of this Act to the Department of Disabilities and Special Needs and titled "Waiting List" must be transferred in full to the Department of Health and Human Services by August 1, 2014. The funds must be used exclusively for incremental home and community based waiver services to reduce the waiting lists of persons who qualify for these waiver programs.

SECTION 37 - J20-DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES

37.3 DELETE (Eligibility for Treatment Services) Provides that any South Carolina resident, upon payment of all applicable fees, is eligible to take part in treatment programs offered by the department.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

~~37.3. (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 current fiscal year.~~

SECTION 38 - L04-DEPARTMENT OF SOCIAL SERVICES

38.10 DELETE (Fees for Court Witness in Child Welfare Services)) Requires funds appropriated for the payment of court testimony to only be paid in accordance with DSS policy which shall include limits on awards and procedures for payment. Establishes maximum hourly rates for counseling and expert witness fees and for physicians for expert witness fees.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~38.10. (DSS: Fees for Court Witness in Child Welfare Services) Effective July 1, 1994, any monies appropriated for the payment of court testimony in either abuse and neglect, termination of parental rights, or judicial review cases arising under Section 20-7-480, et. seq. of the South Carolina Code of Laws, 1976, as amended, and adult protective service cases under Section 43-35-10(9), et. seq. of the South Carolina Code of Laws, 1976, as amended, shall only be paid in accordance with DSS policy which shall include limits on awards and procedures for payment, in due consideration of the agency budgetary limitations and specific funds allocated for such purposes. Provided further that DSS shall pay up to a maximum hourly rate to licensed psychologists, social workers, nurses, ministerial counseling, family and marriage counselors of \$60 for counseling and \$60 for expert witness fees, to include travel time and DSS shall pay up to a maximum hourly rate to physicians of \$125 for expert witness fees, to include travel time.~~

38.15 CONFORM TO FUNDING (Family Foster Care Payments) Establishes the amount of monthly foster care payments for children under the department's sponsorship.

WMC: AMEND proviso to change the foster care per month payments as follows: \$383 for ages 0-5; \$458 for ages 6-12; and \$518 for ages 13+.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

38.15. (DSS: Family Foster Care Payments) The Department of Social Services shall furnish as Family Foster Care payments for individual foster children under their sponsorship:

| | | |
|-------------|-------------------------------|-----------|
| ages 0 - 5 | \$332 <u>\$383</u> | per month |
| ages 6 - 12 | \$359 <u>\$458</u> | per month |
| ages 13 + | \$425 <u>\$518</u> | per month |

These specified amounts are for the basic needs of the foster children. Basic needs within this proviso are identified as food (at home and away), clothing, housing, transportation, education and other costs as defined in the U.S. Department of Agriculture study of "Annual Cost of Raising a Child to Age Eighteen". Further, each agency shall identify and justify, as another line item, all material and/or services, in excess of those basic needs listed above, which were a direct result of a professional agency evaluation of clientele need. Legitimate medical care in excess of Medicaid reimbursement or such care not recognized by Medicaid may be considered as special needs if approved by the sponsoring/responsible agency and shall be reimbursed by the sponsoring agency in the same manner of reimbursing other special needs of foster children.

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

- 38.19 RESTORE ORIGINAL PROVISO** (Child Care Voucher) Requires that state funds for child care vouchers must be used to enroll eligible recipients within provider settings exceeding the state’s minimum child care licensing standards. Authorizes the department to waive this requirement on a case by case basis.
WMC: AMEND proviso to delete the authorization for the department to waive the requirement.
HOU: ADOPT proviso as amended.
SUBCOMMITTEE RECOMMENDATION: RESTORE original proviso.

38.19. (DSS: Child Care Voucher) State funds allocated to the Department of Social Services and used for child care vouchers must be used to enroll eligible recipients within provider settings exceeding the state’s minimum child care licensing standards. **The department may waive this requirement on a case by case basis.**

- 38.20 DELETE** (Abstinence Until Marriage Teen Pregnancy Prevention Funding) Requires the department to award contracts to separate 501(c)(3) entities to provide Abstinence Until Marriage teen pregnancy prevention programs and services and provides guidelines for the awarding of the contracts.
HOU: DELETE proviso. *See new provisos 34.49 and 34.50.* Sponsors: Reps. Loftis and G.R. Smith.
SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

38.20. (DSS: Abstinence Until Marriage Teen Pregnancy Prevention Funding) ~~From the monies appropriated for the Continuation of Teen Pregnancy Prevention, contracts must be awarded to separate private, non-profit 501(c)(3) entities to provide Abstinence Until Marriage teen pregnancy prevention programs and services within the State.~~

~~Contracts must be awarded utilizing a competitive approach in accordance with the South Carolina Procurement Code.~~

~~The monies appropriated will be half the amount allocated for the Continuation of Teen Pregnancy Prevention with the other half appropriated under proviso 38.25 (Comprehensive Teen Pregnancy Prevention Funding). Monies will be paid over a twelve month basis for services rendered. Unexpended funds shall be carried forward for the purpose of fulfilling the department’s contractual agreement.~~

~~Entities that have a proven and public history of having effectively implemented abstinence programs in this State may be given a preference during the contract evaluation and awarding process. For the purposes of this proviso, a program is “effectively implemented” if the program has published positive behavioral outcomes by an independent and nationally recognized private or government agency demonstrating that a year after the program, program participants initiated sex at a rate of at least thirty percent lower than comparable non-program students.~~

~~Abstinence until marriage contracts must be awarded to programs that are consistent with the A through H legislative requirements defined in Title V, Section 510(b)(2) and are evidence based and medically accurate.~~

~~Programs implemented by the entities awarded contracts pursuant to this proviso must be compliant with the South Carolina Comprehensive Health Education Act when implemented in a school setting. An entity that violates any portion of the South Carolina Comprehensive Health Education Act must reimburse the State for all funds disbursed.~~

- 38.26 ADD** (Federally Certified Child Support Enforcement System Project) **WMC:** ADD new proviso to direct that the CFS Project Executive Committee is abolished effective July 1, 2014

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

and that the direction, management, oversight, and decision-making authority is placed under the sole authority of the DSS Director. Require the department publish quarterly progress reports on its website on the project's timetable to achieve a Federally certified Child Support Enforcement System.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

38.26. (DSS: Federally Certified Child Support Enforcement System Project) Effective July 1, 2014, the CFS Project Executive Committee is abolished. For the current fiscal year, the direction, management, oversight, and decision-making authority previously exercised by the CFS Project Executive Committee is placed under the sole authority of the Director of the Department of Social Services who shall make all final decisions regarding the project. The department shall publish on its website quarterly progress reports on the project's timetable to achieve a Federally certified Child Support Enforcement System.

38.27 DELETE NEW PROVISO (New SNAP Debit Card Accountability Features) **HOU:** ADD new proviso to require the DSS director to make reports and recommendations to the Chairmen of the House Ways and Means and Senate Finance Committees by December 1, 2014 on new accountability features to SNAP debit cards. Sponsor: Rep. Toole.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

38.27. (DSS: New SNAP Debit Card Accountability Features) ~~By December 1, 2014, the Director of the Department of Social Services shall make reports and recommendations to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee for new accountability features to the debit cards used for the Supplemental Nutritional Assistance Program (SNAP).~~

~~1) The feasibility and cost benefit of adding the beneficiaries' identification numbers on the SNAP debit cards. The objective is to reduce the misuse of SNAP debit, and~~

~~2) The costs of various options available to reduce the fraud within these programs.~~

~~The department is authorized to use the agency's appropriated funds in Part I. A. of this act for research in complying with this provision.~~

SECTION 94 - E04-OFFICE OF THE LIEUTENANT GOVERNOR

94.4 DELETE/MERGE (Loan Forgiveness Carry Forward) Authorizes unexpended Geriatric Physician Loan Program funds to be carried forward.

WMC: DELETE proviso. Merge into proviso 94.7.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

94.4. (LTG: Loan Forgiveness Carry Forward) ~~Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated in Part IA, Section 94, Geriatric Physician Loan Program, shall be carried forward and used for the same purpose as originally appropriated.~~

94.7 AMEND (Geriatric Loan Forgiveness Program ~~Payment~~) Authorizes the Geriatric Loan Forgiveness Program, to make a single lump sum payment to the lending institution of up to \$35,000 or the loan balance whichever is less.

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

WMC: AMEND proviso to authorize unexpended funds to be carried forward. *Merges proviso 94.4 into this proviso.*

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

94.7. (LTG: Geriatric Loan Forgiveness Program ~~Payment~~) In lieu of quarterly payments to a recipient of the Geriatric Loan Forgiveness Program, the Lieutenant Governor's Office on Aging is authorized to make a single lump sum payment to the lending institution of up to \$35,000 or the loan balance, whichever is less.

Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated in Part IA, Section 94, Geriatric Physician Loan Program, shall be carried forward and used for the same purpose as originally appropriated.

94.8 **ADD** (Referring Agency) **WMC:** ADD new proviso to designate the Lieutenant Governor's Office on Aging as a "referring agency" for services for the elderly to the 14 Community Action Agencies in the state and to the Governor's Office of Economic Opportunity. Require the Governor's Office provide a report by September 1st to the Chairmen of the Senate Finance and House Ways and Means Committees on the status of all referrals received from the Lt. Governor's Office on Aging in the prior fiscal year.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

94.8. (LTG: Referring Agency) The Lieutenant Governor's Office on Aging shall serve as a "referring agency" to the 14 Community Action Agencies (CAAs) in South Carolina and to the Governor's Office of Executive Policy and Programs, Office of Economic Opportunity for services for the elderly population. The Governor's Office shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by September 1st on all referrals received from the Lieutenant Governor's Office on Aging in the prior fiscal year and on the status of the referrals.

SECTION 98 - E19-RETIREMENT SYSTEM INVESTMENT COMMISSION

98.1 **ADD** (Retirement Investment Commission Audit) **WMC:** ADD new proviso to suspend, for FY 14-15, the requirement that the Inspector General employ a private audit firm to perform the fiduciary audit on the Retirement System Investment Commission and direct any savings from not conducting the audit be used to conduct the required PEBA audit.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

98.1. (RSIC: Retirement Investment Commission Audit) For Fiscal Year 2014-15, the provisions of Section 9-16-380 requiring the Inspector General to employ a private audit firm to perform the fiduciary audit on the Retirement System Investment Commission as required by Section 9-16-380 of the 1976 Code shall be suspended. Any savings generated by not conducting the audit shall be used to conduct audits required by Section 9-4-40 of the 1976 Code.

98.2 **ADD** (Bi-Annual Meetings) **WMC:** ADD new proviso to require the Retirement System Investment Commission appear bi-annually before the Ways and Means Committee's

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

Legislative, Executive, and Local Government Subcommittee, at the subcommittee's request, in order to review quarterly investment reports and agency operations.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

98.2. (RSIC: Bi-Annual Meetings) The Retirement System Investment Commission shall be required to appear before the House Ways and Means Committee's, Legislative, Executive and Local Government Subcommittee on a bi-annual basis at the request of the subcommittee. The purpose of the meeting shall include, but not be limited to, the review of quarterly investment reports and agency operations.

SECTION 101 - F03-BUDGET AND CONTROL BOARD

101.23 AMEND (Sale of Surplus Real Property)) Provides guidelines for the retention and use of revenue derived from the sale of surplus real properties.

WMC: AMEND proviso to delete references to the Department of Mental Health and the Bull Street Campus.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

101.23. (BCB: Sale of Surplus Real Property) Up to fifty percent of the proceeds, net of selling expenses, from the sale of surplus real properties shall be retained by the Budget and Control Board and used for the deferred maintenance of state-owned buildings. The remaining fifty percent of the net proceeds shall be returned to the agency that the property is owned by, under the control of, or assigned to and shall be used by that agency for non-recurring purposes. This provision applies to all state agencies and departments except: institutions of higher learning; the Public Service Authority; the Ports Authority; the MUSC Hospital Authority; the Myrtle Beach Air Force Redevelopment Authority; the Department of Transportation; the Columbia State Farmers Market; the Department of Agriculture's Columbia Metrology Lab building and property; the Charleston Naval Complex Redevelopment Authority; the Department of Commerce's Division of Public Railways; the Midlands Technical College Enterprise Campus Authority; the Trident Technical College Enterprise Campus Authority; the Commissioners residence at the Department of Corrections and the Educational Television Commission's Key Road property.

The Educational Television Commission shall be authorized to retain the net proceeds from the sale of its property on Key Road, and such proceeds may be used for the renovation of the ETV Telecommunications Center and other maintenance and operating expenses. If it is determined that sufficient net proceeds are not to be derived from the sale of its property on Key Road to cover the cost of all renovations of the Telecommunications Center, the property on Key Road shall not be sold. Any proposed sale hereunder shall, prior to said sale, be submitted to the Budget and Control Board for approval as being in compliance with the requirements of this subsection.

The Department of Corrections shall be authorized to retain the net proceeds from the sale of the residence provided for the Commissioner of the Department of Corrections and use such proceeds for deferred maintenance needs at the Department of Corrections.

The Forestry Commission shall be authorized to retain the net proceeds from the sale of surplus land for use in firefighting operations and replacement of firefighting equipment.

~~The Department of Mental Health shall be authorized to retain the net proceeds it receives for sale of the property sold in accordance with, and identified in Exhibit A of the Sale and~~

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

~~Purchase Agreement dated December 16, 2010 between the Department of Mental Health and Hughes Development Corporation for the sale of 165.79± acres on the Bull Street Campus, as approved by the Budget and Control Board on June 14, 2011.~~

The Department of Natural Resources shall be authorized to retain the net proceeds from the sale of existing offices originally purchased with a federal grant or with restricted revenue from hunting and fishing license sales for the improvement, consolidation, and/or establishment of regional offices and related facilities.

The Department of Vocational Rehabilitation shall be authorized to retain the net proceeds from the sale of 3.205 acres located at 22861 Highway 76 East in Clinton, South Carolina to be used for capital projects and deferred maintenance.

The Department of Agriculture, the Educational Television Commission, the Department of Corrections, the Department of Natural Resources, ~~the Department of Mental Health~~, the Forestry Commission, and the Department of Vocational Rehabilitation shall annually submit a report, within sixty days after the close of the fiscal year, to the Senate Finance Committee and the House Ways and Means Committee on the status of the sale of the identified property and a detailed accounting on the expenditure of funds resulting from such sale.

This provision is comprehensive and supersedes any conflicting provisions concerning disposition of state owned real property whether in permanent law, temporary law or by provision elsewhere in this act.

Any unused portion of these funds may be carried forward into succeeding fiscal years and used for the same purposes.

- 101.25 AMEND** (Insurance Coverage for Aging Entity Authorized) Authorizes the Insurance Reserve Fund to provide insurance coverage for certain local aging entities. Directs that the IRF and the State shall not be liable for any coverage insufficiencies.
WMC: AMEND proviso to update fiscal year reference to "2014-15." *Technical.*
HOU: ADOPT proviso as amended.
SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

101.25. (BCB: Insurance Coverage for Aging Entity Authorized) The State Budget and Control Board, through the Insurance Reserve Fund, for Fiscal Year ~~2013-14~~ *2014-15*, is also authorized to offer insurance coverage to an aging entity and its employees serving clients countywide which previously obtained its tort liability insurance coverage through the board. The Insurance Reserve Fund and the State of South Carolina shall not be liable to any person or entity, including an insured, for any insufficiencies of coverage provided hereunder.

SECTION 105 - F50-PUBLIC EMPLOYEE BENEFIT AUTHORITY

- 105.6 DELETE** (Tobacco User Differential Study) Directs PEBA to conduct a study to determine the benefits to the State Health Plan to differentiate between enrollees who are tobacco users and non-users by imposing a surcharge based on the category of tobacco product used; to offer a period for public comment when conducting the study; and to make recommendations to the Chairmen of the Senate Finance and House Ways and Means Committees by December 31, 2013.
WMC: DELETE proviso. *Study has been completed.* Requested by Public Employee Benefit Authority.
HOU: ADOPT deletion of proviso.
SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

105.6. (PEBA: Tobacco User Differential Study) ~~The Public Employee Benefit Authority shall conduct a study to determine if it is in the best interest of the state and the State Health Plan to differentiate between tobacco users by category of product used and non-users regarding rates charged to enrollees in its health plans by imposing a surcharge on enrollee rates based upon the category of tobacco product used. In conducting the study, the authority shall offer a period for public comment. Recommendations shall include, but not be limited to an appropriate surcharge to be assessed and shall be submitted to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December 31, 2013.~~

105.7 CONFORM TO FUNDING (FY 2014 2015 State Health Plan) Directs that for the 2014 State Health Plan, employer premiums will increase 6.8%; subscriber premiums will not increase, and co-payments increases shall not exceed 20%. Authorizes PEBA to adjust the plan, benefits, or contributions during Plan Year 2014 to ensure the plan remains fiscally stable. **WMC:** AMEND proviso to update plan year to 2015; direct that employer premiums will increase 3.9%, subscriber premiums will not increase, and co-payments increases shall not exceed 9%.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

105.7. (PEBA: FY 2014 2015 State Health Plan) Of the funds authorized for the State Health Plan in Plan Year 2014 2015 pursuant to Section 1-11-710(A)(2) of the 1976 Code, an employer premium increase of ~~6.8%~~ 3.9% and a subscriber premium increase of zero percent for each tier (subscriber, subscriber/spouse, subscriber/children, full family) will result for the standard State Health Plan in Plan Year 2014 2015. Co-payment increases for participants of the State Health Plan in Plan Year 2014 2015 shall not exceed ~~twenty~~ nine percent. Notwithstanding the foregoing, pursuant to Section 1-11-710(A)(3), the Public Employee Benefit Authority may adjust the plan, benefits, or contributions of the State Health Plan during Plan Year 2014 2015 to ensure the fiscal stability of the Plan.

105.9 DELETE NEW PROVISO (Inactive SCRS Account Transfer) **WMC:** ADD new proviso to allow a current employee or teacher who is an active participant in the State Optional Retirement Program (ORP) to transfer previous contributions contained in an inactive S.C. Retirement Program account from the inactive account to their active ORP account.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~**105.9.** (PEBA: Inactive SCRS Account Transfer) A current employee or teacher who is an active participant in the State Optional Retirement Program but who has an inactive account in the South Carolina Retirement Program due to previous service in that system, shall be allowed to transfer previous contributions to the employee's or teacher's active State Optional Retirement Program account.~~

105.10 DELETE NEW PROVISO (Market Forces Competition) **WMC:** ADD new proviso to direct PEBA to adopt new policies for plan year 2015 that introduce market forces of competition and price conscientious into the state plan. Allow the policies to include, but not be limited to, financial incentives for participates who make certain decisions on health care use. Require costs associated with the new policies to be covered by imbedded savings. Require the authority monitor policy effectiveness and report findings to the Governor and the General Assembly.

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~*105.10. (PEBA: Market Forces Competition) For the 2015 plan year the Public Employee Benefit Authority shall adopt new policies for the state health plan that introduce market forces of competition and price conscientious into the state plan. These policies may include, but are certainly not limited to, financial incentive for participates who make certain decisions regarding health care utilization. Any cost associated with these new policies shall be covered by the imbedded savings of the policy. The authority shall monitor the effectiveness of these policies and report back to the Governor and the General Assembly their findings.*~~

105.np ADD (Network Pharmacy Publications) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to require all pharmacy publications or lists to include independent retail pharmacies and prohibit abridged pharmacy lists.

105.np. (PEBA: Network Pharmacy Publications) All pharmacy publications or lists must include independent retail pharmacies. Abridged pharmacy lists are prohibited.

SECTION 117 - X90-GENERAL PROVISIONS

117.70 AMEND FURTHER (Healthcare Employee Recruitment and Retention) Provides guidelines for DOC, DDSN, DHEC, DHHS, DJJ, DMH, and Voc Rehab to spend state, federal, and other sources of revenue to provide lump sum bonuses to aid in recruiting and retaining healthcare workers in critical needs healthcare jobs based on objective guidelines established by the B&C Board. Provides guidelines for paid educational leave for employees, for repaying outstanding student loans, and for tuition reimbursement.

WMC: AMEND proviso to add Psychologists to those employees that agencies may enter into an agreement with to repay outstanding student loans and apply the term “newly” employed only to nurses. *The Department of Mental Health is experiencing considerable difficulty in recruiting and hiring Psychologists in several program areas. Additionally, as a retention tool for Psychiatrists, Nurses and Psychologists, the Department of Mental Health would like to be able to offer the loan repayment option to existing employees, as well.* Requested by Department of Mental Health.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to delete reference to “newly employed.”

117.70. (GP: Healthcare Employee Recruitment and Retention) The Department of Corrections, Department of Disabilities and Special Needs, Department of Health and Environmental Control, Department of Health and Human Services, Department of Juvenile Justice, Department of Mental Health, and Department of Vocational Rehabilitation are allowed to spend state, federal, and other sources of revenue to provide lump sum bonuses to aid in recruiting and retaining healthcare workers in critical needs healthcare jobs based on objective guidelines established by the Budget and Control Board. The employee bonus amount shall be approved by the State Human Resources Director and shall not exceed \$10,000 per year. Payment of these bonuses is not a part of the employee’s base salary and is not earnable compensation for purposes of employee and employer contributions to respective retirement systems.

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

These agencies may also provide paid educational leave for any employees in an FTE position to attend class while enrolled in healthcare degree programs that are related to the agency's mission. All such leave is at the agency head's discretion.

These agencies may enter into an agreement with Psychiatrists, ~~and Psychologists,~~ and ~~newly employed~~ Nurses newly employed in those positions to repay them for their outstanding student loans associated with completion of a healthcare degree. The employee must be employed in a critical needs area, which would be identified at the agency head's discretion. Critical needs areas could include rural areas, areas with high turnover, or where the agency has experienced recruiting difficulties. Agencies may pay these employees up to twenty percent or \$7,500, whichever is less, of their outstanding student loan each year over a five-year period. Payments will be made directly to the employee at the end of each year of employment. The agency will be responsible for verifying the principle balance of the employee's student loan prior to issuing payments.

Employees of these agencies working on a practicum or required clinical experience towards completion of a healthcare degree may be allowed to complete these requirements at their state agency or another state agency at the discretion of the agency head. This field placement at another state agency may be considered work time for participating employees.

These agencies are also authorized to allow tuition reimbursement from a maximum of ten credit hours per semester; allow probationary employees to participate in tuition programs; and provide tuition pre-payment instead of tuition reimbursement for employees willing to pursue a degree in a healthcare program. An agency may pay up to fifty percent of an employee's tuition through tuition pre-payment. The remaining tuition could be reimbursed to the employee after successful completion of the class.

117.77 AMEND FURTHER (Printed Report Requirements) Directs that for Fiscal Year 2013-14 certain state agencies and higher education institutions shall not be required to submit printed reports and shall only submit the reports electronically. Waive the submission of certain reports.

WMC: AMEND proviso to update fiscal year references to "2014-15."

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to delete DHHS's exemption from having to provide printed copies of the Provider Reimbursement Rate Report required by Proviso 33.9.

117.77. (GP: Printed Report Requirements) (A) For Fiscal Year ~~2013-14~~ 2014-15, state supported institutions of higher learning shall not be required to submit printed reports mandated by Sections 2-47-40, 2-47-50, and 59-103-110 of the 1976 Code, and shall instead only submit the documents electronically.

Submission of the plans or reports required by Sections 59-101-350, 59-103-30, 59-103-45(4), and 59-103-160(D) shall be waived for the current fiscal year, except institutions of higher learning must continue to report student pass rates on professional examinations, and data elements otherwise required for the Commission on Higher Education Management Information System. The commission, in consultation with institutions, shall take further action to reduce data reporting burdens as possible.

(B) For Fiscal Year ~~2013-14~~ 2014-15, the Department of Agriculture shall not be required to submit printed reports mandated by Section 46-49-10 of the 1976 Code. The department shall provide these reports electronically and shall use any monetary savings for K5-12 agricultural education programs.

(C) For Fiscal Year ~~2013-14~~ 2014-15, the Department of Health and Human Services shall not be required to provide printed copies of the Medicaid Annual Report required pursuant to

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

Section 44-6-80 of the 1976 Code ~~and the Provider Reimbursement Rate Report required pursuant to Proviso 33.9,~~ and shall instead only submit the documents electronically.

(D) For Fiscal Year ~~2013-14~~ 2014-15, the Department of Transportation shall not be required to submit printed reports or publications mandated by Sections 1-11-58, 2-47-55, and 58-17-1450 of the 1976 Code.

The Department of Transportation may combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

117.103 AMEND FURTHER (~~Retirement Investment Commission~~ RSIC Performance Incentive Compensation Plan) Requires the Retirement Investment Commission to submit a plan for salary bonuses for calendar year 2014 to the Senate Finance Retirement and House Ways and Means Legislative, Executive, and Local Government Subcommittees by January 15 2014.

WMC: AMEND proviso to require the commission submit a Performance Incentive Compensation Plan by January 15, 2015 for investment staff salary bonuses for FY 15-16. Direct that the plan clearly list affected employees, how much the incentive bonus is to be, and include clearly delineated associated performance outcomes. Require both subcommittees to approve or disapprove the plan by June 30, 2015 and prohibit the plan from being implemented without such approval. Prohibit a bonus plan from being carried over from year to year if it is not approved.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to direct that the Senate and House Subcommittees “shall review and make recommendations regarding the plan to the commission” by June 30, 2015 rather than approve or disapprove the plan. Delete the restriction that the plan not be implemented without legislative approval and that the bonus plan may not be carried over from year to year.

117.103. (GP: ~~Retirement Investment Commission~~ RSIC Performance Incentive Compensation Plan) Of the funds appropriated and or authorized, the Retirement Investment Commission shall submit a ~~report~~ Performance Incentive Compensation Plan to the Senate Finance Retirement Subcommittee and the House Ways and Means Legislative, Executive, and Local Government Subcommittee by January 15, ~~2014~~ 2015 that sets forth a plan regarding investment staff’s salary bonuses for ~~calendar year 2015~~ Fiscal Year 2015-16. The plan shall include, but not be limited to, a clearly articulated listing of employees affected, how much incentive bonus is to be received, and clearly delineated associated performance goals and outcomes.

The Senate and House Subcommittees ~~must approve or disapprove the plan~~ shall review and make recommendations regarding the plan to the commission by June 30, 2015 and the plan must not be implemented without legislative approval. Any bonus plan, if not approved by the legislative subcommittees, may not be carried over from year to year.

117.114 AMEND (Fiduciary Audit) Requires the Retirement System Investment Commission transfer \$700,000 to the Office of Inspector General for the hiring of a private audit firm to perform the required fiduciary audit on the commission.

WMC: AMEND proviso to change RSIC references to PEBA.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.114. (GP: Fiduciary Audit) Of the funds authorized for the ~~Retirement System Investment Commission~~ Public Employee Benefit Authority, the ~~commission~~ authority shall transfer \$700,000 to the Office of Inspector General. The funds transferred shall be utilized by

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

the Inspector General to employ a private audit firm to perform the fiduciary audit on the ~~Retirement System Investment Commission~~ Public Employee Benefit Authority as required by Section ~~9-16-380~~ 9-4-40 of the 1976 Code, as amended.

117.127 AMEND NEW PROVISO (~~Continuing~~ Continuation of Teen Pregnancy Prevention Project Accountability) **HOU:** ADD new proviso to specify that qualifying organizations that apply for Continuing Teen Pregnancy Prevention funds must provide in their application a proposed 3-year budget and an agreement to provide quarterly reports to the grantor state agency that details expenditure of funds and specific project accomplishments. Require the quarterly reports be submitted within 15 days of the end of each quarter and direct that failure to submit the reports within 30 days of the end of each quarter will result in termination of the grant. Allow unexpended funds to be carried forward and used for the same purpose. Sponsors: Reps. G.R. Smith, Loftis, and Horne.

SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to delete the requirement that a proposed “three year” budget be included in the application and instead required an “annual budget be included. Delete the stipulation that entities be paid over a 36 month basis for services rendered and the delete the grant renewal option.

117.127.(GP: ~~Continuing~~ Continuation of Teen Pregnancy Prevention Project Accountability) Qualifying organizations applying for General Funds provided as a special item in this act and titled ~~Continuing~~ Continuation of Teen Pregnancy Prevention must include in its application a proposed ~~three year~~ annual budget and agreement to provide quarterly reports to the grantor state agency detailing the expenditure of funds and the project's accomplishments which shall include:

(1) Financial:

(a) Personnel costs, including employer contributions, by position for each of the following areas: administration, training, and education, as well as for other positions as identified;

(b) Operational costs identified in the application;

(c) One-time costs over \$500 for such items as supplies;

Administration costs may not exceed 10% of the total project budget. For purposes of this provision, “Administration” is defined as expenses other than educational.

(2) Description of program and curriculum to be used;

(3) Description of training;

(4) Schedule and brief description of project activities for each quarter;

(5) Participation reports on the following:

(a) Number of persons who participated;

(b) Total number of hours provided;

(c) Number of train the trainer events;

(d) Other data regarding the activities of the project;

(6) Description of the project evaluation to be used;

(7) Copy of latest completed independent financial audit and agency's response to any audit exceptions;

(8) Qualifications of project personnel;

(9) Best Practices to be used; and

(10) Evidence Based Curriculum.

An organization awarded a grant must provide these quarterly reports to the grantor state agency within 15 days of the end of each quarter. Grantees failing to submit reports with 30 days of the end of each quarter shall have their grant terminated.

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

~~Entities meeting these requirements and contracted for Continuing Teen Pregnancy Prevention projects may be paid over a thirty-six month basis for services rendered. After an award of the thirty-six month grant, recipients may apply to the department for grant renewals for up to an additional two years for a total of five years of grant funding. In addition, unexpended **Unexpended** funds for ~~Continuing~~ **Continuation of Teen Pregnancy Prevention** projects under the Department of Social Services or under the Department of Health and Environmental Control shall be carried forward for the purpose of fulfilling the department's contractual agreement.~~

- 117.128 DELETE NEW PROVISO** (Allocation of Continuing Teen Pregnancy Prevention State Monies) **HOU:** ADD new proviso to require DSS to transfer 10% of "Continuing Teen Pregnancy Prevention" funds by August 1st to DHEC for "Abstinence Until Marriage Emerging Programs." Require that this transfer take place before the agency awards these funds to entities that qualify to receive "Comprehensive Teen Pregnancy Prevention" funding and "Abstinence Until Marriage Evidence Base Programs" funding. Sponsors: Reps. G.R. Smith and Horne.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso

~~*117.128. (GP: Allocation of Continuing Teen Pregnancy Prevention State Monies) By August 1, the Department of Social Services must transfer ten percent of the monies in Part I. A. of this act for the Department of Social Services and designated as a Special Item titled "Continuing Teen Pregnancy Prevention" to the Department of Health and Environmental Control for "Abstinence Until Marriage Emerging Programs". This must be done prior to the award of any of these funds to entities qualifying for "Comprehensive Teen Pregnancy Prevention Funding" and "Abstinence Until Marriage Evidence Base Programs Funding."*~~

SECTION 118 - X91-STATEWIDE REVENUE

- 118.7 AMEND** (Health Care Maintenance of Effort Funding) Directs that the source of funds in this provision is \$158,000,000 from the 50 cent cigarette surcharge and deposited in the SC Medicaid Reserve Fund. Directs the Department of Health and Human Services to use these funds for the Medicaid Program's maintenance of effort. Authorizes unexpended funds to be carried forward and used for the same purpose.

WMC: AMEND proviso to delete the reference to a specific amount of funds and direct that the funds are to be used for the Medicaid program rather than for maintenance of effort.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

118.7. (SR: Health Care Maintenance of Effort Funding) ~~The source of funds appropriated in this provision is \$158,000,000 from the~~ *The* revenue collected from the fifty cent cigarette surcharge and deposited into the South Carolina Medicaid Reserve Fund ~~and~~ shall be utilized by the Department of Health and Human Services for the Medicaid Program's maintenance of effort *program*. By this provision these funds are deemed to have been received and are available for appropriation. Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.

- 118.12 DELETE** (Tobacco Settlement) Directs expenditure of Tobacco Master Settlement Agreement (MSA) funds.

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

WMC: DELETE proviso. *See new proviso 118.15.*

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~118.12. (SR: Tobacco Settlement) (A) To the extent funds are available from payments received on behalf of the State by the Tobacco Settlement Revenue Management Authority from the Tobacco Master Settlement Agreement (“MSA”) during calendar year 2014, the State Treasurer is authorized and directed to transfer \$1,253,000 to the Attorney General’s Office for Diligent Enforcement and Arbitration Litigation; \$450,000 to the State Law Enforcement Division for Diligent Enforcement; \$325,000 to the Department of Revenue for Diligent Enforcement, all to enforce Chapter 47 of Title 11, the Tobacco Escrow Fund Act. The remaining balance shall be transferred to the Department of Health and Human Services for Medicaid.~~

~~(B) To the extent funds are available from payments received on behalf of the State by the Tobacco Settlement Revenue Management Authority from the Tobacco Master Settlement Agreement (“MSA”) during calendar year 2013, excluding funds received from settlement of the 2003-2012 NPM Adjustments Under the Tobacco Master Settlement Agreement, the State Treasurer is authorized and directed to transfer funds sufficient to cover the operating expenses of the Authority and to transfer \$37,372,707 to the General Fund of the State, with the remaining balance transferred to the Department of Health of Human Services for Medicaid.~~

~~(C) To the extent funds are available to the Tobacco Settlement Revenue Management Authority following the discharge of the Series 2008 Tobacco Bonds and all remaining uncommitted Tobacco funds held by the State Treasurer prior to calendar year 2013, the State Treasurer is authorized and directed to transfer \$4,287,779 to the Department of Social Services to complete development of the Child Support Enforcement System; \$4,000,000 to the Medical University of South Carolina Hospital Authority for the Telemedicine program; and \$2,000,000 to the Department of Agriculture pursuant to Section 11-49-55 of the 1976 Code. The remaining balance shall be transferred to the Department of Health and Human Services for Medicaid.~~

~~(D) The requirements of Section 11-11-170 of the 1976 Code shall be suspended for Fiscal Year 2013-14.~~

118.13 DELETE (Non-recurring Revenue) Appropriates non-recurring revenue to various agencies for Fiscal Year 2013-14, generated from specific sources.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~118.13. (SR: Non-recurring Revenue) (A) The source of revenue appropriated in this provision is non-recurring revenue generated from the following sources:~~

~~(1) \$159,845,460 from Fiscal Year 2012-13 unobligated general fund revenue as certified by the Board of Economic Advisors;~~

~~(2) \$1,782,396 from the LCD Hitachi Settlement; and~~

~~(3) Funds from Settlement of the 2003-2012 NPM Adjustments Under the Tobacco Master Settlement Agreement which shall be transferred to the General Fund of the State.~~

~~This revenue is deemed to have occurred and is available for use in Fiscal Year 2013-14 after September 1, 2013, following the Comptroller General’s close of the state’s books on Fiscal Year 2012-13.~~

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year. The above agency transfers shall occur no later than thirty days after the close of the books on Fiscal Year 2012-13 and shall be available for use in Fiscal year 2013-14.

(B) ~~The appropriations in this provision are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.~~

The State Treasurer shall disburse the following appropriations by September 30, 2013, for the purposes stated:

- ~~(1) Part IA General Fund \$50,739,599;~~
- ~~(2) X22 Local Government Fund State Treasurer
Local Government Fund \$29,999,999;~~
- ~~(3) H63 Department of Education~~
 - ~~(a) Governor's School for the Arts and Humanities~~
 - ~~Data Network Wiring \$ 187,000;~~
 - ~~(b) Transportation Fuel and Bus Parts \$ 6,426,188;~~
 - ~~(c) Instructional Materials \$22,667,978;~~
 - ~~(d) 4K Statewide at Risk Phase In Districts with
75% + Poverty \$ 4,120,000;~~
- ~~(3.1) Of the funds appropriated above to the Department of Education for 4K Statewide at Risk Phase In Districts with 75% + Poverty, 35% shall be distributed to First Steps to School Readiness for the Child Development Education Pilot Program (CDEPP) and 65% shall be retained by the Department of Education for the Child Development Education Pilot Program (CDEPP).~~
- ~~(4) H75 School for the Deaf and the Blind~~
 - ~~(a) Educational Technology \$ 575,000;~~
 - ~~(b) Distance Learning \$ 185,000;~~
 - ~~(c) Audio Description Devices \$ 65,000;~~
 - ~~(d) Student Response Services \$ 40,000;~~
 - ~~(e) Auditory Enhancement \$ 65,000;~~
 - ~~(f) Records Management \$ 175,000;~~
- ~~(5) J02 Department of Health and Human Services~~
 - ~~(a) Nursing Homes Rate Increase \$ 5,000,000;~~
 - ~~(b) SC Health Information Network (Palmetto Project) \$ 100,000;~~
- ~~(6) H03 Commission on Higher Education~~
 - ~~University Center of Greenville Infrastructure Development \$ 200,000;~~
- ~~(7) H12 Clemson University~~
 - ~~Student Career Opportunity Program \$ 1,000,000;~~
- ~~(8) H27 University of South Carolina~~
 - ~~(a) On Your Time \$ 2,500,000;~~
 - ~~(b) SC Child Abuse Medical Response Program \$ 225,000;~~
- ~~(9) H51 Medical University of South Carolina~~
 - ~~(a) MUSC Hospital Authority Rural Hospital
Transformation \$ 400,000;~~
 - ~~(b) Institute of Medicine \$ 400,000;~~
 - ~~(c) Mobile Cancer Screening and Early Detection \$ 600,000;~~
- ~~(10) H59 State Board for Technical and Comprehensive Education~~
 - ~~Midlands Technical Quickjobs Program Equipment \$ 500,000;~~
- ~~(11) H15 University of Charleston~~
 - ~~Avery Center \$ 300,000;~~

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

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| (12) H37 | University of South Carolina – Lancaster | |
| | (a) Deferred Maintenance..... | \$ 400,000; |
| | (b) Parity Funding..... | \$ 148,400; |
| (13) H38 | University of South Carolina – Salkehatchie | |
| | Parity Funding..... | \$ 118,720; |
| (14) H39 | University of South Carolina – Sumter | |
| | Parity Funding..... | \$ 97,520; |
| (15) H40 | University of South Carolina – Union | |
| | Parity Funding..... | \$ 59,360; |
| (16) H79 | Department of Archives and History | |
| | (a) Archival Technology..... | \$ 56,957; |
| | (b) GLEAMNS – Benjamin Mays Historical Preservation Site – Capital Equipment..... | \$ 200,000; |
| (17) P36 | Patriots Point Development Authority | |
| | National Flight Academy..... | \$ 400,000; |
| (18) J04 | Department of Health and Environmental Control | |
| | (a) SC Bleeding Disorders – Premium Assistance Program..... | \$ 100,000; |
| | (b) Ocean Water Quality Outfall Initiative..... | \$ 750,000; |
| | (c) HIV Prevention – Project Faith..... | \$ 350,000; |
| | (d) Nurse Family Partnership..... | \$ 100,000; |
| | (e) Best Chance Network and Colon Cancer Prevention Network – Proviso 34.43..... | \$ 1,500,000; |
| | (f) Stroke System of Care Act of 2011..... | \$ 50,000; |
| | (g) Donate Life SC – Organ Donor Registry..... | \$ 100,000; |
| | (h) James R. Clark Sickle Cell Foundation..... | \$ 100,000; |
| | (i) State Beachfront Management Plan..... | \$ 2,000,000; |
| (19) H73 | Vocational Rehabilitation | |
| | Basic Services – Case Services..... | \$ 500,000; |
| (20) P32 | Department of Commerce | |
| | (a) Deal Closing Fund..... | \$12,677,766; |
| | (b) Base Closure Fund..... | \$ 500,000; |
| | (c) Business Incubator Program..... | \$5,000,000; |
| | (d) SC Council on Competitiveness..... | \$ 650,000; |
| | (e) Community Development Corporation Initiative..... | \$ 400,000; |
| (20.1) | Of the funds appropriated above to the Department of Commerce for the Business Incubator Program, \$1,000,000 shall be used to invest in technology based economic development projects. The department shall develop guidelines to administer the program and any investment made by the department shall be accompanied by a dollar for dollar match from non-state appropriated funds. Eligible projects shall foster economic development through university collaboration, local government participation, public private partnership participation, all of which is aimed at “digital interactive and immersive media” projects throughout the state. \$400,000 shall be designated for the digital design initiative. Up to \$300,000 may be used by the department for administrative costs associated with this program. | |
| (21) D10 | State Law Enforcement Division | |
| | (a) Maintenance Fees..... | \$ 30,000; |
| | (b) Law Enforcement Equipment..... | \$ 739,980; |
| | (c) Vehicle Replacement..... | \$ 720,000; |
| (22) K05 | Department of Public Safety | |
| | Vehicle Replacement..... | \$ 500,000; |

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

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| (23) N04 Department of Corrections | |
| (a) Statewide Paving..... | \$ 1,000,000; |
| (b) Deferred Maintenance..... | \$ 3,635,000; |
| (c) Security/Detention Systems and Equipment..... | \$ 2,542,000; |
| (d) Inmate Security and Support Vehicles..... | \$ 1,000,000; |
| (e) Broad River Sewer System Upgrade..... | \$ 700,000; |
| (f) Food Service Institutional Equipment..... | \$ 489,357; |
| (g) Observation Towers Lee Correctional Institution..... | \$ 236,900; |
| (h) Center Pivot Irrigation System..... | \$ 100,000; |
| (i) Weapons Replacement..... | \$ 40,000; |
| (24) P24 Department of Natural Resources | |
| (a) Outreach Programs..... | \$ 200,000; |
| (b) State River Basin Study..... | \$ 1,500,000; |
| (c) Information Technology Phase II Upgrade Software and Equipment Replacement..... | \$ 1,725,000; |
| (d) Groundwater Monitoring Clusters..... | \$ 250,000; |
| (e) Enforcement Division Vehicles..... | \$ 785,050; |
| (f) Invasive Species Control Program..... | \$ 50,000; |
| (g) Catawba/Wateree River Basin Study..... | \$ 250,000; |
| (24.1) The funds appropriated above to the Department of Natural Resources for the State River Basin Study Project must be used for water data collection to provide scientific information on water resources in the state's eight major river basins. The department shall, on a quarterly basis beginning October 1, 2013, submit to the Senate Finance Committee, the House Ways and Means Committee, the Senate Agriculture and Natural Resources Committee, and the House Agriculture, Natural Resources and Environmental Affairs Committee, a report on the project's timeline, findings, and expenditure of funds. Additionally, this information shall be posted electronically on the Department of Natural Resources and the Department of Health and Environmental Control websites. | |
| (25) L36 Human Affairs Commission | |
| Computerized Affirmative Action Management System (CAAMS)..... | \$ 100,000; |
| (26) R28 Department of Consumer Affairs | |
| (a) Licensing Database Reconfiguration/Upgrade..... | \$ 100,000; |
| (b) Identify Theft Unit S.334..... | \$ 1; |
| (27) R40 Department of Motor Vehicles | |
| ADA Compliance..... | \$ 925,000; |
| (28) D25 Office of Inspector General | |
| Office Infrastructure..... | \$ 52,565; |
| (29) E04 Office of Lieutenant Governor | |
| Caregivers..... | \$ 2,999,999; |
| (30) E08 Secretary of State | |
| (a) Board and Commissions Database Project..... | \$ 250,000; |
| (b) Disaster Recovery/Image Digitization..... | \$ 97,800; |
| (31) E24 Office of Adjutant General | |
| (a) Armory Maintenance and Repair Projects..... | \$ 650,000; |
| (b) Emergency Management Program Improvements..... | \$ 375,000; |
| (32) H87 State Library | |
| Aid to Counties..... | \$ 1,341,395; |
| (33) E21 Prosecution Coordination Commission | |
| Centers for Fathers and Families..... | \$ 400,000; |

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

- (34) N20 ~~Law Enforcement Training Council~~
Purchase Netbooks to Replace Paper Testing\$ 49,000;
- (35) L04 ~~Department of Social Services~~
Phyllis Wheatley ~~Donaldson Center Revitalization~~\$ 150,000;
- (36) R36 ~~Department of Labor, Licensing, and Regulation~~
Urban Search and Rescue (USAR).....\$ 500,000;
- (37) U12 ~~Department of Transportation~~
 - (a) ~~Traffic Management/Richland Electrical~~
Building Construction.....\$ 875,000;
 - (b) ~~Lexington County Maintenance Complex Land~~
Acquisition.....\$ 700,000;
 - (c) ~~Lexington County Maintenance Complex Construction~~.....\$ 100,000;
 - (d) ~~Upstate Salt Storage Facility Construction~~\$ 313,500;
 - (e) ~~Cherokee Salt Shed Construction~~.....\$ 260,000;
 - (f) ~~Sandy Island Boat Ramp~~.....\$ 150,000; and
- (38) A85 ~~Education Oversight Committee~~
Partnerships for Innovation\$ 100,000.

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

~~(C) From the escrow account established pursuant to Proviso 90.13 of Act 310 of 2008, the remaining funds shall be used to offset any operating shortfalls resulting from the Barnwell Low-Level Waste Facility operations in order to preserve the economic viability of the facility. The amount distributed to offset any operating shortfalls shall be determined by calculating the difference between the allowable operating costs plus adjustments as approved by the Public Service Commission, and the access fees paid by the Atlantic Compact generators. Funds remaining in the account to offset operating shortfalls shall also be used to maintain access fees to the facility for Fiscal Year 2013-14 at the Fiscal Year 2009-2010 level. There shall also be paid from the escrow account the annual dues of the Southern States Energy Board.~~

118.15 CONFORM TO FUNDING (Tobacco Settlement) WMC: ADD new proviso to direct expenditure of Tobacco Master Settlement Agreement (MSA) funds as follows: \$1,253,000 to Attorney General’s Office, \$450,000 to SLED, and \$325,000 to DOR for Diligent Enforcement; \$1,000,000 to Department of Agriculture per Section 11-49-55 [STATE-GROWN CROPS; MARKETING, BRANDING, AND NATURAL DISASTER RELIEF ASSISTANCE]; with the balance to the Department of Health and Human Services for the Medicaid program. Suspend the requirements of Section 11-11-170 [USE OF REVENUES PAYABLE PURSUANT TO MASTER SETTLEMENT AGREEMENT] for FY 14-15.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

118.15. (SR: Tobacco Settlement) (A) To the extent funds are available from payments received on behalf of the State by the Tobacco Settlement Revenue Management Authority from the Tobacco Master Settlement Agreement ("MSA") during Fiscal Year 2014-15, the State Treasurer is authorized and directed, after transferring funds sufficient to cover the operating expenses of the Authority, to transfer the remaining funds as follows:

(1) \$1,253,000 to the Attorney General's Office for Diligent Enforcement and Arbitration Litigation; \$450,000 to the State Law Enforcement Division for Diligent Enforcement; and \$325,000 to the Department of Revenue for Diligent Enforcement, all to enforce Chapter 47 of Title 11, the Tobacco Escrow Fund Act;

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

(2) \$1,000,000 to the Department of Agriculture pursuant to Section 11-49-55 of the 1976 Code. and

(3) The remaining balance shall be transferred to the Department of Health and Human Services for the Medicaid program.

(B) The requirements of Section 11-11-170 of the 1976 Code shall be suspended for Fiscal Year 2014-15.

118.16 CONFORM TO FUNDING (Non-Recurring Revenue) **WMC:** ADD new proviso to appropriate \$191,770,775 of non-recurring revenue for FY 2014-15 generated from FY 2012-13 Contingency Reserve Fund and FY 2013-14 unobligated general fund revenue certified by the BEA. Appropriate funds to various agencies for specific purposes. Authorize these funds to be carried forward and used for the same purposes.

Item 3.1 - Direct that \$3,779,616 appropriated to SDE in subitem (3)(a) for Hold-Harmless Transition Payments with EOC Funding Model are to be used to provide funds to districts that will not receive an increase in EFA funds as a result of the EFA transition. Direct the funds be disbursed as a direct reimbursement for lost EFA revenue only during Fiscal Year 2014-15.

Item 3.2 - Direct that \$4,000,000 appropriated to SDE in subitem (3)(c) for Teacher Training for Technology, shall provide each school district or special school with a proportional allocation based on the previous year's 135-day ADM and which will be used to provide teachers with professional development related to Teacher Training for Technology. Require each school district or special school report to the department on the amounts of state or local funds spent on such training; describe the types of professional development and training provided; and the number of teachers that participated.

Item 4.1 - Direct that \$2,000,000 appropriated to the State Board for Tech and Comp Ed in subitem (4)(a) for Critical Needs Workforce Development Initiative be used for a pilot program at Tri-County Tech and a pilot program at Central Carolina Tech to address workforce shortages in the state's manufacturing community. Direct the pilot programs to create a process by which local high school students can dual enroll in classes at the technical college so that they can graduate high school with a manufacturing certification.

Item 8.1 - Direct that of the \$1,500,000 appropriated to DHEC in subitem (8)(a), \$1,000,000 shall be used for the Best Chance Network and \$500,000 shall be used as matching funds for the Colon Cancer Prevention Network.

Item 9.1 - Direct that \$2,000,000 appropriated to PRT in subitem (9)(c) for Sports Development Funds be used to make grant awards available to youth sport organizations. Require all awards be matched 1:1 with a non-state match and require organizations demonstrate an annual economic impact greater than the amount awarded.

Item 9.2 - Direct that of the \$400,000 appropriated to PRT in subitem (9)(d) for Marketing - International, \$200,000 must be used as match for the Coastal South Carolina USA international tourism campaign; and \$100,000 must be sent to the Myrtle Beach Area Chamber for International Tourism.

Item 31.1 - Direct that \$600,000 appropriated to MUSC in subitem (31)(d) for Mobile Cancer Screening be used to collaborate with the Clemson Sullivan Health Center's mobile unit to provide services.

Section (C) - Direct that the funds appropriated for SC Higher Education Efficiency, Effectiveness and Accountability Review be used to create a 9 member steering committee to oversee procurement, execution, and implementation of the S.C. Higher Education, Efficiency, Effectiveness and Accountability Review and direct that the committee is the primary client for the vendor that is selected to complete the review. Require every college and university to provide funds necessary to complete the review, upon the committee's request, and limit the amount of the funds to those provided by this act for that purpose. Direct that initial findings

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

must be provided to the Governor and the General Assembly by February 1, 2015. Require colleges and universities to implement process improvement strategies the review identifies.

Section (D) - Direct that funds remaining in the escrow account established pursuant to Proviso 90.13 of Act 310 of 2008 be used to offset any operating shortfalls resulting from the Barnwell Low Level Waste Facility operations and provide for the calculation of the funds to be distributed. Direct that these funds also be used to maintain access fees to the facility for FY 13-14 at the FY 09-10 level and also be used to pay Southern States Energy Board annual dues.

HOU: AMEND new proviso to add \$6,116,161 from the Allergan-BOTOX® Settlement and the LG-LCD Panels Settlement to the source of revenue for this provision. Change the amount directed for item (2) Debt Service from \$24,918,094” to “\$27,418,094.” Add new item (3) EOC Partnerships for Innovation \$200,000. Item (4) SDE, add new subitems (h) Instructional Materials \$1,666,161 and (i) Transportation \$1,000,000. Sponsor: Rep. White. AMEND FURTHER item (5) St. Bd. for Tec. and Comp. Ed. subitem (b) Technical College of the Lowcountry - Transitioning Military Support and Training Program by including “Building 16 Renovation, Parking and Road Improvements” at the end. Sponsor: Rep. Herbkersman. AMEND FURTHER item (10) PRT by adding subitem (j) PARD \$1,000,000. Item (11) LGF-State Treasurer, change Local Government Fund from “\$30,000,000” to “\$25,000,000.” Item (44) PCC, delete subitem (a) Information Technology \$2,000,000. Add new item (53) County Transportation Funds, Alloc Cnty-Restricted \$6,750,000. Sponsor: Rep. White.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendations.

118.16. (SR: Non-recurring Revenue) (A) The source of revenue appropriated in this provision is non-recurring revenue generated from the following sources:

(1) \$68,370,147 from Fiscal Year 2012-13 Contingency Reserve Fund;

(2) \$123,400,628 from Fiscal Year 2013-14 unobligated general fund revenue as certified by the Board of Economic Advisors; and

(3) \$6,116,161 from the Allergan-BOTOX® Settlement and the LG-LCD Panels Settlement.

This revenue is deemed to have occurred and is available for use in Fiscal Year 2014-15 after September 1, 2014, following the Comptroller General’s close of the state’s books on Fiscal Year 2013-14.

Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year. The above agency transfers shall occur no later than thirty days after the close of the books on Fiscal Year 2013-14 and shall be available for use in Fiscal year 2014-15.

(B) The appropriations in this provision are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.

The State Treasurer shall disburse the following appropriations by September 30, 2014, for the purposes stated:

(1) General Reserve Fund Contribution \$26,589,048;

(2) V04 - Debt Service

Debt Service Payments..... \$27,418,094;

(3) A85 - Education Oversight Committee

EOC Partnerships for Innovation \$ 200,000;

(4) H63 - Department of Education

(a) Hold-Harmless Transition Payments with EOC

Funding Model \$ 3,779,616;

(b) Digital Instructional Materials..... \$ 7,000,000;

(c) Teacher Training for Technology..... \$ 4,000,000;

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

- (d) Charter School Facility Revolving Loan Program..... \$ 4,000,000;
- (e) BabyNet Data System - Required Upgrades..... \$ 838,100;
- (f) Governor’s School for the Arts and Humanities-
Humidity Control in Residence Hall \$ 55,000;
- (g) Governor’s School for the Arts and Humanities-
Classroom Reconfiguration..... \$ 55,000;
- (h) Instructional Materials \$ 1,666,161;
- (i) Transportation \$ 1,000,000;

(4.1) Of the funds appropriated above in subitem (4)(a) to the Department of Education for Hold-Harmless Transition Payments, the department is directed to provide funds to the districts that will not receive an increase in Education Finance Act funds as a result of the Education Finance Act transition. The funds are to be disbursed to districts as a direct reimbursement for lost EFA revenue only during Fiscal Year 2014-15.

(4.2) Of the funds appropriated above in subitem (4)(c) to the Department of Education for Teacher Training for Technology, each school district or special school shall receive a proportional allocation based on the previous year's 135-day average daily membership. The district must use these funds to provide teachers with professional development specifically related to Teacher Training for Technology. These funds may not be used to supplant existing school district expenditures. By June 1, 2015, and on a form specified by the Department of Education, each school district or special school must report to the department on the amounts of state funds and any local funds expended on such training and describe the types of professional development and training provided to teachers and the number of teachers that participated.

- (5) H59 - State Board for Technical and Comprehensive Education
- (a) Critical Needs Workforce Development Initiative..... \$ 2,000,000;
- (b) Technical College of the Lowcountry - Transitioning
Military Support and Training Program; Building 16
Renovation, Parking and Road Improvements \$ 1,500,000;
- (c) Aiken Technical College - Renovation of IT
Infrastructure..... \$ 608,500;
- (d) Tri County Technical College - CNC and
Mechatronics Programs \$ 1,000,000;

(5.1) Of the funds appropriated above in subitem (5)(a), the State Board for Technical and Comprehensive Education shall fund a pilot program at Tri-County Tech and a pilot program at Central Carolina Tech designed to address workforce shortages in South Carolina's manufacturing community. These pilot programs shall at a minimum create a process by which local high school students can dual enroll in class offerings at the technical college so that they can graduate high school with a manufacturing certification.

- (6) P32 - Department of Commerce
- (a) Deal Closing Fund..... \$12,406,874;
- (b) SC Council on Competitiveness..... \$ 400,000;
- (c) Community Development Corporation Initiative \$ 250,000;
- (7) H87 - State Library
- Aid to Counties - Per Capita \$1.25..... \$ 1,341,395;
- (8) P36 - Patriots Point Development Authority
- Medal of Honor Museum \$ 1,000,000;
- (9) J04 - Department of Health and Environmental Control
- (a) Best Chance/Colon Cancer Networks \$ 1,500,000;
- (b) J.R. Clark Sickle Cell Foundation \$ 100,000;
- (c) Bleeding Disorders - Premium Assistance Program..... \$ 100,000;

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

- (d) Ocean Water Quality Outfall Initiative \$ 500,000;
- (e) Sea Haven..... \$ 250,000;
- (f) Water Quality \$ 1,575,700;

(9.1) Of the funds appropriated above in subitem (9)(a), the Department of Health and Environmental Control shall utilize \$1,000,000 for the Best Chance Network and \$500,000 shall be used as matching funds for the Colon Cancer Prevention Network.

(10) P28 - Department of Parks, Recreation, and Tourism

- (a) Undiscovered SC \$ 500,000;
- (b) Palmetto Trail..... \$ 50,000;
- (c) Sports Development Fund..... \$ 2,000,000;
- (d) Marketing - International \$ 400,000;
- (e) Greenville Children's Museum..... \$ 150,000;
- (f) African-American History Museum..... \$ 250,000;
- (g) Congressional Medal of Honor Bowl..... \$ 100,000;
- (h) SC Equine Park \$ 100,000;
- (i) Historic Columbia - Woodrow Wilson Family Home..... \$ 250,000;
- (j) Parks and Recreation Development Program..... \$ 1,000,000;

(10.1) Of the funds appropriated above in subitem (10)(c), the Department of Parks Recreation and Tourism shall make grant awards available to youth sport organizations. All grant awards must be matched dollar-for-dollar with a non-state match. Organizations must be able to demonstrate an annual economic impact that exceeds the award amount.

(10.2) Of the funds appropriated above in subitem (10)(d), the Department of Parks Recreation and Tourism must use \$200,000 as match for the Coastal, South Carolina USA international tourism campaign; and \$100,000 shall be sent to the Myrtle Beach Area Chamber for International Tourism.

(11) X22 - Local Government Fund, State Treasurer

- Local Government Fund \$25,000,000;

(12) P45 - Rural Infrastructure Authority

- Grants \$ 3,000,000;

(13) H71 - Wil Lou Gray Opportunity School

- Paving \$ 350,000;

(14) A85 - Education Oversight Committee

- Women in Unity..... \$ 100,000;

(15) H03 - Commission on Higher Education

- (a) Need-Based Grants..... \$ 2,600,000;
- (b) Child Abuse Medical Response Program \$ 225,000;

(16) H09 - The Citadel

- (a) Higher Education Efficiency, Effectiveness and Accountability Review \$ 108,387;
- (b) Mechanical Engineering Lab and Equipment \$ 700,000;

(17) H12 - Clemson University

- (a) Higher Education Efficiency, Effectiveness and Accountability Review \$ 794,754;
- (b) Student Career Opportunity Program..... \$ 1,000,000;

(18) H15 - University of Charleston

- (a) Higher Education Efficiency, Effectiveness and Accountability Review \$ 235,673;
- (b) Simons Center for the Arts Renovation \$ 300,000;

(19) H17 - Coastal Carolina University

- (a) Higher Education Efficiency, Effectiveness and

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

| | | |
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| | <u>Accountability Review</u> | \$ 109,123; |
| | <u>(b) Parity Funding</u> | \$ 300,000; |
| <u>(20) H18 - Francis Marion University</u> | | |
| <u>(a) Higher Education Efficiency, Effectiveness and</u> | | |
| <u>Accountability Review</u> | \$ 143,162; | |
| <u>(b) Physician Assistant Degree Program</u> | \$ 500,000; | |
| <u>(21) H21 - Lander University</u> | | |
| <u>(a) Higher Education Efficiency, Effectiveness and</u> | | |
| <u>Accountability Review</u> | \$ 74,610; | |
| <u>(b) Energy Management</u> | \$ 200,000; | |
| <u>(22) H24 - South Carolina State University</u> | | |
| <u>(a) Higher Education Efficiency, Effectiveness and</u> | | |
| <u>Accountability Review</u> | \$ 149,128; | |
| <u>(b) Efficiency Process Improvements</u> | \$ 200,835; | |
| <u>(23) H27 - University of South Carolina-Columbia Campus</u> | | |
| <u>(a) Higher Education Efficiency, Effectiveness and</u> | | |
| <u>Accountability Review</u> | \$ 1,295,869; | |
| <u>(b) Fair Funding Initiative</u> | \$ 1,000,000; | |
| <u>(24) H29 - University of South Carolina-Aiken Campus</u> | | |
| <u>(a) Higher Education Efficiency, Effectiveness and</u> | | |
| <u>Accountability Review</u> | \$ 78,562; | |
| <u>(b) Parity Funding</u> | \$ 200,000; | |
| <u>(25) H34 - University of South Carolina-Upstate Campus</u> | | |
| <u>(a) Higher Education Efficiency, Effectiveness and</u> | | |
| <u>Accountability Review</u> | \$ 109,543; | |
| <u>(b) Parity Funding</u> | \$ 200,000; | |
| <u>(26) H36 - University of South Carolina-Beaufort Campus</u> | | |
| <u>(a) Higher Education Efficiency, Effectiveness and</u> | | |
| <u>Accountability Review</u> | \$ 31,705; | |
| <u>(b) Parity Funding</u> | \$ 200,000; | |
| <u>(27) H37 - University of South Carolina-Lancaster Campus</u> | | |
| <u>Parity Funding</u> | \$ 148,720; | |
| <u>(28) H38 - University of South Carolina-Salkehatchie Campus</u> | | |
| <u>Parity Funding</u> | \$ 118,720; | |
| <u>(29) H39 - University of South Carolina-Sumter Campus</u> | | |
| <u>Parity Funding</u> | \$ 176,270; | |
| <u>(30) H40 - University of South Carolina-Union Campus</u> | | |
| <u>Parity Funding</u> | \$ 59,360; | |
| <u>(31) H47 - Winthrop University</u> | | |
| <u>(a) Higher Education Efficiency, Effectiveness and</u> | | |
| <u>Accountability Review</u> | \$ 163,834; | |
| <u>(b) Visual and Performing Arts Center</u> | | |
| <u>Accreditation/ADA Access</u> | \$ 750,000; | |
| <u>(32) H51 - Medical University of South Carolina</u> | | |
| <u>(a) Higher Education Efficiency, Effectiveness and</u> | | |
| <u>Accountability Review</u> | \$ 705,649; | |
| <u>(b) Tele-Medicine</u> | \$ 1,000,000; | |
| <u>(c) Institute of Medicine</u> | \$ 400,000; | |
| <u>(d) Mobile Cancer Screening</u> | \$ 600,000; | |

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

(32.1)Of the funds appropriated above in subitem (32)(d), the Medical University of South Carolina shall collaborate with the Clemson Sullivan Health Center’s mobile unit to provide services.

- (33) H79 - Department of Archives and History
Digital Access and Storage Initiative Operations..... \$ 250,000;
- (34) H91 - Arts Commission
SC Artisans Center..... \$ 50,000;
- (35) H95 - State Museum Commission
Acquisitions..... \$ 200,000;
- (36) J02 - Department of Health and Human Services
(a) Medicaid Program (MOE) \$21,500,000;
(b) Medical Contracts \$ 650,000;
- (37) J16 - Department of Disabilities and Special Needs
(a) Therapeutic Equestrian Center - Burton Center \$ 300,000;
(b) Autism Services..... \$ 1,150,000;
- (38) J20 - Department of Alcohol and Other Drug Abuse Services
(a) Keystone - Alcohol and Drug Abuse Capital
Improvement - Rock Hill \$ 750,000;
(b) Circle Park - Florence County - Alcohol and
Drug Abuse..... \$ 200,000;
- (39) L24 - Commission for the Blind
Aging Blind \$ 150,000;
- (40) P16 - Department of Agriculture
Laboratory Equipment..... \$ 250,000;
- (41) P26 - Sea Grants Consortium
Stormwater Research Partnership \$ 100,000;
- (42) B04 - Judicial Department
(a) Calhoun and Supreme Court Building Security \$ 850,000;
(b) Digital Court Room Equipment..... \$ 210,000;
- (43) D10 - State Law Enforcement Division
(a) Child Fatality..... \$ 167,432;
(b) Forensics \$ 141,736;
(c) Alcohol Enforcement \$ 711,586;
- (44) E21 - Prosecution Coordination Commission
SC Center for Fathers and Families \$ 400,000;
- (45) K05 - Department of Public Safety
Law Enforcement Vehicle Replacement..... \$ 2,000,000;
- (46) N04 - Department of Corrections
(a) Camera Equipment and Network System - Lee
Correctional Institution..... \$ 2,262,000;
(b) Construction of Three Perimeter Towers - Lieber
Correctional Institution..... \$ 450,000;
(c) Weapons Replacement - Phase III..... \$ 40,000;
- (47) P24 - Department of Natural Resources
(a) New Law Enforcement Officers Equipment..... \$ 240,000;
(b) Coastal and Offshore Mapping and Water Monitoring..... \$ 300,000;
(c) Law Enforcement Vehicle Replacement \$ 500,000;
(d) Drill Rig/Water Truck..... \$ 570,000;
(e) Waddell Center Infrastructure..... \$ 1,100,000;
(f) License Term Conversion..... \$ 2,700,000;

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

| | |
|--|------------------------|
| <u>(g) State Lakes.....</u> | <u>\$ 250,000;</u> |
| <u>(48) R36 - Department of Labor, Licensing, and Regulation</u> | |
| <u> Urban Search and Rescue (USAR).....</u> | <u>\$ 250,000;</u> |
| <u>(49) E04 - Lieutenant Governor's Office</u> | |
| <u> (a) Caregivers</u> | <u>\$ 2,000,000;</u> |
| <u> (b) Antioch Senior Center</u> | <u>\$ 150,000;</u> |
| <u>(50) E08 - Office of Secretary of State</u> | |
| <u> Disaster Recovery Image Digitization - Phase II.....</u> | <u>\$ 97,800;</u> |
| <u>(51) E28 - Election Commission</u> | |
| <u> (a) Security and Technology Enhancements</u> | <u>\$ 100,000;</u> |
| <u> (b) Statewide Election Funds</u> | <u>\$ 438,990;</u> |
| <u> (c) Equal Access to the Ballot (S.2)</u> | <u>\$ 245,000;</u> |
| <u>(52) F03 - Budget and Control Board</u> | |
| <u> Cherry Grove Building Roof Repair</u> | <u>\$ 150,000; and</u> |
| <u>(53) U20 - County Transportation Funds</u> | |
| <u> Alloc Cnty-Restricted</u> | <u>\$6,750,000.</u> |

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

(C) The funds provided above for the Higher Education Efficiency, Effectiveness and Accountability Review shall be governed by a nine member steering committee to oversee the procurement, execution, and implementation of the South Carolina Higher Education Efficiency, Effectiveness and Accountability Review. The committee shall serve as the primary client for the vendor selected to complete the review. Appointments to the committee shall include:

- (1) the Speaker of the House of Representatives or his designee;
- (2) the Chairman of the House Ways and Means Committee or his designee;
- (3) the President Pro Tempore of the Senate or his designee;
- (4) the Chairman of the Senate Finance Committee or his designee;
- (5) the Governor or her designee;
- (6) the Executive Director of the Commission on Higher Education; and
- (7) a college or university president, a college or university trustee and a college or university chief financial officer, each selected by a majority vote of the Commission on Higher Education.

Upon request of the committee, every college and university shall provide funds necessary to complete the review, not to exceed the amount provided in this act for this purpose; and the Budget and Control Board shall provide assistance with the procurement process. The committee shall deliver initial findings to the Governor and the General Assembly by February 1, 2015. Every college and university must implement process improvement strategies identified by the review. Any funding provided for this purpose that is not needed to complete the actual review shall be used to implement findings. It is the intent of the General Assembly that any savings realized from these reviews shall be retained by each university.

(D) From the escrow account established pursuant to Proviso 90.13 of Act 310 of 2008, the remaining funds shall be used to offset any operating shortfalls resulting from the Barnwell Low Level Waste Facility operations in order to preserve the economic viability of the facility. The amount distributed to offset any operating shortfalls shall be determined by calculating the difference between the allowable operating costs plus adjustments as approved by the Public Service Commission, and the access fees paid by the Atlantic Compact generators. Funds remaining in the account to offset operating shortfalls shall also be used to maintain access

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

fees to the facility for Fiscal Year 2014-15 at the Fiscal Year 2009-2010 level. There shall also be paid from the escrow account the annual dues of the Southern States Energy Board.

ADDITIONAL PROVISOS CONTAINED IN H.4702, CAPITAL RESERVE FUND

SEC 2 CONFORM TO FUNDING (SECTION 2) WMC: ADD new section to direct that \$2,000,000 appropriated to DHEC in Item (12) for Pinewood Hazardous Waste Disposal Site are to only be used to maintain the Pinewood Landfill; are exempt from across the board cuts; and cannot be transferred and used for another purpose. Direct that any balance remaining at the end of the fiscal year must be transferred to the Hazardous Waste Permitted Site Fund. Require the department submit an annual report by July 15th to the Chairmen of the Senate Finance and House Ways and Means Committees that itemizes what the department spent operating the Pinewood Landfill in the prior fiscal year from all sources of funds.

HOU: ADOPT Section 2.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendations

SECTION 2. Funds appropriated above in Section 1, Item (12) are to be used solely for the purpose of maintaining the Pinewood Landfill. These funds are not subject to across the board budget cuts, nor can they be transferred to other agency programs. At the end of the fiscal year, any remaining balance must be transferred to the Hazardous Waste Permitted Site Fund and cannot be used for any other purpose. By July 15 of each year, the Department of Health and Environmental Control shall submit a report to the Chairman of the Senate Finance Committee and to the Chairman of the House Ways and Means Committee itemizing spending from any source by the department for the operation of the Pinewood Landfill during the prior fiscal year.