

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2016-17**

SECTION 23 - H510 - MEDICAL UNIVERSITY OF SOUTH CAROLINA

- 23.2 CONFORM TO FUNDING / AMEND** (Telemedicine) Directs the MUSC Hospital Authority to continue to develop the Telemedicine network and to determine which hospitals are best suited for a Telemedicine partnership.

WMC: AMEND proviso to direct the S.C. Telehealth Alliance to submit a proposal to the MUSC Hospital Authority to determine which hospitals are best suited for a Telemedicine partnership. Direct the authority to provide bi-annual reports on the distributions of funds to the chairmen of the Senate Finance and House Ways and Means Committees.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

23.2. (MUSC: Telemedicine) From the funds appropriated to the Medical University of South Carolina for the MUSC Hospital Authority, the Authority is directed to continue the development of ~~it's~~ ~~the South Carolina Statewide~~ Telemedicine network. The South Carolina Telehealth Alliance shall submit a proposal to the MUSC Hospital Authority ~~shall to~~ determine which hospitals are best suited for a Telemedicine partnership. The MUSC Hospital Authority shall provide bi-annual reports to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee detailing the distribution of funds.

SECTION 33 - J020 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

- 33.15 AMEND FURTHER** (~~SCHIP~~ CHIP Enrollment and Recertification) Requires the department to enroll and recertify eligible children in the State Children's Health Insurance Program using available state agency program data housed in the Revenue and Fiscal Affairs Office, the DSS Food Stamp program, and the Department of Education's Free and Reduced Meal eligibility data.
- WMC:** AMEND proviso to change "SCHIP" to "CHIP" and "Food Stamp program" to "Supplemental Nutritional Assistance Program (SNAP)." Allow rather than require the department to use certain available program data. *Reflects new program names.* Requested by Department of Health and Human Services.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to reinsert the directive that the department "must" use certain available program data such as DSS SNAP but allow the department the option to use SDE poverty-related information.

33.15. (DHHS: ~~SCHIP~~ CHIP Enrollment and Recertification) The Department of Health and Human Services shall enroll and recertify eligible children to the ~~State~~ Children's Health Insurance Program (~~SCHIP~~ CHIP) and ~~must~~ ~~may~~ use available state agency program data including, but not limited to, that housed in the Revenue and Fiscal Affairs Office, to include the Department of Social Services' ~~Food Stamp program~~ Supplemental Nutritional Assistance Program (SNAP) and the department may use the poverty-related information from the Department of Education's ~~Free and Reduced Meal eligibility data~~ Education. Use of this data and cooperative efforts between state agencies reduces the cost of outreach and maintenance of eligibility for ~~SCHIP~~ CHIP.

- 33.19 DELETE** (Disproportionate Share - DMH) Directs the department to transfer funds to DMH to make up any shortfall in disproportionate share funding due to rule changes from the Center for Medicare and Medicaid Services.

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WMC: DELETE proviso. *CMS issued a Final Rule dated 12/3/14 that amended the definition of uninsured. Now that the definition of uninsured is determined on a service-specific basis the department is no longer harmed by the original definition of uninsured.* Requested by Department of Health and Human Services.

HOU: ADOPT deletion of proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

33.19. (DHHS: Disproportionate Share - DMH) ~~For the current fiscal year, the department is directed to transfer funds to the Department of Mental Health to make up any shortfall in disproportionate share funding due to rule changes from the Center for Medicare and Medicaid Services from the latest federal fiscal year amount. The department must also take any necessary action, including the submission of an amendment to the State Medicaid Plan, to minimize the impact of disproportionate share funding redistribution to the Department of Mental Health in future years.~~

33.21 CONFORM TO FUNDING / AMEND (Medicaid Accountability and Quality Improvement Initiative) Directs the department to implement accountability and quality improvements initiatives for: (A) Healthy Outcomes Initiative; (B) Improve Community Health; (C) Rural Hospital DSH Payment; (D) Primary Care Safety Net; (E) Rural and Underserved Area Provider Capacity; (F) Obesity Education; (G) Provider Eligibility Data; (H) Pilot of All-Inclusive Health Intervention for Vulnerable Mental Health Patients; and (I) Publish Quarterly Progress Reports. **WMC:** AMEND proviso subsection (C) to delete the requirement that funds allocated from the existing DSH program not exceed \$25,000,000 total funds. Amend subsection (D) to add "other entities" to FQHCs qualifying safety net providers and delete reference to "FQHC Look-A-Likes;" change the following allocations: innovative care strategies from "at least \$5,000,000" to "\$4,000,000;" FQHCs from "\$8,000,000" to "\$6,400,000;" delete "at least \$4,000,000 for documented capital needs for FQHCs;" change Free Clinics from "\$2,000,000" to "\$1,600,000;" and local alcohol and drug abuse authorities from "at least \$2,000,000" to "\$1,600,000." Direct the department to explore a transition to a prospective payment system for FQHCs. Amend subsection (E) to update calendar year references. Amend subsection (E)(4) to allow funding the department provides to support the Rural Health Initiative to be deducted from the allocation made to the USC School of Medicine in subsection (E)(3). Amend subsection (H) to permit rather than require the department to pilot the all-inclusive health intervention program. **HOU:** ADOPT proviso as amended. **SFC SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

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

(A) Healthy Outcomes Initiative - The Department of Health and Human Services may tie Disproportionate Share Hospital (DSH) payments to participation in 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, patient wellness and incentive programs. The department may pilot health interventions targeting diabetes, smoking cessation, weight management, heart disease, and other health conditions. These programs may be expanded as their potential to improve health and lower costs are identified by the department.

(C) Rural Hospital DSH Payment - Medicaid-designated rural hospitals in South Carolina may be eligible to receive up to one hundred percent of costs associated with

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uncompensated care as part of the DSH program. Funds shall be allocated from the existing DSH program ~~and shall not exceed \$25,000,000 total funds.~~ To be eligible, rural hospitals must participate in reporting and quality guidelines published by the department and outlined in the Healthy Outcomes Initiative. 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 implement a methodology to reimburse safety net providers participating in a hospital Healthy Outcomes Initiative program 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; ~~and other 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. The department shall formulate a methodology and allocate ~~at least \$5,000,000~~ \$4,000,000 for innovative care strategies for qualifying safety net providers. The department shall formulate a separate methodology and allocate ~~\$8,000,000~~ \$6,400,000 of funding to FQHCs ~~at least \$4,000,000 for documented capital needs for FQHCs,~~ at least ~~\$2,000,000~~ \$1,600,000 for of funding for Free Clinics, and ~~at least \$2,000,000~~ \$1,600,000 for of funding for local alcohol and drug abuse authorities created under Act 301 of 1973. The department shall develop a process for obtaining encounter-level data that may be used to ~~access~~ assess the cost and impact of services provided through this proviso. The department shall also explore a transition to a prospective payment system for FQHCs to provide greater predictability and stability for FQHC budgets.

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

(1) the department shall leverage Medicaid spending on Graduate Medical Education (GME) by implementing methodologies that support recommendations contained in the January 2014 report of the South Carolina GME Advisory Group;

(2) the department shall develop or continue 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 June 30, ~~2016~~ 2017; and

(3) during the current fiscal year the department shall contract with the MUSC Hospital Authority in the amount of \$10,000,000 to lead the development and operation of an open access South Carolina Telemedicine Network. Working with the department, the MUSC Hospital Authority shall collaborate with Palmetto Care Connections to pursue this goal. No less than \$1,000,000 of these funds shall be allocated toward support of Palmetto Care Connections and other hospitals in South Carolina. MUSC Hospital Authority must provide the department with quarterly reports regarding the funds allocation and progress of telemedicine transformation efforts and networks. MUSC Hospital Authority shall publish a summary report to the General Assembly indicating the overall progress of the state's telemedicine transformation by March 1, ~~2015~~ 2017. In addition, the department shall also contract with the MUSC Hospital Authority in the amount of \$1,000,000, and the USC School of Medicine in the amount of \$2,000,000 to further develop statewide teaching partnerships.

(4) the department shall partner with the University of South Carolina School of Medicine to develop a statewide Rural Health Initiative to identify strategies for significantly improving health care access, supporting physicians, and reducing health inequities in rural

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communities. Any funding supplied by the department in support of the Rural Health Initiative may be deducted from the allocation made to the USC School of Medicine in section (E)(3) of this proviso.

(F) The department shall allocate funds to be used for obesity education for patients, reimbursement payments for providers, and continuing education for all providers through partnerships with the Department.

(G) 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 other price, quality, transparency and DSH accountability efforts currently underway or initiated by the department. The Revenue and Fiscal Affairs Office shall provide the department with any information required by the department in order to implement this proviso in accordance with state law and regulations.

(H) The department ~~shall~~ may pilot an all-inclusive health intervention program for wrap-around care to vulnerable mental health patients who frequent the emergency room in hotspots and underserved areas within the state. The pilot program must provide reports detailing progress on the target population and health outcomes achieved. These programs may be expanded as their potential to improve health and lower costs are identified by the department.

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

33.24 DELETE (Hospital Transformation Plans) Directs the department to continue a program to help qualifying hospitals transition to more sustainable models of service delivery that meet the needs of the community and reduces reliance on inpatient admissions, surgery or high-tech diagnostics. Directs the department to develop the methodology for funding and distributing award amounts and limits total state funds available for this purpose to \$15,000,000. Requires progress reports be submitted to the Chairmen of the Senate Finance and House Ways and Means Committees by January 1st and June 1st, 2016.

WMC: DELETE proviso. *The department announced in FY 14-15 that it did not intend to continue this program after FY 15-16 since they believe any meritorious proposals that meet the program's criteria will have been funded by the end of FY 15-16.* Requested by Department of Health and Human Services.

HOU: ADOPT deletion of proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

33.24. (DHHS: Hospital Transformation Plans) ~~The Department of Health and Human Services shall continue a program to help qualifying hospitals transition to more sustainable models of service delivery that meet the needs of their community and reduce reliance on inpatient admissions, surgery or high tech diagnostics. This includes encouraging new long term partnerships between rural hospitals and community, tertiary and teaching facilities to ensure seamless, timely and high quality clinical care for patients in rural areas of the state. Notwithstanding the provisions in its existing regulations, for the current fiscal year, the Department of Health and Environmental Control, may in its discretion, make exceptions to applicable licensing standards and regulations where it is determined that the exception will assist in the successful implementation and operation of the plans developed by the Department of Health and Human Services pursuant to this provision; the health, safety, and well being of the community will not be compromised by the exception; and provided that the standard is not specifically required by statute. The program shall provide funding that fully or partially offsets the one time costs of these transitions. The department shall develop the methodology for funding award amounts and distribution and may prioritize funding to target hotspots of poor health and/or limited health care access. Total state funds available statewide for transition~~

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~~funding shall not exceed \$15,000,000, less funds allocated during the prior fiscal year, and the department may leverage federal funds or other funding mechanisms to maximize resources as appropriate and approved by CMS. Plans must be submitted to the department on or before April 1, 2016. No partnership may receive an allocation in the current fiscal year that would result in it having received more than \$4,000,000 in cumulative support through the hospital transformation program. The department shall provide reports detailing progress on transformation efforts to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by January 1, 2016 and by June 1, 2016.~~

- 33.25 DELETE** (Healthcare Workforce Analysis) Directs the department to transfer \$200,000 to AHEC for the Office of Healthcare Workforce Analysis.
WMC: DELETE proviso. *The department states they transferred these funds from reserves and does not have a recurring source of funds to continue to transfer funds. AHEC has made a separate budget request. Requested by Department of Health and Human Services.*
HOU: ADOPT deletion of proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**33.25.** (DHHS: Healthcare Workforce Analysis) Of the funds appropriated to the Department of Health and Human Services, the department shall transfer \$200,000 to the Area Health Education Consortium (AHEC) for the Office of Healthcare Workforce Analysis.~~

- 33.26 DELETE** (Healthy Connections Prime Participation) Directs that Healthy Connections Prime is limited to individuals who affirmatively elect to participate until April 1, 2016, after which the department may begin passively enrolling participants.
WMC: DELETE proviso. *After 4/1/16 the department may begin passively enrolling participants so the proviso will no longer be needed after FY 15-16.*
HOU: ADOPT deletion of proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**33.26.** (DHHS: Healthy Connections Prime Participation) In the current fiscal year participation in Healthy Connections Prime shall be limited to individuals who affirmatively elect to participate until April 1, 2016, at which time the department may begin passively enrolling participants.~~

- 33.27 CONFORM TO FUNDING / AMEND NEW PROVISO** (Rural Health Initiative) **WMC:** ADD new proviso to direct the department to use Rural Health Initiative funds to partner with the USC School of Medicine to develop a strategic plan to address medically underserved communities and authorize the department to leverage federal funds to implement the initiative. Direct the plan address rural healthcare and education and rural residency training enhancement grants. Direct the department, in cooperation with the State Fiscal Accountability Authority to develop one or more competitive procurements for a facility that is capable of providing Emergency Care Services in a medically underserved geographic area 24 hours a day, seven days a week, and that is designed to incorporate the use of telemedicine.
HOU: AMEND new proviso to include reference to the USC School of Medicine's Center of Excellence, as well as collaboration with other state agencies and institutions with healthcare education and residency training initiatives. Direct the Center for Excellence to cooperate with the department in the development of a plan to support services provided at the facility. Sponsors: Reps. G.M. Smith, Clyburn, Bales, and Cole.
SFC SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

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33.27. (DHHS: Rural Health Initiative) From the funds appropriated to the Department of Health and Human Services for the Rural Health Initiative, the department shall partner with the University of South Carolina School of Medicine to develop a strategic plan for addressing medically underserved communities throughout the state. The University of South Carolina, School of Medicine will consult with the South Carolina Office of Rural Health in the development and implementation of the strategic plan. The department may leverage any and all available federal funds to implement this initiative.

(A) The Department of Health and Human Services shall develop a plan to address the following provisions:

(1) Rural Healthcare and Education - This initiative will be administered by the USC School of Medicine through a Center of Excellence to support and develop rural medical education and delivery infrastructure in South Carolina through clinical practice, training and research as well as collaboration with other state agencies and institutions. Funding will support Center staffing as well as the programs and collaborations delivering rural health research, the ICARED program, workforce development scholarships and recruitment, rural fellowships, health education development, and rural practice support and education.

(2) Rural Residency Training Enhancement Grants - The department and USC School of Medicine shall determine areas for expanding or enhancing family medicine residency programs, and any other appropriate primary care specialties identified by the Department, into areas not served by Graduate Medical Education programs, in order to expose resident physicians to rural practice and enhance the opportunity to recruit these residents for long term practice in these rural and/or underserved communities. Up to \$500,000 of the funds appropriated to the department for the Rural Health Initiative may be used for this purpose. The department and USC School of Medicine shall collaborate to determine a methodology for evaluating proposals and awarding enhancement grants. New training sites and/or residency positions are subject to approval as specified by the Accreditation Council for Graduate Medical Education (ACGME). Applications to the ACGME must be developed no later than June 30, 2017.

(B) The Department of Health and Human Services, in cooperation with the State Fiscal Accountability Authority, shall develop one or more competitive procurements for a facility capable of providing Emergency Care Services in a geographical area determined by the department to be medically underserved. This facility and any equipment shall be exempt from any Department of Health and Environmental Control Certificate of Need requirements or regulations. The facility must provide emergency care and observation beds twenty-four hours a day, seven days a week. The department shall seek one or more proposals from qualified entities to:

(1) Develop a facility capable of providing emergency care, twenty-four hours a day and seven days a week, and designed to incorporate the utilization of the Statewide Telemedicine Network.

(2) Provide for the delivery of care and the management of daily operations in the facility.

(3) The Center of Excellence, in cooperation with the department, will develop a plan to support and enhance primary care and specialty services in the region surrounding this facility.

(C) The Revenue and Fiscal Affairs Office and the Area Health Education Consortium's Office of Healthcare Workforce Analysis and Planning shall provide the department with any information required by the department in order to implement this proviso in accordance with state law and regulations.

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SECTION 34 - J040 - DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

- 34.11 AMEND** (DHEC: Sickle Cell Programs) Specifies funding of \$761,233 for sickle cell prevention and education programs, testing, counseling and newborn screening services provided by the four existing Community Based Sickle Cell Programs and for funding the sickle cell medical services provided by the Community Based Sickle Cell Program at DHEC. Prohibits the department from reducing Sickle Cell program funds below the current funding level.
- WMC:** AMEND proviso to direct existing Community Based Sickle Cell Programs to provide counseling for families of newborns who test positive for sickle cell trait or other similar blood traits upon referral from DHEC. *Enable DHEC to share results of positive newborn screenings directly with the Community Based Sickle Cell Programs.* Requested by Department of Health and Environmental Control.
- HOU:** ADOPT proviso as amended.
- SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

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 existing Community Based Sickle Cell Programs will provide counseling for families of newborns who test positive for sickle cell trait or other similar blood traits upon referral from DHEC. The balance of the total appropriation must be used for Sickle Cell Services operated by the Independent Living program of DHEC. The funds appropriated to the community based sickle cell centers shall be reduced to reflect any percent reduction assigned to the Department of Health and Environmental Control by the Executive Budget Office; 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 the current fiscal year, the department shall not reduce these funds below the current funding level.

- 34.25 AMEND** (Health ~~Facility~~ Facilities Licensing Monetary Penalties) Authorizes the department to retain the first \$100,000 of civil monetary penalties collected from penalties assessed by the Division of Construction/Fire & Life Safety. Directs the funds only be used to carry out and enforce the regulations that apply to the division. Requires regulations for nursing home staffing to provide a minimum of 1.63 hours of direct care per resident per day from non-licensed nursing staff; maintain at least one licensed nurse per shift for each staff work area; and to enforce all other staffing and non-staffing standards.
- WMC:** AMEND proviso to change “Division of Construction/Fire & Life Safety (DCFLS)” to “Bureau of Health Facilities Licensing (BHFL) and change fiscal year reference to “the current fiscal year.” *Reflect the proper reference for retained monetary penalties since DHFC can only initiate enforcement through BHFL.* Requested by Department of Health and Environmental Control.
- HOU:** ADOPT proviso as amended.

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SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

34.25. (DHEC: Health ~~Facility~~ Facilities Licensing Monetary Penalties) In the course of regulating health care facilities ~~and~~ services, the ~~Division of Construction/Fire & Life Safety (DCFLS)~~ Bureau of Health Facilities Licensing (BHFL) assesses civil monetary penalties against nonconforming providers. ~~DCFLS BHFL~~ shall retain up to the first \$100,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized solely to carry out and enforce the provisions of regulations applicable to that division. These funds shall be separately accounted for in the department's fiscal records. Regulations for nursing home staffing for ~~Fiscal Year 2015-16~~ the current fiscal year must (1) provide a minimum of one and sixty-three hundredths (1.63) hours of direct care per resident per day from the non-licensed nursing staff; and (2) maintain at least one licensed nurse per shift for each staff work area. All other staffing standards and non-staffing standards established in Standards for Licensing Nursing Homes: R61-17, Code of State Regulations, must be enforced.

34.43 **AMEND** (Residential Treatment Facilities Swing Beds) Allows residential treatment facilities to swing/convert up to 18 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 "2016-17."

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

34.43. (DHEC: Residential Treatment Facilities Swing Beds) For Fiscal Year ~~2015-16~~ 2016-17 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 eighteen 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.

34.49 **AMEND** (Abortion Clinic Certification) Requires non-hospital facilities licensed and certified by DHEC to perform abortions to provide a report to DHEC before January 31, 2015, on the number of physicians that performed an abortion at the facility between July 1 and December 31, 2014 who did not have admitting and staff privileges at a local certified hospital; and to provide certain summary information on the level of aftercare resulting from the abortion. Requires a \$25 filing fee be remitted by the facility to the department along with the report.

WMC: AMEND proviso to update calendar year references to "2017" and "2016." Requested by Department of Health and Environmental Control.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

34.49. (DHEC: Abortion Clinic Certification) Prior to January 31, ~~2015~~ 2017, a facility other than a hospital that is licensed and certified by the department to perform abortions must file a report with the department that provides the number of physicians that performed an abortion at the facility between July 1, ~~2014~~ 2016 and December 31, ~~2014~~ 2016, who did not have admitting privileges at a local certified hospital and staff privileges to replace on-staff physicians at the certified hospital and the percentage of these physician in relation to the overall

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number of physicians who performed abortions at the facility. The report must include a summation of any abortion that resulted in an outcome which required a level of aftercare that exceeds what is customarily provided by physicians in such cases in accordance with accepted medical practice and indicate whether or not the abortion was performed by a physician with admitting privileges at a local certified hospital and staff privileges to replace on-staff physicians at the certified hospital. Any summation of any abortion must not divulge any information that is privileged or required to be maintained as confidential by any provision of law. An applicable facility must remit a twenty-five dollar filing fee to the department for the report required by this provision.

- 34.50 DELETE** (Seawall Reconstruction Repair) Authorizes DHEC to issue a special permit for reconstruction or repair of an existing erosion control device within specific parameters. Requires the permit only be issued if the reconstruction or repair of the seawall will be made with like material and if the replacement footprint is no more than two feet from the original. Authorizes DHEC to charge a permit fee equal to the actual cost of issuing the permit.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

34.50. (DHEC: Seawall Reconstruction/Repair) ~~In the current fiscal year, the Department of Health and Environmental Control may issue a special permit for the reconstruction or repair of an existing erosion control device of at least four thousand contiguous linear feet that is located landward of an area which the department has granted a permit authorizing a renourishment project that does not qualify for public funding and the permit is active as of July 1, 2014. The department may only issue the permit if the seawall will be reconstructed or repaired with like material and the footprint of the replacement is no more than two feet from the footprint of the original. The department may charge a permit fee equal to the actual cost of issuing the permit.~~

- 34.51 DELETE** (Maternal Morbidity and Mortality Review Committee) Directs the department to establish a Maternal Morbidity and Mortality Review Committee to review maternal deaths and develop prevention strategies, to review severe maternal morbidity, and authorizes the department to contract with an external organization to assist in the review. Directs that information and data collected are not admissible as evidence in any action of any kind and are considered confidential. Requires reports of aggregated non-individually identifiable data for the previous calendar year be compiled and distributed by January 31st of the following year to the General Assembly, the Director of DHEC, health care providers and facilities, and key governmental agencies.

WMC: AMEND proviso to update fiscal year reference to 2016-17.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *H.3251 enacted, effective date 3/14/16.*

34.51. (DHEC: Maternal Morbidity and Mortality Review Committee) ~~(A) From the funds appropriated to or authorized for the Department of Health and Environmental Control in Fiscal Year 2015-16-2016-17, the department shall establish a Maternal Morbidity and Mortality Review Committee to review maternal deaths and to develop strategies for the prevention of maternal deaths. The committee must be multidisciplinary and composed of members deemed appropriate by the department. The committee also may review severe maternal morbidity. The department may contract with an external organization to assist in collecting, analyzing, and disseminating maternal mortality information, organizing and convening meetings of the~~

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~~committee, and performing other tasks as may be incident to these activities, including providing the necessary data, information, and resources to ensure successful completion of the ongoing review required by this provision.~~

~~(B) The committee shall:~~

~~(1) identify maternal death cases, as defined as a death within one year of pregnancy with a direct or indirect causation related to the pregnancy or postpartum period;~~

~~(2) review medical records and other relevant data;~~

~~(3) contact family members and other affected or involved persons to collect additional data;~~

~~(4) consult with relevant experts to evaluate the records and data;~~

~~(5) make determinations regarding the preventability of maternal deaths;~~

~~(6) develop recommendations for the prevention of maternal deaths; and~~

~~(7) disseminate findings and recommendations pursuant to subsection (F).~~

~~(C) (1) Health care providers and pharmacies licensed pursuant to Title 40 shall provide reasonable access to the committee to all relevant medical records associated with a case under review by the committee.~~

~~(2) A health care provider, health care facility, or pharmacy providing access to medical records pursuant to subsection (C) are not liable for civil damages or subject to criminal or disciplinary action for good faith efforts in providing the records.~~

~~(D) (1) Information, records, reports, statements, notes, memoranda, or other data collected pursuant to this section are not admissible as evidence in any action of any kind in any court or before another tribunal, board, agency, or person. The information, records, reports, statements, notes, memoranda, or other data must not be exhibited nor their contents disclosed, in whole or in part, by an officer or a representative of the department or another person, except as necessary for the purpose of furthering the review of the committee of the case to which they relate. A person participating in a review may not disclose the information obtained except in strict conformity with the review project.~~

~~(2) All information, records of interviews, written reports, statements, notes, memoranda, or other data obtained by the department, the committee, and other persons, agencies, or organizations authorized by the department pursuant to this provision are confidential.~~

~~(E) (1) All proceedings and activities of the committee, opinions of members of the committee formed as a result of the proceedings and activities, and records obtained, created, or maintained pursuant to this provision, including records of interviews, written reports, and statements procured by the department or another person, agency, or organization acting jointly or under contract with the department in connection with the requirements of this provision, are confidential and are not subject to the provisions of Chapter 4, Title 30 relating to open meetings or public records, or subject to subpoena, discovery or introduction into evidence in any civil or criminal proceeding. However, this provision must not be construed to limit or restrict the right to discover or use in any civil or criminal proceeding anything that is available from another source and entirely independent of the committee's proceedings.~~

~~(2) Members of the committee must not be questioned in a civil or criminal proceeding regarding the information presented in or opinions formed as a result of a meeting or communication of the committee. However, this provision must not be construed to prevent a member of the committee from testifying to information obtained independently of the committee or which is public information.~~

~~(F) Reports of aggregated non-individually identifiable data for the previous calendar year must be compiled and disseminated by January thirty first of the following year in an effort to further study the causes and problems associated with maternal deaths. Reports must be distributed to the General Assembly, the Director of the Department of Health and Environmental~~

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~~Control, health care providers and facilities, key governmental agencies, and others necessary to reduce the maternal death rate.~~

~~(C) Members shall serve without compensation, and are ineligible for the usual mileage, subsistence, and per diem allowed by law for members of state boards, committees, and commissions.~~

- 34.52 CONFORM TO FUNDING / ADD** (Data Center Migration) **WMC:** ADD new proviso to direct the department to use Data Center Migration funds for a variety of shared technology services offered by the DOA, Division of Technology Operations.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

34.52. (DHEC: Data Center Migration) Of the funds appropriated to the Department of Health and Environmental Control for Data Center Migration, the department must utilize the Department of Administration, Division of Technology Operations for shared services, including but not limited to, mainframe services, application hosting, servers, managed servers, storage, network services and disaster recovery services.

- 34.53 AMEND NEW PROVISO** (AIDS Service Provision and Hemophilia Assistance Programs) **WMC:** ADD new proviso to direct that clinical services, medical case management, and the Hemophilia Assistance Program funds be used to establish a pilot program by contracting for the expansion of direct services to clients who are HIV positive. Direct the department facilitate 340b pricing for the AIDS Healthcare Foundation and require the foundation provide proof of the contractual relationship between the department and the foundation to the Office of Pharmacy Affairs at HRSA [HEALTH RESOURCES AND SERVICES ADMINISTRATION OF THE US DEPARTMENT OF HEALTH AND HUMAN SERVICES]. Direct the department develop and provide for an appeal process for individuals to opt out of services provided by the department's Hemophilia Pharmacy and to develop and enter a contract with an alternate specialty pharmacy providing Hemophilia pharmacy services for those individuals.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to delete references to the Hemophilia Assistance Program.

34.53. (DHEC: AIDS Service Provision and Hemophilia Assistance Programs) For the current fiscal year, funds appropriated and authorized to the Department of Health and Environmental Control for clinical services, and medical case management, and the Hemophilia Assistance Program shall be used to provide for the following:

(1) The direct the department shall to establish through contract a pilot program for the expansion of direct services to clients who are HIV positive. As part of the pilot program, the department shall facilitate 340b pricing for the AIDS Healthcare Foundation by utilizing Ryan White Part B federal funding to support this pilot in order to maximize the state's resources and service provision beyond its current levels. The department shall require that the AIDS Healthcare Foundation provide any reports or information required by the 340b pricing program, and shall provide proof of the contractual relationship between the department and the AIDS Healthcare Foundation to the Office of Pharmacy Affairs at HRSA.

(2) The department shall develop and provide for an appeal process for individuals to Opt Out of services provided by the department's Hemophilia Pharmacy. The department must develop and enter into a contract with an alternate pharmacy for individuals granted this exemption. The alternate pharmacy must be licensed in South Carolina by the Board of Pharmacy as either a "resident" or "non-resident" pharmacy, and must also be a credentialed

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~~and contracted pharmacy provider with the department. The alternate pharmacy must be a specialty pharmacy providing Hemophilia pharmacy services.~~

- 34.54 CONFORM TO FUNDING / ADD** (Home Health License Transfer) **WMC:** ADD new proviso to direct the department to use the first \$750,000 of the funds made available through transfer of licenses for Home Health Services from DHEC to Capital Care Resources of South Carolina, LLC for the final close out of Home Health including contractual obligations, to transition records to a format to meet record retention requirements, and to cover non-recurring expenses as follows: \$3,600,000 for Data Center Infrastructure; \$5,200,000 for Pinewood Custodial Site Capital Improvements and Repairs; \$5,781,600 for Electronic Medical Records; and \$2,500,000 for Flood Recovery Operations.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

34.54. (DHEC: Home Health License Transfer) From the funds made available through the transfer of licenses for Home Health Services from the Department of Health and Environmental Control to Capital Care Resources of South Carolina, LLC, the department shall use the first \$750,000 for the final close out of Home Health including coverage of contractual obligations for the Home Health information system and to transition those records to another format to meet record retention requirements and cover the one-time, non-recurring expenses for the following items:

- | | |
|--|--------------------------------|
| <u><i>(1) Data Center Infrastructure</i></u> | <u><i>\$3,600,000;</i></u> |
| <u><i>(2) Pinewood Custodial Site Capital Improvements and Repairs</i></u> | <u><i>\$5,200,000;</i></u> |
| <u><i>(3) Electronic Medical Records</i></u> | <u><i>\$5,781,600; and</i></u> |
| <u><i>(4) Flood Recovery Operations</i></u> | <u><i>\$2,500,000.</i></u> |

- 34.55 ADD** (Coastal Zone Boundary) **HOU:** ADD new proviso to direct DHEC to report to the General Assembly by January 1, 2017 on initial recommendations to revise the coastal zone boundary, if any, and direct that the study begin with Dorchester County. Sponsor: Rep. Murphy.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

34.55. (DHEC: Coastal Zone Boundary) Of the funds appropriated, the Department of Health and Environmental Control shall report to the General Assembly by January 1, 2017, with an initial recommendation to revise the coastal zone boundary, if any, and the study shall begin with Dorchester County.

SECTION 35 - J120 - DEPARTMENT OF MENTAL HEALTH

- 35.3 AMEND** (Alzheimer's Funding) Directs that \$778,706 of Community Mental Health Centers funds be used to contract for services to provide respite care and diagnostic services for persons afflicted with Alzheimer's Disease; and provides for submission of financial statements and outcome measures.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "\$778,706" to "900,000."

35.3. (DMH: Alzheimer's Funding) Of the funds appropriated to the Department of Mental Health for Community Mental Health Centers, ~~\$778,706~~ \$900,000 must be used for contractual services to provide respite care and diagnostic services to those who qualify as determined by the Alzheimer's Disease and Related Disorders Association. The department must

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maximize, to the extent feasible, federal matching dollars. On or before September thirtieth of each year, the Alzheimer's Disease and Related Disorders Association must submit to the department, Governor, Senate Finance Committee, and House Ways and Means Committee an annual financial statement and outcomes measures attained for the fiscal year just ended. These funds may not be expended or transferred during the current fiscal year until the required reports have been received by the department, Governor, Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. In addition, when instructed by the Executive Budget Office or the General Assembly to reduce funds by a certain percentage, the department may not reduce the funds transferred to the Alzheimer's Disease and Related Disorders Association greater than such stipulated percentage.

SECTION 36 - J160 - DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS

36.8 AMEND (Pervasive Developmental Disorder) Directs that since DDSN is the agency authorized to treat autistic disorder, it is the agency designated for a Medicaid project to treat children diagnosed by 8 years of age with a pervasive developmental disorder; provides guidelines for project participation, treatment, and reimbursement; and defines "pervasive developmental disorder."

SFC SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct DDSN and DHHS to develop a transition plan for PDD waiver services to Medicaid State Plan services.

36.8. (DDSN: Pervasive Developmental Disorder) The Department of Disabilities and Special Needs, as the agency authorized to treat autistic disorder, is designated for a Medicaid project to treat children who have been diagnosed by eight years of age with a pervasive developmental disorder. The project must target the youngest ages feasible for treatment effectiveness, treatment for each individual child shall not exceed three years without a special exception as defined in the waiver, and reimbursement for each individual participant may not exceed \$50,000 per year. The Department of Disabilities and Special Needs and the Department of Health and Human Services will determine the areas of the State with the greatest need and availability of providers. Children participating in the project will be selected based upon an application system developed in compliance with the Medicaid waiver. Treatment will be provided as authorized and prescribed by the department according to the degree of the developmental disability. In authorizing and prescribing treatment the department may award grants or negotiate and contract with public or private entities to implement intervention programs, which must comply with Medicaid reimbursement methodologies, for children who have been diagnosed with a pervasive developmental disorder. "Pervasive developmental disorder" means a neurological condition, including autistic disorder and Asperger's syndrome, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association. The department shall report semi-annually to the General Assembly and the Governor on the developmental progress of the children participating in the project and the fiscal status of the project, to include expenditure data and appropriation balances. This provision does not establish or authorize creation of an entitlement program or benefit.

The Department of Disabilities and Special Needs and the Department of Health and Human Services shall develop a plan to transition children in the Pervasive Developmental Disorder Program (PDD) to Medicaid State Plan services in a manner that minimizes any break in service. Private insurance benefits which include Autism Spectrum Disorder services shall be sought prior to the expenditure of Medicaid or State funds for these services. For children not Medicaid

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eligible, the Department of Disabilities and Special Needs shall develop a sliding fee scale based on a means test for determining payment by a family for PDD services.

- 36.16 DELETE** (LAC Audit Recommendations Report) Requires the department provide a status report containing particular information on the implementation of recommendations contained in a specific LAC report on the department to the Chairmen of the Senate Finance and House Ways and Means Committees and be prominently posted on the department's website by December 31, 2015.

WMC: DELETE proviso. *Report has been completed.*

HOU: ADOPT deletion of proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**36.16.** (DDSN: LAC Audit Recommendations Report) The department shall provide a status report on the implementation of the recommendations contained in the Legislative Audit Council's report "S.C. Department of Disabilities and Special Needs' Process to Protect Consumers from Abuse, Neglect, and Exploitation, Administrative Issues, and a Follow Up to Our 2008 Audit". The report shall include, but not be limited to, a delineation of each Legislative Audit Council recommendation and the status of the department's actions regarding each recommendation. If no action was taken on a recommendation, an explanation as to the reason shall be included in the report. The report shall be provided to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee and shall be prominently posted on the department's website no later than December 31, 2015.~~

SECTION 37 - J200 - DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES

- 37.4 DELETE** (Health Information Technology) Directs the department to work with DHHS and each county's designated alcohol and drug abuse authorities to seek funding to help purchase the appropriate Certification Commission for Health Information Technology behavioral health Electronic Health Records system for the authorities. Require the departments work together to determine if there is additional funding available through Medicare, the Medicaid EHR Incentive Program or other grant programs to help offset the costs associated with implementing the new system.

WMC: DELETE proviso. *Task has been accomplished.* Requested by Department of Alcohol and Other Drug Abuse Services.

HOU: ADOPT deletion of proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**37.4.** (DAODAS: Health Information Technology) The Department of Alcohol and Other Drug Abuse Services shall work with Department of Health and Human Services and each county's designated alcohol and drug abuse authorities to pursue funding to aid in purchasing the appropriate Certification Commission for Health Information Technology (CCHIT) behavioral health Electronic Health Records (EHR) system for the authorities. The new system shall streamline the 301 system and shall contain CCHIT certified programming that will have the capability of interoperability with other state agencies such as the Department of Health and Human Services and Federally Qualified Health Centers. The Department of Alcohol and Other Drug Abuse Services and the Department of Health and Human Services shall work together to determine if additional funding may be available to assist in offsetting the costs associated with the new system implementation through the Medicare and Medicaid EHR Incentive Program or any other grant programs.~~

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SECTION 38 - L040 - DEPARTMENT OF SOCIAL SERVICES

38.14 CONFORM TO FUNDING / AMEND (Family Foster Care *and Kinship Care* Payments) Establishes the amount of monthly foster care payments for children under the department's sponsorship.

WMC: AMEND proviso to specify that the payments are also for foster children "under kinship care" and change the foster care per month payments as follows: \$404 for ages 0-5; \$469 for ages 6-12; and \$535 for ages 13+.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

38.14. (DSS: Family Foster Care *and Kinship Care* Payments) The Department of Social Services shall furnish as Family Foster Care payments for individual foster children under their sponsorship *and under kinship care*:

ages 0 - 5	\$383 <u>\$404</u>	per month
ages 6 - 12	\$458 <u>\$469</u>	per month
ages 13 +	\$518 <u>\$535</u>	per month

These specified amounts are for the basic needs of the foster children *to include kinship care assistance*. 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.

38.18 RESTORE ORIGINAL PROVISO (Child Care Voucher) Requires state funds allocated to DSS and used for child care vouchers to be used to enroll eligible recipients within the provider settings that exceed the state's minimum child care licensing standards. Allows the department to waive the requirement on a case by case basis.

WMC: AMEND proviso to delete the authority for the department to waive the requirement. Requested by Department of Social Services.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: RESTORE original proviso.

38.18. (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.**

38.24 AMEND FURTHER (~~Local~~ Internal Child Fatality Review Committees) Directs the DSS director to create and fund Local Child Fatality Review Committees pursuant to the authority granted in Sections 43-1-60(3) [STATE ADVISORY COUNCIL AND COMMITTEES], 43-1-80 [POWERS, DUTIES AND PURPOSE OF STATE DEPARTMENT], and 63-7-910(E) [DUTIES OF THE DEPARTMENT] to allow for prompt review of reported child fatalities that come within the department's investigative authority. Provides for local committees to have access to certain information and records. Directs that meetings, information obtained, reports prepared, and testimony before the local

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committees are confidential and protected from FOIA, criminal and civil proceedings and subpoenas to the same extent as the State Child Fatality Advisory Committee.

WMC: AMEND proviso to update fiscal year reference to 2016-17.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to change references for the Child Fatality Review Committees from “local” to “internal.” Direct that the reviews will enable the department to rapidly respond to the safety needs of any surviving siblings and improve the department’s efforts to prevent child fatalities. Amend the composition of the internal committees; amend information for which internal committees have access, to delete access to unfounded reports of abuse or neglect made strictly confidential and whose disclosure is otherwise prohibited by statute; delete the authorization for internal committees to have the same authority as the State Child Fatality Advisory Committee to obtain information as set forth in Section 63-11-1970 [subpoena power]; and amend code cites regarding internal committees confidentiality and protection of records and information.

38.24. (DSS: ~~Local~~ Internal Child Fatality Review Committees) For Fiscal Year ~~2015-16~~ 2016-17, the Director of the Department of Social Services shall create and fund ~~Local~~ Internal Child Fatality Review Committees (~~local~~ internal committees) pursuant to the authority granted in Sections 43-1-60(3), 43-1-80, and 63-7-910(E) of the 1976 Code to allow for the rapid and expeditious review of reported child fatalities ~~which come within the investigative authority of the department~~ that are reported to the Department of Social Services on suspicion of abandonment, child abuse, neglect or harm as defined in Section 63-7-20. This review process will enable the department to respond to the safety needs of any surviving siblings and will lead to improvement in the department’s efforts to prevent child fatalities caused by abandonment, child abuse, neglect or harm. Each ~~local~~ internal committee shall be composed of a board-certified child abuse pediatrician, an agent from the State Law Enforcement Division, ~~and representatives from a local law enforcement officer, a representative from the local coroner’s office, and representatives from the Department of Social Services, public health, the solicitor’s office and, as necessary, healthcare workers, mental health providers, educators, and the Children’s Advocacy Centers.~~ The internal committee may invite other service provider organizations as deemed necessary. The department is authorized to provide reasonable compensation for board-certified child abuse pediatricians serving on a ~~Local Child Fatality Review Committee~~ an internal committee. ~~Local~~ Internal committees shall have access to information and records maintained by a provider of medical care regarding a child whose death is being reviewed by the ~~local~~ internal committee, including information on prenatal care; all information and records maintained by any state, county, or local government agency, including, but not limited to, birth certificates, law enforcement investigation data, county coroner or medical examiner investigation data, parole and probation information and records, and information and records of health agencies that provided services to the child or family, ~~and unfounded reports of abuse or neglect made strictly confidential and whose disclosure is otherwise prohibited by statute.~~ Further, ~~local committees shall have the same authority as the State Child Fatality Advisory Committee to obtain information as set forth in Section 63-11-1970.~~ The meetings, information obtained by, reports prepared by, and ~~testimony~~ statements made before the ~~local~~ internal committees are confidential and protected from disclosure pursuant to the Freedom of Information Act, criminal and civil proceedings, and subpoenas ~~to the same extent as the State Child Fatality Advisory Committee as set forth in Sections 63-11-1980 and 63-11-1990~~ 63-7-940 and 63-7-1990.

38.25 **CONFORM TO FUNDING / ADD** (Tuition Reimbursement/Student Loan Repayment) **HOU:** ADD new proviso to allow DSS to spend state, federal or other funds to provide tuition

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reimbursement and/or student loan repayment based on objective guidelines established by the agency director to aid in the retention of caseworkers and other employees in critical positions. Allow the department, at the discretion of the agency director, to provide paid educational leave for employees enrolled in classes related to the agency's mission. Authorize the department to enter into an agreement with staff employed in critical need departments to repay outstanding student loans and/or reimburse tuition expenses if the employee agrees to remain in the program for 5 years. Authorize the department to directly pay these employees up to \$7,500 per year, at the end of each year of employment, over a 5 year period. Direct that the payments may not exceed the balance of the student loan or cost of tuition. Sponsor: Reps. G.M. Smith, Clyburn, Bales, and Cole.

SFC SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

38.25. (DSS: Tuition Reimbursement/Student Loan Repayment) The Department of Social Services is allowed to spend state, federal, and other sources of revenue to provide tuition reimbursement and/or student loan repayment to aid in retaining caseworkers and critical needs department jobs based on objective guidelines established by the State Director of the Department of Social Services.

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

The department may enter into an agreement with staff employed in critical need departments to repay them for their outstanding student loans and/or reimburse tuition expenses. The employee must be employed in a critical needs area, which would be identified at the agency head's discretion, be in a covered FTE, and not have any disciplinary actions. Participants in this program must agree to remain at the department for a period of five years. The department may pay these employees up to \$7,500 each year over a five-year period in accordance with a program developed by the department. Payments will be made directly to the employee at the end of each year of employment. Payments cannot exceed the balance of the student loan or the cost of tuition.

38.cses **ADD** (Federally Certified Child Support Enforcement System Project) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize DSS to adopt the system and operating procedures of the Delaware Transfer System in order to expedite completion and certification of the Automated Child Support Enforcement System. Direct that if the Delaware system deviates from or is not compatible with South Carolina's practice, the department is authorized to determine the best practice to comply with federal regulations. Direct DSS to work with Clerks of Courts in the implementation of the Transfer System to facilitate integration into the system. Require Clerks of Court to use the federally certifiable child support system and the state disbursement unit developed by the department to perform required child support functions. Requested by Department of Social Services.

38.cses. (DSS: Federally Certified Child Support Enforcement System Project) In order to expedite the completion and certification of the Automated Child Support Enforcement System required by the Social Security Act (42 U.S.C. § 654a), the Department of Social Services is authorized to adopt, to the fullest extent possible, the system and operating procedures of the Delaware Transfer System. To the extent the Transfer System operating processes deviate from, or are incompatible with, current South Carolina practice, the department is authorized to determine the most effective and efficient practice to comply with federal requirements. The department shall work with Clerks of Court to identify the changes involved in the implementation of the Transfer System which may impact their current operating practices with regards to

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performance of required child support functions in order to facilitate the integration of those practices into the Transfer System. Pursuant to the Social Security Act and S.C. Code Section 63-17-610, Clerks of Court shall utilize the federally certifiable child support system and the state disbursement unit developed by the department to perform required child support functions.

38.set **ADD** (SNAP Employment & Training Program) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct DSS to apply to the USDA Federal Food and Nutrition Service for a waiver from the Able Bodied Adults Without Dependents rule for any area, county, or Metropolitan Statistical Area eligible for the waiver due to a recent unemployment rate above 10% or designation as a Labor Surplus area by the USDL. Prohibit DSS from entering into a MOU with DEW to assume Employment and Training program responsibilities in any region that DEW does not have a fully operational and staffed county office. Direct that DSS is responsible for Employment and Training programs in those regions.

38.set. (DSS: SNAP Employment & Training Program) The Department of Social Services shall apply to the Federal Food and Nutrition Service of the United States Department of Agriculture for a waiver from the Able Bodied Adults Without Dependents rule for any area, county or Metropolitan Statistical Area that is eligible for this waiver under 7 C.F.R. Section 273.24(f) due to a recent unemployment rate above 10 percent or designation as a Labor Surplus area by the United States Department of Labor. The department shall not enter into a Memorandum of Understanding with the SC Department of Employment and Workforce (DEW) to undertake Employment and Training program responsibilities for any region of the state where there is a county located in the region that DEW does not have a fully operational and staffed office located within. The Department of Social Services shall maintain all Employment and Training program responsibilities in those regions.

SECTION 93 - D500 - DEPARTMENT OF ADMINISTRATION

93.28 **DELETE** (Classification and Compensation System Study) Directs DOA, Human Resources Division to contract for an in-depth study of the state's class and comp system and limits the cost of the study to not more than \$300,000. Directs that findings and an implementation plan be submitted by January 4, 2016 to the Classification and Compensation System Study Committee; creates the study committee and directs that the committee review the findings and the plan and deliver a report and recommendations to the Chairmen of the Senate Finance and House Ways and Means Committees.

WMC: DELETE proviso. *The report has been submitted, the study committee is being formed.*

HOU: ADOPT deletion of proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

93.28. (DOA: Classification and Compensation System Study) ~~(A) The Department of Administration, Human Resources Division shall enter into a contract to conduct an in-depth study of the state's classification and compensation system. For purposes of the study, compensation shall include comprehensive employee benefits. The vendor must have experience with a state's compensation system. The study shall include, but not be limited to:~~

- ~~(1) methods used to develop and determine position classifications;~~
- ~~(2) methods used to set pay grade minimum, midpoint, and maximum;~~
- ~~(3) appropriate market comparisons including, but not limited to, the private sector and local governments;~~

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- ~~(4) methods to minimize salary disparities within an agency and within state government;~~
- ~~(5) methods of developing and sustaining a consistent long term salary increase administrative policy for state government;~~
- ~~(6) recruitment and retention tools including, but not limited to, the impact of the Teacher and Employee Retirement Incentive program;~~
- ~~(7) a process to address longevity pay deficits that currently exist;~~
- ~~(8) a state compensation philosophy statement;~~
- ~~(9) an analysis of merit based compensation for employees and~~
- ~~(10) an analysis of unnecessary, underutilized, and duplicative positions in order to use that pay to increase salaries of existing employees.~~

~~The study should also include interviews with agency heads and human resource staff from state agencies of various sizes. The cost of the study shall not exceed \$300,000.~~

~~The findings of the study along with an implementation plan outlining the steps, sequences, and costs for implementing study recommendations and findings shall be submitted by January 4, 2016 to the Classification and Compensation System Study Committee as defined herein.~~

~~(B) There is created the Classification and Compensation System Study Committee which shall examine the findings and recommendations submitted by the Department of Administration, Human Resources Division on the state's classification and compensation system.~~

~~The committee shall be composed of eleven members, which shall be appointed as follows: two members appointed by the Governor; two members appointed by the President Pro Temporal of the Senate; two members appointed by the Speaker of the House of Representatives; two members appointed by the Chairman of the Senate Finance Committee; two members appointed by the Chairman of the House Ways and Means Committee; and one member appointed by the SC State Employees Association. The members shall elect a chairman at the first meeting of the committee.~~

~~No later than six months after the date from which a vendor contract has been signed, the committee shall prepare and deliver a report and recommendation to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.~~

~~Staff for the committee shall be provided by the Senate Finance Committee and the House Ways and Means Committee. Members of the study committee shall serve without compensation for per diem, mileage, and subsistence.~~

SECTION 95 - E040 - OFFICE OF THE LIEUTENANT GOVERNOR

- 95.5 AMEND** (Home and Community-Based Services ~~Carry Forward~~) Authorizes Home and Community-Based Services funds to be carried forward and used for the same purpose.
- SFC SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to direct that state funds appropriated for Home and Community-Based Services be used for services that most directly meet the goal of allowing seniors to live independently at home. Define allowable services; provide a methodology for allocating these funds to the Area Agencies on Aging; limit to up to 10% the amount the AAAs may expend for administrative services; allow up to 5% of these funds to be retained at the state office to be allocated for cases of a recognized emergency and/or natural disaster and direct that if the funds are not allocated they are to be treated as carry forward funds and reallocated to the AAA's; require the AAAs to submit a budget to the Lieutenant Governor's Office on Aging's for approval that indicates the services to be provided; authorize these funds to be carried forward and used for the same purpose; and prohibit the funds from being transferred and used for any other purpose.

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95.5. (LTG: Home and Community-Based Services ~~Carry Forward~~) ~~Unexpended funds from appropriations to the Lieutenant Governor's Office on Aging for Home and Community-Based Services shall be carried forward from the prior fiscal year and used for the same purpose. State funds appropriated for Home and Community-Based Services shall be used to fund those services that most directly meet the goal of allowing seniors to live independently at home. Allowable services include: group dining, home delivered meals, transportation to group dining sites, transportation for essential trips, Home Care Level I and II, Home Chore, Home Modification, Legal Assistance, Assessments, and Area Agencies on Aging (AAAs) may expend no more than ten percent for administrative services. All state funds appropriated for Home and Community-Based Services are to be allocated to the AAAs based on the methodology of the Intrastate Funding Formula. However, up to five percent of the annual state appropriation for Home and Community Based Services may be retained at the state office to be allocated to the affected regions in cases of a recognized emergency and/or natural disaster. If these funds are not utilized in the fiscal year allocated, they are to be treated as carry forward funds and reallocated to the AAA's. The AAAs are to submit a budget for approval by the Lieutenant Governor's Office on Aging indicating the services to be provided. Any unexpended funds in this program shall be carried forward and used for the same purposes. Funds may not be transferred from the Home and Community-Based special line item for any other purpose.~~

- 95.9** **ADD** (Vulnerable Adult Guardian ad Litem Carry Forward) **WMC:** ADD new proviso to authorize unexpended Vulnerable Adult Guardian ad Litem Program funds to be carried forward and used for the same purpose. Requested by Lieutenant Governor's Office.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

95.9. (LTG: Vulnerable Adult Guardian ad Litem Carry Forward) Any unexpended funds from appropriation to the Lieutenant Governor's Office on Aging for the Vulnerable Adult Guardian ad Litem Program shall be carried forward from the prior fiscal year and used for the same purpose.

SECTION 99 - E190 - RETIREMENT SYSTEM INVESTMENT COMMISSION

- 99.1** **AMEND** (Retirement Investment Commission Audit) Suspends, for FY 2015-16, the requirement that the Inspector General employ a private audit firm to perform the fiduciary audit on the Retirement System Investment Commission and directs any savings from not conducting the audit be used to conduct the required PEBA audit.
WMC: AMEND proviso to update fiscal year reference to "2016-17."
HOU: ADOPT proviso as amended.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

99.1. (RSIC: Retirement Investment Commission Audit) For Fiscal Year ~~2015-16~~ 2016-17, 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.

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SECTION 104 - E550 - STATE FISCAL ACCOUNTABILITY AUTHORITY

- 104.5 AMEND FURTHER** (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 “2016-17.”
HOU: ADOPT proviso as amended.
SFC SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to change the specific fiscal year reference to “for the current fiscal year.”

104.5. (SFAA: Insurance Coverage for Aging Entity Authorized) The State Fiscal Accountability Authority, through the Insurance Reserve Fund, for ~~Fiscal Year 2015-16~~ 2016-17, the current fiscal year 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 106 - F300 - STATEWIDE EMPLOYEE BENEFITS

- 106.1 DELETE** (FY 2015-16 Employee Bonus) Provides for a one-time lump sum bonus of \$800 on October 16, 2015, to state employees in a FTE position who has been in continuous state service for at least six months prior to 7/1/15 and who earns less than \$100,000. Directs agencies to pay the bonus for federal and other funded employees from federal and other funds available to the agency. Directs that the earnings limitation in proviso 117.55 of H.3701 does not apply.
WMC: DELETE proviso. *The bonus has been paid.*
HOU: ADOPT deletion of proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

106.1. (SEB: FY 2015-16 Employee Bonus) ~~From the funds appropriated to Statewide Employee Benefits for Bonus Pay, effective on the first pay date that occurs on or after October 16, 2015, the Department of Administration shall allocate to state agencies \$23,500,000 to provide for a one time lump sum bonus. Each permanent state employee, in a full time equivalent position, who has been in continuous state service for at least six months prior to July 1, 2015, and who earns less than \$100,000 shall receive an \$800 one time lump sum payment. This payment is not a part of the state employee's base salary and is not earnable compensation for purposes of employer or employee contributions to respective retirement systems. This appropriation may be used for payments to employees only in the same ratio as the employee's base salary is paid from appropriated sources and the employing agency shall pay the bonus for federal and other funded full time equivalent positions employees from federal or other funds available to the agency in the proportion that such funds are the source of the employee's salary. The earnings limitation in Proviso 117.55 of H. 3701, R. 127, Act 91 of 2015, does not apply to this bonus.~~

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

- 106.2 CONFORM TO FUNDING / ADD** (SCRS & PORS Rate Increase) **WMC:** ADD new proviso to direct that the funds appropriated for SCRS & PORS Employer Contributions be allocated by

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the Executive Budget Office to state agencies and school districts for SCRS & PORS rate increases.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

106.2. (SEB: SCRS & PORS Rate Increase) The funds appropriated in the current fiscal year for SCRS Employer Contributions and PORS Employer Contributions shall be allocated to state agencies and school districts by the Department of Administration, Executive Budget Office for SCRS and PORS rate increases.

SECTION 108 - F500 - PUBLIC EMPLOYEE BENEFIT AUTHORITY

- 108.1 REINSERT** (Lottery, Infrastructure Bank, and Magistrates Health Insurance) Allows Lottery Commissioners, Transportation Infrastructure Bank Board members, magistrates, if the magistrate's county participates in the plan, and eligible dependents, to participate in the State Health and Dental Plan upon payment of full premium costs.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC SUBCOMMITTEE RECOMMENDATION: REINSERT original proviso.

108.1. (PEBA: Lottery, Infrastructure Bank, and Magistrates Health Insurance) South Carolina Lottery Commissioners and South Carolina Transportation Infrastructure Bank Board members and their eligible dependents are eligible to participate in the State Health and Dental Insurance Plan, upon paying the full premium costs as determined by the Public Employee Benefit Authority. If a county is participating in the State Health and Dental Insurance Plan, magistrates and their eligible dependents are eligible to participate in the State Health and Dental Insurance Plan, upon the magistrate paying the full premium costs as determined by the Public Employee Benefit Authority.

- 108.6 CONFORM TO FUNDING / AMEND** (FY 2016 State Health Plan) Directs that for the 2016 State Health Plan, employer premiums will increase 4.5%; subscriber premiums and co-payments will not increase. Authorizes PEBA to adjust the plan, benefits, or contributions during Plan Year 2016 to ensure the plan remains fiscally stable.

WMC: AMEND proviso to update specific plan year references to 2017 and delete reference to the employer premium increase.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

108.6. (PEBA: ~~FY 2016~~ State Health Plan) Of the funds authorized for the State Health Plan in ~~Plan Year 2016~~ pursuant to Section 1-11-710(A)(2) of the 1976 Code, ~~an employer premium increase of 4.5 percent 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 ~~2016~~ 2017. Copayments for participants of the State Health Plan in Plan Year ~~2016~~ 2017 shall not be increased. 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 ~~2016~~ 2017 to ensure the fiscal stability of the Plan.

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108.10 AMEND (Covered Contraceptives) Directs that the 2016 State Health Plan shall not require co-pays/deductibles for contraceptives.

WMC: AMEND proviso to update year reference to 2017.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

108.10. (PEBA: Covered Contraceptives) In its Plan of Benefits effective January 1, ~~2016~~ 2017, the State Health Plan shall not apply patient cost sharing provisions to covered contraceptives. This provision does not alter the current approved list of contraceptives and complies with the requirements of proviso 108.4.

SECTION 117 - X900 - GENERAL PROVISIONS

117.91 AMEND FURTHER (Means Test) Requires all agencies that provide Healthcare Services to identify standards and criteria in order to means test all programs they provide, if federal guidelines allow such a test. Directs agencies, once consistent criteria has been established, to implement their plan. Requires each agency to report criteria and fiscal data to the Chairmen of the Senate Finance and House Ways and Means Committees by January 1, 2014.

WMC: AMEND to update calendar year reference to "2017."

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to change "January 1, 2017" to "January 1st."

117.91. (GP: Means Test) All agencies providing Healthcare Services are directed to identify standards and criteria for means testing on all programs provided, where allowed by Federal guidelines. Once a consistent criteria has been established within an agency, they shall implement their respective plans. Each agency shall report all criteria and fiscal data to the Chairman of the Senate Finance Committee and to the Chairman of the House Ways and Means Committee no later than January 1~~st~~, 2014 2017.

117.102 DELETE (Sexually Violent Predator Treatment RFP) Requires the Directors of the Departments of Mental Health and Corrections to develop and issue a RFP to seek proposals from qualified private providers to provide secure housing and treatment services to persons who have been civilly committed to DMH under the Sexually Violent Predators Act. Directs that the RFP be issued by October 31, 2013.

WMC: DELETE proviso. *RFP has already gone out - awaiting JBRC approval.*

HOU: ADOPT deletion of proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

117.102. (GP: Sexually Violent Predator Treatment RFP) ~~The Director of the Department of Mental Health and the Director of the Department of Corrections shall cooperate with the State Fiscal Accountability Authority, Division of Procurement Services which shall develop and cause to be issued a Request for Proposals (RFP) seeking long term solutions for securely housing and treating the growing population of individuals adjudicated as Sexually Violent Predators and civilly committed to the Department of Mental Health pursuant to the Sexually Violent Predators Act.~~

~~The purpose of the RFP shall be to seek proposals from qualified private providers to provide secure housing and treatment services to all individuals civilly committed pursuant to the Sexually Violent Predators Act.~~

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As part of the process, the Department of Mental Health, the Department of Corrections, and the State Fiscal Accountability Authority shall provide up to date information concerning the current operation of the program and shall provide information about suitable state owned real property. The RFP shall be issued on or before October 31, 2013.

~~The RFP shall be worded broadly to allow respondents to propose creative and cost effective long term solutions for the operation of this program in order to address the issues raised in Proviso 23.15 of the 2012-13 State Appropriations Act and the resulting January 3, 2013, Report on the SVP Program issued by the Department of Mental Health and the Department of Corrections.~~

In addition to treatment services, respondents shall be allowed, but not required, to propose a single source solution with responsibility for all aspects of the program including but not limited to housing, security, food, clothing, health care, transport, and treatment services. The RFP shall allow for, but not require, respondents to include in their responses the use of other private or public partners (subcontractors) and/or the lease or use or purchase of state owned real property.

~~The selected contractor may be authorized to sponsor the issuance of tax exempt certificates of participation or other finance solutions to fund the project and the state is authorized to enter into a lease/purchase agreement for the necessary replacement facilities.~~

- 117.117 AMEND FURTHER** (ABLE Savings Expense Fund) Establishes the South Carolina ABLE Savings Expense Fund in the Office of the State Treasurer to allow for tax-exempt savings accounts for disability-related expenses for individuals entitled to benefits based on blindness or disability under specific titles of the Social Security Act or for individuals with a disability certification signed by a physician.

WMC: AMEND proviso to direct that “eligible individuals” are those as defined in Section 529A(e)(1) [QUALIFIED ABLE PROGRAMS] of the federal Internal Revenue Code. Authorize the State Treasurer to develop, implement, and administer the ABLE Fund consistent with federal code and authorizing legislation. Authorize the State Treasurer to charge and collect administrative fees and service charges and engage a program manager for the fund. *Conforms to H.3768.*

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to specify that a South Carolina taxpayer will also be entitled to a state income tax deduction for contributions made to a qualified account under Section 529A located in another state.

117.117. (GP: ABLE Savings Expense Fund) For the current fiscal year, the South Carolina ABLE Saving Expense Fund is established in the Office of the State Treasurer to allow for tax-exempt savings accounts for disability-related expenses for *‘eligible individuals’ as defined in Section 529A(e)(1) of the federal Internal Revenue Code of 1986, as amended as being entitled to benefits based on blindness or disability under Title II or XVI of the Social Security Act, or individuals with a disability certification, which must state that “the individual has a medically determinable physical or mental impairment, which results in marked and severe functional limitations, and which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months,” or is blind. The certification must include the diagnosis and be signed by a physician.*

As the administrator of the ABLE Fund, the State Treasurer may develop, implement and administer the ABLE Fund in a manner consistent with Section 529A of the federal Internal Revenue Code of 1986, as amended and the authorizing legislation. The Treasurer will establish the methods by which the funds held in accounts will be collected, invested and disbursed. The Treasurer may charge and collect administrative fees and service charges in connection with any agreement or transaction relating to the program, including an annual account maintenance fee. All expenses incurred by the State Treasurer in developing and administering the ABLE Savings

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Program must be payable from the South Carolina ABLÉ Savings Expense Fund. Additionally, the Treasurer may engage financial institutions or other qualified entities to serve as program manager for the ABLÉ Fund.

An ABLÉ account within the ABLÉ Fund must be opened by the eligible individual or an authorized agent, trustee or guardian for the beneficiary. Account opening will require the Treasurer to collect information about the eligible individual and may require the Treasurer to share information with the Social Security Administration in the future. Account opening details, such as maximum contributions annually and over time, will be established by the ABLÉ Fund and will be in compliance with Section 529A of the Internal Revenue Code.

Funds in an account will be exempt from attachment, garnishments and other creditor claims against the contributor and the beneficiary. These funds will also be disregarded for purposes of determining eligibility for any State public assistance, including Medicaid. However, upon the death of a beneficiary, funds remaining in an account may be recovered by the South Carolina Department of Health and Human Services in an amount equal to Medicaid benefits previously paid on behalf of the beneficiary.

None of the accounts established by and for an eligible individual create an obligation by the State, the State Treasurer or any agency or instrumentality of South Carolina. There are no guarantees with regard to return of principal, a rate of return on investments or any payment of interest or other earnings.

Contributions to a trust account within the Fund **or a qualified account under Section 529A located in another state** by a South Carolina taxpayer will be entitled to a state income tax deduction, subject to any limits on contributions imposed by the Internal Revenue Code. Income earned on investments in a trust account will be deferred from federal and South Carolina taxation while they remain in the account, and will be exempt from federal and South Carolina taxation as long as the funds are used for Qualified Withdrawals. The earnings portion of withdrawals that are used for nonqualified purposes will be subject to federal and South Carolina taxation and any South Carolina income tax deductions taken previously will be recaptured.

117.118 CONFORM TO FUNDING / AMEND FURTHER (Employee Compensation) Provides a plan to distribute employee pay increases for FY 15-16 in the amount of 0%. Directs allocations associated with the increases for retirement employer contributions be based on the rate of the retirement system in which employees participate. Authorizes the use of funding for statewide employer contributions for other statewide purposes and allow carry forward of those funds.

WMC: AMEND proviso to change DOA reference to F300 - Statewide Employer Contributions; direct the Executive Budget Office to allocate the employee pay increases; and change the amount of the increase from "zero" to "one" percent. Directs the EBO to review Executive Branch agencies in FY 2016-17 to determine whether their budgets warrant an increase in other fund authorization due to the 1% pay raise and if so, to work with the Comptroller General to increase the authorization for the affected agencies.

HOU: AMEND FURTHER to change the pay increase from 1% to 2%. Sponsors: Reps. White, Herbkersman, and Cobb-Hunter.

SFC SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

117.118. (GP: Employee Compensation) The amounts appropriated to ~~the Department of Administration~~ F300-Statewide Employee Benefits for Employee Pay Increases must be allocated by the ~~department~~ Department of Administration, Executive Budget Office to the various state agencies to provide for employee pay increases in accordance with the following plan:

(1) With respect to classified and non-judge judicial classified employees, effective on the first pay date that occurs on or after July first of the current fiscal year, the compensation of all classified employees shall be increased by ~~zero~~ two percent.

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(2) With respect to unclassified and non-judge judicial unclassified employees or unclassified executive compensation system employees not elsewhere covered in this act, effective on the first pay date that occurs on or after July first of the current fiscal year the compensation of all unclassified employees shall be increased by ~~zero~~ two percent. Any employee subject to the provisions of this paragraph shall not be eligible for compensation increases provided in paragraphs 1, 3, 4, 5, or 6.

(3) Effective on the first pay date that occurs on or after July first of the current fiscal year, agency heads not covered by the Agency Head Salary Commission, shall receive an annualized base pay increase of ~~zero~~ two percent.

(4) With respect to local health care providers compensation increases shall be ~~zero~~ two percent effective on the first pay date that occurs on or after July first of the current fiscal year. With respect to Area Agencies on Aging funded by the Lieutenant Governor's Office on Aging, compensation shall be increased by ~~zero~~ two percent effective on the first pay date that occurs on or after July first of the current fiscal year. With respect to local councils on aging or local providers of services funded by the Lieutenant Governor's Office on Aging through Area Agencies on Aging, no pay increases will be allowed. School Bus Driver salary and fringe funding to school districts shall be increased by ~~zero~~ two percent.

(5) Effective on the first pay date that occurs on or after July first of the current fiscal year, the Chief Justice and other judicial officers shall receive an annualized base pay increase of ~~zero~~ two percent.

(6) Effective on the first pay date that occurs on or after July first of the current fiscal year, county auditors and county treasurers shall receive an annualized base pay increase of ~~zero~~ two percent.

(7) For Fiscal Year 2016-17, the Executive Budget Office is directed to review Executive Branch agencies to determine whether their budgets warrant an other fund authorization increase due to the two percent compensation increase for all full-time employees. If so warranted, the Executive Budget Office shall work with the Office of the Comptroller General to increase such authorization for the affected agencies.

The Department of Administration shall allocate associated compensation increases for retirement employer contributions based on the retirement rate of the retirement system in which individual employees participate.

The Executive Director of the State Fiscal Accountability Authority is authorized to use excess appropriations for the current fiscal year designated for statewide employer contributions for other statewide purposes. At the discretion of the Executive Director of the State Fiscal Accountability Authority, such action may be considered a permanent transfer into the receiving agency's base budget.

Funds appropriated in Part IA, F300, Section 106, Statewide Employee Benefits may be carried forward from the prior fiscal year into the current fiscal year.

117.119 DELETE (Sickle Cell Disease Study Committee) Creates a 13 member Sickle Cell Disease Study Committee to examine existing services and resources available to children and adults with the disease. Directs the committee to establish partnerships with institutions and communities for a statewide network of service providers and a comprehensive education and treatment program for adults with the disease, and to establish standardized treatment and emergency room protocols. Directs findings and recommendations be reported to the General Assembly and the Governor by June 30, 2016, at which time the study committee will be dissolved.

WMC: DELETE proviso. *Committee is to be dissolved on June 30, 2016.*

HOU: ADOPT deletion of proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

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117.119. (GP: Sickie Cell Disease Study Committee) ~~Of the funds authorized and appropriated to the Department of Health and Environmental Control, a Sickie Cell Disease Study Committee shall be created and charged with better serving adults with sickie cell disease (SCD), health care providers, and the public about State care and treatment. The committee is to examine existing services and resources available to children with the disease as well as adults with the disease. Additionally, the committee is to establish partnerships with institutions, and communities, a statewide network of service providers for adults with the disease; a comprehensive education and treatment program for adults, as well as establish standardized treatment and emergency room protocols.~~

~~Membership of the committee shall be comprised of thirteen members as follows:~~

- ~~(1) one researcher or physician from the Medical University of South Carolina specializing in hematology;~~
- ~~(2) one researcher or physician from the Children's Hospital Sickie Cell Clinic at the Medical University of South Carolina;~~
- ~~(3) one citizen with Sickie Cell Disease;~~
- ~~(4) one parent or caregiver of an individual with Sickie Cell Disease;~~
- ~~(5) the Executive Director of the SC Hospital Association or their designee;~~
- ~~(6) the President of the South Carolina Medical Association or their designee;~~
- ~~(7) the Superintendent of Education or their designee;~~
- ~~(8) the Director of the Department of Health and Environmental Control or their designee;~~
- ~~(9) the Director of the Department of Health and Human Services or their designee;~~
- ~~(10) two members of the House of Representatives appointed by the Speaker of the House, one of whom the Speaker shall designate as a co-chair of the study committee; and~~
- ~~(11) two members of the Senate appointed by the President Pro Tempore of the Senate, one of whom the President Pro Tempore shall designate as a co-chair of the study committee.~~

~~The study committee also may invite representatives of nonprofit entities with expertise regarding Sickie Cell Disease to participate in the study committee process.~~

~~The House of Representatives Medical, Military and Municipal Affairs Committee and the Senate Medical Affairs Committee shall designate staff to assist the study committee.~~

~~The study committee shall provide a report with findings and recommendations to the General Assembly and the Governor by June 30, 2016, at which time the study committee shall dissolve.~~

117.121 AMEND (Child Fatality Review) Directs DSS, SLED, DHEC, and the State Child Fatality Advisory Committee to implement recommendations contained in the LAC's October 2014 "A Review of Child Welfare Services at the Department of Social Service" report. Requires specific agencies to report various statistics, make recommendations to revise DSS policies and practices, establish a cross check system, and review training provided to coroners. Directs the advisory committee to evaluate the feasibility of adopting the Child Death Review Case Reporting System developed by the National Center for the Review and Prevention of Child Deaths and submit their findings to the General Assembly by December 1, 2015.

WMC: AMEND proviso to update report due date to December 1, "2016."

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended

117.121. (GP: Child Fatality Review) The agencies specified shall implement the following recommendations contained in the Legislative Audit Council's October 2014 report "A Review of Child Welfare Services at the Department of Social Services":

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(1) Annually, the Department of Social Services and the State Child Fatality Advisory Committee shall jointly report statistics on child deaths from maltreatment and the number of those with prior Department of Social Services involvement;

(2) The Department of Social Services and the State Child Fatality Advisory Committee shall use their child fatality review findings to make recommendations to revise Department of Social Services policy or practice where appropriate;

(3) The Department of Social Services shall ensure that it includes child fatality statistics from all relevant sources when reporting to the National Child Abuse and Neglect Data System. These sources shall include, but not be limited to, law enforcement agencies and the Department of Health and Environmental Control;

(4) The State Law Enforcement Division and the Department of Health and Environmental Control shall establish a system for cross checking child fatalities in the state to ensure that all fatalities are being properly reported to the State Law Enforcement Division;

(5) The State Law Enforcement Division and the State Child Fatality Advisory Committee shall review the training provided to coroners on the reporting of child fatalities to ensure that information is provided on which fatalities are to be reported and what procedure is to be followed for reporting the fatalities;

(6) The Department of Public Safety shall report statistics on all child fatalities to the State Child Fatality Advisory Committee; and

(7) The State Child Fatality Advisory Committee shall evaluate the feasibility of adopting the Child Death Review Case Reporting System developed by the National Center for the Review and Prevention of Child Deaths and shall submit a report on their findings to the General Assembly by December 1, ~~2015~~ 2016.

Pursuant to Section 63-11-1930 (E) of the 1976 Code, the director of each agency specified in this provision shall ensure that sufficient staff and administrative support is provided to the State Child Fatality Advisory Committee to accomplish the requirements of this provision.

117.130 ADD (Family Planning Funds) WMC: ADD new proviso to direct that federal and state family planning funds be awarded to eligible individuals, organizations, or entities that apply to be family planning contractors in a specific descending priority order. Require any state entity that distributes family planning funds to submit an annual report to the General Assembly detailing specific information on contracts with nonpublic entities.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

117.130. (GP: Family Planning Funds) (A) Notwithstanding any other law, federal family planning funds and state family planning funds shall be awarded to eligible individuals, organizations, or entities applying to be family planning contractors in the following order of descending priority:

(1) public entities that provide family planning services, including state, county, and local community health clinics and federally qualified health centers;

(2) nonpublic entities that provide comprehensive primary and preventive health services, as described in 42 U.S.C. 254b(b)(1)(A), in addition to family planning services; and

(3) nonpublic entities that provide family planning services but do not provide comprehensive primary and preventive health services.

(B) Family planning funds must be distributed in compliance with federal law to ensure distribution in a manner that does not severely limit or eliminate access to family planning services in any region of the State.

(C) Any department, agency, board, commission, office, or other instrumentality of the State that distributes family planning funds shall submit an annual report to the General Assembly

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listing any family planning contractors that fall under item (A)(3), and the amount of federal or state family planning funds they received. The report shall provide a detailed explanation of how it was determined that there were an insufficient number of eligible individuals, organizations, or entities in items (A)(1) and (A)(2) to prevent a significant reduction in family planning services in each region of the State where (A)(3) contractors are located.

SECTION 118 - X910 - STATEWIDE REVENUE

- 118.9 AMEND** (Tax Relief Reserve Fund) Creates the Tax Relief Reserve Fund; directs that accrued interest remain in the fund; and directs the State Treasurer, on December 31, 2015, to transfer from the General Fund any funds identified in this act designated for the Tax Relief Reserve Fund. Directs that the fund may only be used to provide tax relief to businesses and individuals as provided by law and authorizes these funds to be retained, carried forward, and used for the same purpose.

WMC: AMEND proviso to change year reference to "2016."

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

118.9. (SR: Tax Relief Reserve Fund) There is created the Tax Relief Reserve Fund, which shall be separate and distinct from the General Fund. Interest accrued by the fund must remain in the fund. Notwithstanding any other provision of law, on December 31, ~~2015~~ 2016, the State Treasurer shall transfer funds identified in this act from the General Fund to the Tax Relief Reserve Fund. These funds may only be used to provide tax relief to businesses and individuals as provided by law. Funds within the Tax Relief Reserve Fund shall be retained and carried forward to be used for the same purpose.

- 118.11 AMEND FURTHER** (Tobacco Settlement) Directs expenditure of Tobacco Master Settlement Agreement (MSA) funds for Fiscal Year 2015-16.

WMC: AMEND proviso to update fiscal year reference to "2016-17."

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to change fiscal year reference to "the current fiscal year."

118.11. (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 2015-16~~ 2016-17 the current fiscal year, 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; and

(2) 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 2015-16~~ 2016-17 the current fiscal year.

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118.12 DELETE (Nonrecurring Revenue) Appropriates non-recurring revenue to various agencies for Fiscal Year 2015-16, generated from specific sources.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

118.12. (SR: Nonrecurring Revenue) ~~(A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following sources:~~

- ~~(1) \$19,740,576 from Fiscal Year 2013-14 Contingency Reserve Fund;~~
- ~~(2) \$19,280,467 from Fiscal Year 2014-15 unobligated general fund revenue as certified by the Board of Economic Advisors;~~
- ~~(3) \$27,802,168 from the Litigation Recovery Account; and~~
- ~~(4) \$49,500,000 from Fiscal Year 2015-16 non-recurring contribution from the Unclaimed Property Fund.~~

~~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 2014-15 and shall be available for use in Fiscal Year 2015-16.~~

~~This revenue is deemed to have occurred and is available for use in Fiscal Year 2015-16 after September 1, 2015, following the Comptroller General's close of the state's books on 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, 2015, for the purposes stated:~~

- ~~(1) General Reserve Fund Contribution\$ 8,140,680~~
- ~~(2) H630 Department of Education~~
 - ~~(a) Secure Vendor for Teacher Evaluation System\$ 3,000,000~~
 - ~~(b) Instructional Materials\$ 14,508,278~~
 - ~~(c) Governor's School for the Arts and the Humanities~~
 - ~~Facilities Management\$ 275,000~~
- ~~(3) A850 Education Oversight Committee~~
 - ~~Reach Out and Read\$ 500,000~~
- ~~(4) H710 Wil Lou Gray Opportunity School~~
 - ~~Campus Infrastructure Improvements\$ 300,000~~
- ~~(5) H750 School for the Deaf and the Blind~~
 - ~~(a) Thackston Hall Roof Replacement\$ 500,000~~
 - ~~(b) School Buses\$ 250,000~~
- ~~(6) H790 Department of Archives and History~~
 - ~~(a) Restoration and Repurposing of Fireproof Building~~
 - ~~(Requires 2:1 Match)\$ 1,500,000~~
 - ~~(b) Kings Mountain Fort Thicketty Historic Restoration...\$ 100,000~~
 - ~~(c) Historic Heyward House\$ 100,000~~
 - ~~(d) Architectural Heritage Preservation\$ 250,000~~
- ~~(7) H910 Arts Commission~~
 - ~~(a) Auntie Karen Foundation Education Through Arts~~
 - ~~Curriculum\$ 10,000~~
 - ~~(b) Orangeburg County Fine Arts Center (Requires~~
 - ~~2:1 Match)\$ 90,000~~

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(8) H950 State Museum	
Security System	\$ 100,000
(9) H960 Confederate Relic Room & Military Museum	
Commission	
C.A. Huey Collection	\$ 390,198
(10) H030 Commission on Higher Education	
(a) University Center of Greenville	\$ 250,000
(b) Need Based Grants	\$ 1
(11) H090 The Citadel	
Riley Initiative in Government and Public Policy	\$ 250,000
(12) H150 University of Charleston	
Avery Center	\$ 150,000
(13) H180 Francis Marion University	
Business/Education School Building.....	\$ 100,000
(14) H210 Lander University	
Repair and Replace Science and Math Equipment (STEM)....	\$ 1
(15) H360 USC Beaufort Campus	
Hilton Head Gateway Campus Classroom Building	\$ 1
(16) H390 USC Sumter Campus	
Science Building Renovation	\$ 500,000
(17) H400 USC Union Campus	
Success Building	\$ 67,000
(18) H470 Winthrop University	
(a) Library.....	\$ 1
(b) Academic Success Center	\$ 1
(19) H590 State Board for Technical and Comprehensive	
Education	
(a) ReadySC	\$ 765,881
(b) Manufacturing, STEM, and Healthcare Equipment.....	\$ 2,000,000
(c) Williamsburg Technical College Electrical	
Technology/MCSC Lab Renovations	\$ 628,000
(d) Greenville Technical College Bridge Tech STEM.....	\$ 65,000
(e) Greenville Technical College Center for	
Manufacturing and Innovation Building.....	\$ 500,000
(f) Florence Darlington Technical College Academic	
and Workforce Development Building.....	\$ 1,000,000
(g) Central Carolina Technical College Workforce Center..	\$ 500,000
(h) Northeastern Technical College Workforce Training	
Equipment.....	\$ 300,000
(i) Pathways to Workplace Infrastructure Development.....	\$ 1
(j) Aiken Technical College Advanced Manufacturing	
and Industrial Equipment.....	\$ 1,000,000
(k) Midlands Technical College QuickJobs: MTC	
CenterRapid Employment.....	\$ 1,000,000
(l) Spartanburg Community College Composite	
Manufacturing Training Center	\$ 1,000,000
(20) D500 Department of Administration	
South Carolina State University Vendor Debt.....	\$ 4,000,000
(20.1) Of the funds appropriated above in item 20 for South Carolina State University	
Vendor Debt, the Department of Administration, Executive Budget Office shall review all	

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outstanding vendor debt to determine the vendors with the most aged outstanding accounts and shall utilize the \$4,000,000 to pay the accounts for which settlement of the outstanding debt would be most advantageous to the university.

~~(21) J020 Department of Health and Human Services~~

(a) Medicaid Eligibility System Replacement.....	\$ 2,689,449
(b) International Classification of Diseases (ICD-10)	\$ 561,828
(c) Medical Contracts	\$ 1,700,000
(d) Osprey Village	\$ 200,000

~~(22) J040 Department of Health and Environmental Control~~

(a) J.R. Clark Sickle Cell Foundation.....	\$ 100,000
(b) Bleeding Disorders Premium Assistance Program	\$ 100,000
(c) National Kidney Foundation	\$ 1
(d) Criminal Domestic Violence (SCCADVASA).....	\$ 500,000
(e) Donate Life Organ Donor Registry	\$ 100,000
(f) Best Chance/Colon Cancer Networks.....	\$ 675,000
(g) City of North Myrtle Beach Ocean Water Quality Outfall Initiative.....	\$ 500,000
(h) Wateree Community Action Committee (Requires 1:1 Match).....	\$ 250,000
(i) Indoor Aquatic and Community Center Richland County (Requires 2:1 Match)	\$ 100,000
(j) Real MAD Real Men Against Domestic Violence	\$ 100,000

~~(22.1) Of the funds appropriated above in subitem (22)(f), the Department of Health and Environmental Control shall utilize \$475,000 for the Best Chance Network and \$200,000 shall be used as matching funds for the Colon Cancer Prevention Network.~~

~~(23) J120 Department of Mental Health~~

(a) Information Network Security	\$ 250,000
(b) Community Housing MHA SC	\$ 1,800,000
(c) Replacement of Patient Transportation Vehicles	\$ 349,127
(d) Inpatient Electronic Medical Records	\$ 2,743,451
(e) NAMI Law Enforcement Mental Health Center	\$ 250,000
(f) Waccamaw Mental Health Center Youth in Transition Program	\$ 167,000
(g) Columbia Area Mental Health Center Relocation from Bull Street Property (Requires 2:1 Match)	\$ 500,000
(h) Lander Equestrian Center for Mental Health Treatment...	\$ 300,000

~~(24) J160 Department of Disabilities and Special Needs~~

(a) Autism Services	\$ 1,000,000
(b) Special Family Resource.....	\$ 1
(c) Savannah's Playground.....	\$ 100,000

~~(25) J200 Department of Alcohol and Other Drug Abuse Services~~

Act 301 Behavioral Health Services.....	\$ 2,250,000
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~~(26) L040 Department of Social Services~~

(a) Information Security and Technology Infrastructure.....	\$ 922,991
(b) County Phone System Upgrade	\$ 310,234
(c) Antioch Center	\$ 150,000
(d) CR Neal Dream Center	\$ 150,000
(e) Epworth Children's Home	\$ 100,000
(f) Phillis Wheatley Center Let's Move Summer Camp and After School Program	\$ 100,000

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(g) Pleasant Valley Connection Community Center.....	\$ 25,000
(h) Donaldson Revitalization Group Center—Homeless Adults Transition Services.....	\$ 50,000
(i) United Center for Community Care—Greenwood County.....	\$ 200,000
(27) X220—Local Government Fund—State Treasurer	
(a) Local Government Fund—Counties.....	\$ 10,409,750
(b) Local Government Fund—Municipalities.....	\$ 2,090,250
(28) B040—Judicial Department	
Digital Courtroom Recorders	\$ 450,000
(29) E210—Prosecution Coordination Commission	
SC Center for Fathers and Families.....	\$ 400,000
(30) E230—Commission on Indigent Defense	
Information Technology and Security Infrastructure	\$ 100,000
(31) D100—State Law Enforcement Division	
(a) Technology Equipment/Software	\$ 580,000
(b) Investigative Personnel Operating Expenses	\$ 375,120
(c) Alcohol Enforcement Personnel Operating Expenses	\$ 159,480
(d) Administrative Personnel Operating Expenses	\$ 9,000
(e) Insurance Fraud Investigators Operating Expenses	\$ 106,320
(f) Bike Week Security Overtime Cost	\$ 51,000
(g) Forensic Personnel Operating Expenses	\$ 169,645
(32) K050—Department of Public Safety	
(a) Bike Week Security Overtime Cost	\$ 169,000
(b) Public Safety Coordinating Council—Body Cameras.....	\$ 1,000,000
(33) N200—Law Enforcement Training Council—Criminal Justice Academy	
(a) Information Security Infrastructure.....	\$ 277,582
(b) Energy Facility Controls Replacement	\$ 209,957
(c) Fire Panel Replacement	\$ 140,311
(d) Classroom Audio/Visual Equipment.....	\$ 76,500
(e) Dormitory Water Heater	\$ 66,000
(34) N040—Department of Corrections	
(a) Mental Health Remediation Plan	\$ 1,499,659
(b) Education Improvement Plan/Vocational Equipment.....	\$ 440,000
(35) N080—Department of Probation, Parole and Pardon Services	
Bike Week Security Overtime Cost.....	\$ 29,656
(36) N120—Department of Juvenile Justice	
AMI Kids—Beaufort Marine Institute (Requires 1:1 Match) ..	\$ 110,000
(37) P120—Forestry Commission	
Firefighting Equipment.....	\$ 500,000
(38) P160—Department of Agriculture	
“Certified SC” Marketing.....	\$ 2,000,000
(39) P210—South Carolina State University PSA	
Matching Funds for Federal Grants.....	\$ 740,555
(40) P240—Department of Natural Resources	
(a) Surface Water Modeling Phase III—Final	\$ 700,000
(b) Law Enforcement Vehicles for New Officers.....	\$ 1
(c) High Resolution Elevation Data Development	\$ 500,000
(41) P280—Department of Parks, Recreation and Tourism	

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(a) Parks and Recreation Development Fund.....	\$ 1
(b) Sports Development Marketing Program.....	\$ 875,000
(c) Newberry Opera House.....	\$ 60,000
(d) Palmetto Conservation Foundation—Palmetto Trail.....	\$ 300,000
(e) Columbia Museum of Art.....	\$ 200,000
(f) Hunting Island State Park Cabin Repairs.....	\$ 50,000
(g) Medal of Honor Museum.....	\$ 1,000,000
(h) Upstate 9/11 Memorial (Requires 2:1 Match).....	\$ 200,000
(i) Mountain Lakes Destination Promotion and Historic Preservation (Requires 2:1 Match).....	\$ 100,000
(j) Woodrow Wilson Home—National Marketing.....	\$ 125,000
(k) City of Sumter Green Space Initiative (Requires 1:1 Match).....	\$ 400,000
(l) Calhoun County Renovation of Former John Ford Middle/High School for Community Center (Requires 2:1 Match).....	\$ 180,000
(m) Spartanburg City Park Project.....	\$ 300,000
(n) City of Conway—Renovation of Horry County Museum for Multipurpose Space (Requires 3:1 Match).....	\$ 250,000
(o) African American History Museum.....	\$ 5,000,000
(p) Township Auditorium.....	\$ 250,000
(q) Manning Avenue/Wilder School Area Green Space Initiative.....	\$ 250,000
(r) Inman City Market.....	\$ 100,000
(42) P320—Department of Commerce	
(a) Closing Fund.....	\$ 3,000,000
(b) Military Base Task Force.....	\$ 750,000
(c) SC Council on Competitiveness.....	\$ 250,000
(d) Rock Hill Knowledge Park (Requires 2:1 Match).....	\$ 400,000
(e) Community Development Corporations Initiative.....	\$ 100,000
(f) IT-ology—Coursepower Project.....	\$ 200,000
(g) LocateSC.....	\$ 2,500,000
(h) Hartsville Downtown Revitalization—Center Theater (Requires 2:1 Match).....	\$ 500,000
(i) Marion County Economic Development.....	\$ 250,000
(j) Williamsburg County Economic Development.....	\$ 100,000
(k) Richland County Economic Development.....	\$ 100,000
(43) R360—Department of Labor, Licensing and Regulation	
(a) State Fire Marshal: Chester County—Countywide Fire Suppression.....	\$ 100,000
(b) State Fire Marshal: Fairfield County—Countywide Fire Suppression.....	\$ 100,000
(c) Wind and Seismic Residential Building Requirements Study.....	\$ 40,000
(44) Y140—State Ports Authority	
(a) Jasper Ocean Terminal Permitting.....	\$ 1,000,000
(b) Port of Georgetown Dredging/Maintenance Dredging.....	\$ 250,000
(45) L360—Human Affairs Commission	
Community Relations Councils.....	\$ 119,000

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(46) U120—Department of Transportation	
State's Road Salt Infrastructure Maintenance Regional.....	\$ 945,300
(47) A150—Codification of Laws and Legislative Council	
Dues.....	\$ 50,000
(48) A170—Legislative Services	
Systems Security	\$ 200,000
(49) E080—Office of Secretary of State	
Charitable Raffle Online Filing and Reporting System.....	\$ 150,000
(50) E240—Office of Adjutant General	
(a) Armory Maintenance	\$ 1,500,000
(b) State Share Disaster Relief.....	\$ 300,000
(c) Service Member and Family Care Cost Funding	\$ 250,000
(d) State Active Duty Log Packs	\$ 25,000
(e) Transitioning Military Assistance Programs.....	\$ 500,000

~~(50.1) Of the funds appropriated above in item (50)(e) for Transitioning Military Assistance Programs, the Office of Adjutant General shall provide \$350,000 to the Technical College of the Lowcountry for the Transitioning Military Training Program and \$150,000 to the Transitional Workforce Education Assistance Collaborative. Both programs shall, at a minimum, provide aviation related training to former and transitioning military members who are preparing for a job in the private sector workforce or shall assist the military members refine the skills they have gained through their military service to match the demands of the job market in the region.~~

(51) R520—State Ethics Commission	
New Investigative Positions Operating Expenses	\$ 25,000

~~Unexpended funds appropriated pursuant to this subsection 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 2015-16 at the Fiscal Year 2009-10 level. There shall also be paid from the escrow account the annual dues of the Southern States Energy Board.~~

118.13 DELETE (Additional Unobligated FY 2014-15 General Fund Surplus Revenue) Appropriates \$150,196,281 of additional nonrecurring unobligated FY 2014-15 General Fund surplus revenues: \$4,117,162 to the Adjutant General for EMD 2014 Winter Storm Local Matching Funds and \$145,829,119 to DOT for the County Transportation Committee Road Program. Authorizes unexpended funds to be carried forward.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

118.13. (SR: Additional Unobligated FY 2014-15 General Fund Surplus Revenue) ~~(A) The source of revenue appropriated in subsection (B) is additional unobligated Fiscal Year 2014-15 General Fund surplus revenues totaling \$150,196,281 as certified by the Board of Economic Advisors on May 29, 2015.~~

~~(B) (1) E240—Office of Adjutant General
Emergency Management Division: 2014 Winter Storm Local~~

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~~Matching Funds\$ 4,117,162~~

~~(1.1) From the funds appropriated in this item for 2014 Winter Storm Local Matching Funds, local governments shall receive allocations to offset storm cleanup expenses resulting from the winter storms during states of emergency declared by Executive Orders 2014-06 and 2014-11. Expenses eligible for reimbursement are those incurred by county and municipal governments and deemed eligible for reimbursement by the Federal Emergency Management Agency (FEMA), but were not reimbursed due to local match requirements. The amount reimbursed to each eligible local government shall be 25% of their Total Non-Federal Aid Share. The intent of the General Assembly is for the local government to pay at least 75% of the Total Non-Federal Aid Share.~~

~~(2) U120 Department of Transportation~~

~~County Transportation Committee Road Program\$ 145,829,119~~

~~(2.1) The Department of Transportation shall distribute the \$145,829,119 appropriated above for the County Transportation Committee Road Program pursuant to Section 12-28-2740 of the 1976 Code. County Transportation Committees shall utilize the funds distributed pursuant to this proviso solely for use on the state-owned secondary road system for paving, rehabilitation, resurfacing, and/or reconstruction, and bridge repair, replacement, or reconstruction. No funds from this allocation shall be used for any road, bridge, or highway that is not part of the state-owned system.~~

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

118.16 CONFORM TO FUNDING / AMEND NEW PROVISO FURTHER (Nonrecurring Revenue) **WMC:** ADD new proviso to appropriate \$451,378,981 of non-recurring revenue for FY 2016-17 generated from FY 2014-15 Contingency Reserve Fund, FY 2015-16 unobligated general fund revenue certified by the BEA, the Litigation Recovery Account, FY 15-16 Excess Debt Service, and FY 2015-16 Excess Homestead Exemption. Appropriate funds to various agencies for specific purposes. Direct the State Board for Tec and Comp Ed to distribute the \$20,000,000 appropriated for Critical Training Equipment to all technical colleges except Greenville Technical College.

HOU: AMEND new proviso to change the Litigation Recovery Account revenue from "\$138,518,632" to "\$139,260,007" and add \$5,494,506 in revenue from FY 2015-16 F300 Carry Forward and Bonus Lapse. Amend allocations for item (6) SDE by adding \$9,058,672 for Districts with a Poverty Index of Eighty Percent or Higher; change Technology Technical Assistance from "\$16,800,000" to "\$13,977,209" and add (6.1) to direct SDE to allocate the \$9,058,672 to provide for Teacher Recruitment and Retention and to allocate the funds on a pro rata basis to each district based on the district's 45 day student enrollment count. Sponsors: Reps. Hayes, White, Bingham, Anthony, and Govan. AMEND FURTHER to change allocation of \$135,000,000 in item (2) from "U200 - County Transportation Funds, County Transportation Program" to "U120 - Department of Transportation, State Highway Fund" and add (2.1) to direct that the funds be used for paving, rehabilitation, resurfacing, and/or reconstruction of the Primary Road System and authorize the funds to be carried forward and used for the same purpose. Add Section (C) to direct DOT to develop and implement a needs-based weighting methodology to allocate the funds within the state funded resurfacing program and to include consideration on a county-by-county basis to ensure each county is guaranteed funding. Sponsors: Reps. Simrill, White, Lucas, and Limehouse.

SFC SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation / AMEND FURTHER and provide carry forward authority for items disbursed to agencies.

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118.16. (SR: Nonrecurring Revenue) (A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following sources:

- (1) \$46,750,797 from Fiscal Year 2014-15 Contingency Reserve Fund;
- (2) \$239,798,000 from Fiscal Year 2015-16 unobligated general fund revenue as certified by the Board of Economic Advisors;
- (3) \$139,260,007 from the Litigation Recovery Account;
- (4) \$14,426,041 from Fiscal Year 2015-16 (V040) Excess Debt Service;
- (5) \$11,885,511 from Fiscal Year 2015-16 (X440) Excess Homestead Exemption; and
- (6) \$5,494,506 from Fiscal Year 2015-16 F30 Carry Forward and Bonus Lapse.

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 2015-16 and shall be available for use in Fiscal Year 2016-17.

This revenue is deemed to have occurred and is available for use in Fiscal Year 2016-17 after September 1, 2016, following the Comptroller General's close of the state's books on Fiscal Year 2015-16.

(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, 2016, for the purposes stated:

(1) General Reserve Fund Contribution.....\$ 20,399,981

(2) U120 - Department of Transportation
State Highway Fund.....\$ 135,000,000

(2.1) Funds appropriated above in item 2 shall be credited to the State Highway Fund for paving, rehabilitation, resurfacing, and/or reconstruction of the Primary Road System. Unexpended funds appropriated pursuant to this subsection may be carried forward and expended for the same purposes.

(3) U120 - Department of Transportation
2015 Flood Road Repair Cost\$ 37,300,000

(4) E240 - Office of Adjutant General
Emergency Management Division - FEMA State and
Local Match for 2015 Flooding.....\$ 72,000,000

(5) P280 - Department of Parks, Recreation, and Tourism
Statewide Coastal Beach Renourishment\$ 40,000,000

(6) H630 - Department of Education
(a) Districts with a Poverty Index of Eighty Percent or Higher \$ 9,058,672
(b) Technology Technical Assistance.....\$ 13,977,209
(c) Education Outreach/State Museum.....\$ 15,000
(d) Onsite Educational Programming/State Museum.....\$ 10,000

(6.1) The Department of Education shall allocate the \$9,058,672 appropriated above for districts with a poverty index of eighty percent or higher to provide for Teacher Recruitment and Retention. The funds shall be allocated on a pro rata basis to each district based on the districts 45 day student enrollment count.

(7) H120 - Clemson University - E&G Outdoor Lab Facilities.....\$ 2,000,000

(8) H150 - University of Charleston
(a) Computer Science Program\$ 650,000
(b) Gibbs Museum of Art.....\$ 350,000

(9) H210 - Lander University
Nursing and STEM Equipment\$ 550,000

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<u>(10) H510 - Medical University of South Carolina</u>	
<u>Palmetto Palace.....</u>	<u>\$ 300,000</u>
<u>(11) H590 - State Board for Technical and Comprehensive Education</u>	
<u>(a) ReadySC Direct Training.....</u>	<u>\$ 13,554,507</u>
<u>(b) Critical Training Equipment.....</u>	<u>\$ 20,000,000</u>
<u>(c) Greenville Technical College - CMI Equipment.....</u>	<u>\$ 8,000,000</u>
<u>(d) Denmark Technical College - Barnwell Workforce Center..</u>	<u>\$ 750,000</u>
<u>(e) Florence-Darlington Technical College - Academic</u>	
<u>Building.....</u>	<u>\$ 3,500,000</u>
<u>(f) Northeastern Technical College - Instructional Building....</u>	<u>\$ 3,500,000</u>
<u>(g) Piedmont Technical College - Upstate Center for</u>	
<u>Manufacturing.....</u>	<u>\$ 3,500,000</u>
<u>(h) Technical College of the Lowcountry - Mobile</u>	
<u>Welding Lab.....</u>	<u>\$ 1,200,000</u>
<u>(11.1) The State Board for Technical and Comprehensive Education shall distribute the \$20,000,000 appropriated above in (11)(b) for "Critical Training Equipment" to all technical colleges, excluding Greenville Technical College.</u>	
<u>(12) J020 - Department of Health and Human Services</u>	
<u>(a) Medicaid Management and Information System.....</u>	<u>\$ 8,474,579</u>
<u>(b) USC School of Medicine Rural Health.....</u>	<u>\$ 2,000,000</u>
<u>(c) Medical Contracts.....</u>	<u>\$ 3,000,000</u>
<u>(d) Osprey Village.....</u>	<u>\$ 200,000</u>
<u>(13) J040 - Department of Health and Environmental Control</u>	
<u>(a) Data Center/Infrastructure.....</u>	<u>\$ 2,000,000</u>
<u>(b) Donate Life - Organ Donor Registry.....</u>	<u>\$ 100,000</u>
<u>(c) Water Quality Infrastructure.....</u>	<u>\$ 2,750,000</u>
<u>(d) Real MAD.....</u>	<u>\$ 200,000</u>
<u>(e) North Myrtle Ocean Outfall.....</u>	<u>\$ 700,000</u>
<u>(14) J160 - Department of Disabilities and Special Needs</u>	
<u>Lander Equestrian Center.....</u>	<u>\$ 300,000</u>
<u>(15) L040 - Department of Social Services</u>	
<u>(a) Child Support System Development.....</u>	<u>\$ 1,000,000</u>
<u>(b) Antioch Senior Center.....</u>	<u>\$ 100,000</u>
<u>(c) CR Neal Dream Center.....</u>	<u>\$ 100,000</u>
<u>(d) Criminal Domestic Violence - SCCADVASA.....</u>	<u>\$ 800,000</u>
<u>(16) P200 - Clemson University-PSA</u>	
<u>Agriculture and Natural Resources Facilities.....</u>	<u>\$ 1,000,000</u>
<u>(17) P320 - Department of Commerce</u>	
<u>(a) Closing Fund.....</u>	<u>\$ 10,000,000</u>
<u>(b) Existing Industries - U.S. DOD Bus. Diversification</u>	
<u>Grant Match.....</u>	<u>\$ 300,000</u>
<u>(c) IT-ology Coursepower.....</u>	<u>\$ 400,000</u>
<u>(d) LocateSC.....</u>	<u>\$ 5,400,000</u>
<u>(e) Office of Innovation.....</u>	<u>\$ 500,000</u>
<u>(f) Research Initiatives.....</u>	<u>\$ 3,000,000</u>
<u>(18) R440 - Department of Revenue</u>	
<u>(a) CSID - Identity and Credit Protection Services.....</u>	<u>\$ 1,000,000</u>
<u>(b) System Improvements - Integrated Tax System.....</u>	<u>\$ 1,145,202</u>
<u>(19) C050 - Administrative Law Court</u>	
<u>Rent Increase.....</u>	<u>\$ 5,000</u>

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<u>(20) D100 - State Law Enforcement Division</u>	
Forensic Building Expansion.....	\$ 10,100,000
<u>(21) N040 - Department of Corrections</u>	
Agency Wide Paving.....	\$ 2,360,580
<u>(22) N120 - Department of Juvenile Justice</u>	
AMI Kids.....	\$ 100,000
<u>(23) P240 - Department of Natural Resources</u>	
(a) Fort Johnson Roof Replacement	\$ 1,515,132
(b) Law Enforcement Communication Center Upgrade	\$ 800,000
(c) Springs Stevens Hatchery - Harvest Kettle Renovation	\$ 800,000
(d) Waddell Center Infrastructure	\$ 100,000
<u>(24) R520 - State Ethics Commission</u>	
New Auditors Equipment	\$ 10,000
<u>(25) H790 - Department of Archives and History</u>	
(a) Digital Access and Storage Initiative	\$ 439,000
(b) Architectural Heritage Preservation.....	\$ 2,100,000
<u>(26) H910 - Arts Commission</u>	
SC Artisans Center.....	\$ 500,000
<u>(27) H950 - State Museum Commission</u>	
(a) Collections Database and Management System.....	\$ 125,000
(b) Collections and Content	\$ 5,000
<u>(28) R200 - Department of Insurance</u>	
Wind Studies	\$ 20,000
<u>(29) Y140 - State Ports Authority</u>	
Jasper Ocean Terminal Permitting.....	\$ 1,500,000
<u>(30) A170 - Legislative Services</u>	
Disaster Recovery.....	\$ 500,000
<u>(31) E160 - Office of State Treasurer</u>	
ABLE Savings Program.....	\$ 100,000
<u>(32) E240 - Office of Adjutant General</u>	
(a) EMD - Continuity of Operations and Government Plan.....	\$ 250,000
(b) Emergency Commodities.....	\$ 100,000
(c) Transitional Workforce Educational Assistance	
Collaborative	\$ 200,000
<u>(33) U300 - Division of Aeronautics</u>	
(a) Airport Facilities Security System Replacement	\$ 100,000
(b) State Aviation Fund.....	\$ 1,000,000
<u>(34) P280 - Department of Parks, Recreation and Tourism</u>	
(a) Information Technology Security Audit and PCI	
Compliance Audit.....	\$ 300,000
(b) Sports Development Marketing Program.....	\$ 1,200,000
(c) Medal of Honor Museum.....	\$ 3,000,000
(d) Sumter Environmental Center.....	\$ 300,000.

(C) Of the funds appropriated or authorized to the Department of Transportation, the department shall develop and implement a needs-based weighting methodology to allocate funding within the state funded resurfacing program, which shall include consideration on a county-by-county basis, to ensure that each county in the state is guaranteed funding.

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

**SENATE FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2016-17**

118.od ADD (One Dollar Appropriations) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that funds appropriated in the amount of \$1 not be disbursed and that the Comptroller General adjust the affected agency's chart of accounts, if necessary.

***118.od.** (SR: One Dollar Appropriations) Funds appropriated in the amount of one dollar by this act shall not be disbursed. The Comptroller General shall adjust the affected agency's chart of accounts accordingly, if necessary.*

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