

**SENATE FINANCE COMMITTEE  
HEALTH AND HUMAN SERVICES SUBCOMMITTEE  
PROVISO RECOMMENDATIONS FY 2019-20**

**SECTION 32 - H730 - DEPARTMENT OF VOCATIONAL REHABILITATION**

- 32.5 DELETE** (Basic Services Program - Educational Scholarships) Caps tuition cost at state supported institutions at the 1998 tuition rate for individuals meeting academic requirements of the particular institution and who are receiving services under a Vocational Rehabilitation approved plan and eligible for State need-based scholarships.  
**WMC:** DELETE proviso. Requested by Department of Vocational Rehabilitation.  
**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**32.5.** (VR: Basic Services Program - Educational Scholarships) ~~For those persons with disabilities who are eligible for and are receiving services under an approved plan of the South Carolina Vocational Rehabilitation Department (consistent with the 1973 Rehabilitation Act, as amended) tuition costs at state supported institutions (four year, technical, or trade schools) will not increase beyond the 1998 tuition rate, will be provided, or will be waived by the respective institution after the utilization of any other federal or state student aid for which the student is eligible. Persons eligible for this tuition reduction or sponsorship must meet all academic requirements of the particular institution and be eligible for State need based scholarships as defined in Chapter 142, Title 59, Code of Laws of South Carolina, 1976.~~

**SECTION 33 - J020 - DEPARTMENT OF HEALTH AND HUMAN SERVICES**

- 33.15 AMEND** (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 and the DSS Supplemental Nutritional Assistance Program (SNAP) program and allows the department to use the Department of Education's poverty-related information.  
**WMC:** AMEND proviso to direct the department to enroll and recertify eligible children "and households" to CHIP "and/or Medicaid." Direct the department to submit waivers to the Centers for Medicare and Medicaid Services and/or plan amendments to ensure that CHIP upper income limit is at least that of the average of states within CMS Region IV and to enroll children into the program accordingly.  
**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**33.15.** (DHHS: CHIP Enrollment and Recertification) The Department of Health and Human Services shall enroll and recertify eligible children and households to the Children's Health Insurance Program (CHIP) and/or Medicaid and must 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' Supplemental Nutritional Assistance Program (SNAP) and ~~the department may use the~~ poverty-related information from the Department of Education. Use of this data and cooperative efforts between state agencies reduces the cost of outreach and ~~maintenance of eligibility for CHIP activities.~~ In the current fiscal year and with funds available to it, the department shall submit to the Centers for Medicare and Medicaid Services such waivers and/or plan amendments necessary to ensure that the CHIP upper income limit is at least that of the average of the states within CMS Region IV and shall enroll children into the program accordingly.

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- 33.22 CONFORM TO FUNDING / AMEND** (Rural Health Initiative) Directs the department to partner with various state agencies, institutions, and other key stakeholders to implement components of the Rural Health Initiative to address the needs of medically underserved communities and to leverage federal funds to implement the initiative. Authorizes Rural Health Initiative funds to be carried forward and used for the same purpose. Directs the department to investigate the potential use of DSH and/or other allowable and appropriate sources of funds to improve access to emergency medical services in communities whose access has been degraded due to a hospital's closure during the past five years and to establish a DSH pool for this purpose. Allows the department to solicit proposals from and provide financial support for capital expenditures associated with the consolidation of two or more rural hospitals; requires a hospital system to submit a consolidation plan; requires at least one of the facilities be designated as a critical access hospital in a county whose population is at certain levels; and directs the department to require written agreements to ensure proper use of the funds.
- WMC:** AMEND proviso (A)(1) to direct the department to spend \$4,000,000 in accordance with a graduate medical education plan developed by MUSC, USC, and Francis Marion University; (A)(4) to direct the department to use \$200,000 of their recurring funds for the Department on Aging's Geriatric Physician Loan Forgiveness program; (B)(2) to change "consolidation" of two or more rural hospitals" to "replacement" of two or more rural hospitals and delete other references to the term "consolidation." Direct that the project must be subject to ongoing advisement by the submitting facility, "or subject to acquisition by the advising facility." Rather than the stipulation that "at least one of the facilities subject to consolidation must be designated as a critical access hospital under certain criteria," direct that "the advised facility" must be so designated.
- HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

**33.22.** (DHHS: Rural Health Initiative) From the funds appropriated to the Department of Health and Human Services for the Rural Health Initiative in the current fiscal year, the department shall partner with the following state agencies, institutions, and other key stakeholders to implement these components of a Rural Health Initiative to better meet the needs of medically underserved communities throughout the state. The department may leverage any and all available federal funds to implement this initiative. Recurring and non-recurring funding for the Rural Health Initiative may be carried forward by the department and expended for the same purpose.

(A) The Department of Health and Human Services shall incentivize the development of primary care access in rural and underserved areas, 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, and continue to leverage the use of teaching hospitals to ensure rural physician coverage in counties with a demonstrated lack of adequate access and coverage through the following provisions:

(1) Rural and Underserved Area Provider Capacity - 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 communities. 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. The department shall also expend \$4,000,000 in accordance with a graduate medical education plan developed cooperatively by the Medical University of South Carolina, the University of South Carolina and Francis Marion University.

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(2) Rural Healthcare Coverage and Education - The USC School of Medicine, in consultation with the South Carolina Office of Rural Health, shall continue to operate a Center of Excellence to support and develop rural medical education and delivery infrastructure with a statewide focus, through clinical practice, training, and research, as well as collaboration with other state agencies and institutions. The center's activities must be centered on efforts to improve access to care and expand healthcare provider capacity in rural communities. The department shall authorize at least \$1,000,000 to 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/or rural practice support and education. Funding released by the department pursuant to this section must not be used by the recipient(s) to supplant existing resources already used for the same or comparable purposes. No later than February first of the current fiscal year, the USC School of Medicine shall report to the Chairman of the House Ways and Means Committee, the Chairman of the Senate Finance Committee, and the Director of the Department of Health and Human Services on the specific uses of funds budgeted and/or expended pursuant to this provision.

(3) Rural Medicine Workforce Development - The department, in consultation with the Medical Education Advisory Committee (MEAC), shall support the development of additional residency and/or fellowship slots or programs in rural medicine, family medicine, and any other appropriate primary care specialties that have been identified by the department as not being adequately served by existing Graduate Medical Education programs. The department shall ensure that each in-state member of the Association of American Medical Colleges is afforded the opportunity to participate in MEAC. New training sites and/or residency positions are subject to approval as specified by the Accreditation Council for Graduate Medical Education (ACGME). The department may also accept proposals and award grants for programs designed 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 recurring funds appropriated to the department for the Rural Health Initiative may be used for this purpose. Additionally, the department shall use up to \$200,000 of the recurring funds appropriated for the Department of Aging's Geriatric Physicians Loan Forgiveness program.

(4) Statewide Health Innovations - At least \$2,000,000 must be expended by the department to contract with the USC School of Medicine to develop and continue innovative healthcare delivery and training opportunities through collaborative community engagement via ICARED and other innovative programs that provide clinical services, mental and behavioral health services, children's health, OB/GYN services, and/or chronic disease coverage gaps. In consultation with the Office of Rural Health, the department must ensure collaborative efforts with the greatest potential for impact are prioritized.

(B) The department shall continue to investigate the potential use of DSH and/or any other allowable and appropriate source of funds in order to improve access to emergency medical services in one or more communities identified by the department in which such access has been degraded due to a hospital's closure during the past five years.

(1) In the current fiscal year, the department is authorized to establish a DSH pool, or carry forward DSH capacity from a previous period as federally permissible, for this purpose and/or if deemed necessary to implement transformation plans for which conforming applications were filed with the department pursuant to this or a previous hospital transformation or rural health initiative proviso, but for which additional negotiations or development were required. An emergency department that is established within 35 miles of its sponsoring hospital pursuant to this or a previous hospital transformation or rural health initiative proviso and which receives dedicated funding pursuant to this proviso shall be exempt from any Department of Health and

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Environmental Control Certificate of Need requirements or regulations. Any such facility shall participate in the South Carolina Telemedicine Network.

(2) The department may solicit proposals from and provide financial support for capital expenditures associated with the ~~consolidation~~ replacement of two or more rural hospitals, not to exceed one-quarter of the total project capital budget ~~for the consolidation~~. Such a ~~consolidation~~ plan must be submitted by a hospital system approved to advise a rural transformation project, and the ~~consolidation~~ project must be subject to ongoing advisement by the submitting facility, or subject to acquisition by the advising facility. ~~At least one of the facilities subject to consolidation~~ The advised facility must be designated as a critical access hospital in a county experiencing not less than four percent decrease in population between the most recent decennial censuses and have been deemed eligible to participate in the rural transformation pool in a prior fiscal year. The department shall require such written agreements which may require project milestone, last-dollar funding, and other stipulations deemed necessary and prudent by the department to ensure proper use of the funds.

(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.

**33.23** **AMEND** (BabyNet Compliance) Directs the department to report to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees by December 31, 2018, on the status of the department's efforts to bring the BabyNet program into compliance with federal requirements.

**WMC:** AMEND proviso to update calendar year reference from "2018" to "2019." Requested by Department of Health and Human Services.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**33.23.** (DHHS: BabyNet Compliance) With the funds available to the department, the Department of Health and Human Services shall report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee no later than December 31, ~~2018~~ 2019 on the status of the department's efforts to bring the BabyNet program into compliance with federal requirements. This report must specifically address areas in which the BabyNet program has received low performance scores and include any relevant correspondence from the U.S. Department of Education. The report must explain the department's plan for bringing BabyNet into compliance, including specific steps and the associated timeline.

**33.24** **ADD** (Personal Emergency Response System) **WMC:** ADD new proviso to direct the department to develop RFPs to provide for Personal Emergency Response Systems (PERS) to be issued to Medicaid recipients based on the department's Medicaid Home and Community-based waiver. Direct that PERS devices must include unlimited 24-7 live phone contact with RNs for triage services. Require the PERS nurse triage call centers be accredited and separate from PERS emergency response call centers. Require PERS devices comply with all FCC rules and regulations. Require the department apply for any necessary waivers.

**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

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33.24. (DHHS: Personal Emergency Response System) With funds appropriated and authorized to the Department of Health and Human Services for Fiscal Year 2019-20, the department shall develop one or more Requests for Proposals, to provide for Personal Emergency Response Systems (PERS) to be issued to Medicaid recipients pursuant to the department's Medicaid Home and Community-based waiver. The PERS devices must include in addition to emergency response services, unlimited twenty-four hour, seven-day a week live phone contact with experienced registered nurses for triage services. A PERS nurse triage call center must be accredited and must be separate from the PERS emergency response call center. The PERS device must have a wireless radio transmitter and a console that is cellular and does not require a traditional land line. A PERS device that includes nurse triage services also must comply with the requirements of Federal Communications Commission rules, 47 C.F.R. Part 68; and be approved by the Underwriters Laboratory or Equipment Testing Laboratories as a health care signaling product. The Department of Health and Human Services shall apply for any waiver necessary under the department's Medicaid Home and Community-based waiver to implement these provisions.

- 33.25 ADD** (Family Planning Funds) **HOU:** ADD new proviso to state that Section 43-5-1185 [FAMILY SKILLS TRAINING PROGRAM-PROHIBITS STATE FUNDS FOR FAMILY PLANNING FROM BEING USED TO PAY FOR AN ABORTION], prohibits state funds, directly or indirectly from being used by Planned Parenthood for abortions, abortion services or procedures, or administrative functions related to abortions and that once the federal injunction is lifted the department may not direct any federal funds to Planned Parenthood. Provide guidelines for qualified organizations that provide abortion services to receive funds. Direct that organizations that provide abortion services in compliance with Proviso 33.12 are excepted from the restrictions in this provision and may receive family planning funds. Sponsors: Reps. Trantham and Magnuson.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

33.25. (DHHS: Family Planning Funds) The State has enacted Section 43-5-1185 of the 1976 Code that prohibits state funds, directly or indirectly, from being utilized by Planned Parenthood for abortions, abortion services or procedures, or administrative functions related to abortions. Having prevented Planned Parenthood from performing abortions with state funds, once the federal injunction is lifted, the Department of Health and Human Services may not direct any federal funds to Planned Parenthood. An otherwise qualified organization may not be disqualified from receipt of these funds because of its affiliation with an organization that provides abortion services, provided that the affiliated organization that provides abortion services is independent of the qualified organization. An independent affiliate that provides abortion services must be separately incorporated from any organization that receives these funds. An organization that provides abortion services in compliance with Part 1.B., Proviso 33.12 of this act is excepted from the above restriction on state family planning funds and may receive state family planning funds.

**SECTION 34 - J040 - DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

- 34.8 AMEND** (Emergency Medical Services) Provides for the allocation of Emergency Medical Services funds to counties, EMS Regional Councils and the state EMS office. Prohibits funds appropriated for EMS from being transferred to other programs within the department's budget. Authorizes unexpended funds to be carried forward and specifies how the funds must be used. **WMC:** AMEND proviso to authorize unexpended funds to be carried forward; allow 50% to be spent for administrative and operational support and temporary and contract employees to improve and upgrade the EMS system and direct that the remaining 50% be transferred to the SC

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EMS Association after January 1<sup>st</sup> to promote and encourage EMT and EMS directors' education; to collect, analyze, and distribute EMS information; to promote improvement of patient care; to cooperate with other organizations; and to effect more efficient administration of emergency medical services in the state.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**34.8.** (DHEC: Emergency Medical Services) Funds appropriated herein for Emergency Medical Services, shall be allocated for the purpose of improving and upgrading the EMS system throughout the state. The monies allocated to the Counties are for the purpose of improving or upgrading the local EMS system through the licensed ambulance services, the monies allocated to the EMS Regional Councils are for the administration of training programs and technical assistance to local EMS organizations and county systems. All additional funds are to be allocated as follows: to the counties at the ratio of eighty-one percent of the additional funds appropriated herein, to the EMS Regions at a ratio of twelve percent of the additional funds appropriated herein and to the state EMS Office at the ratio of seven percent of the additional funds appropriated herein. The Department of Health and Environmental Control shall develop criteria and guidelines and administer the system to make allocations to each region and county within the state, based on demonstrated need and local match. Funds appropriated to Emergency Medical Services shall not be transferred to other programs within the department's budget. Unexpended funds appropriated to the program may be carried forward to succeeding fiscal years, and fifty percent may be expended for administrative and operational support and for temporary and contract employees to assist with duties related to improving and upgrading the EMS system throughout the state, including training of EMS personnel and administration of grants to local EMS providers. After January 1<sup>st</sup> of the current fiscal year, the remaining fifty percent of unexpended funds carried forward shall be transferred to the South Carolina EMS Association to promote and encourage education of emergency medical technicians and directors of emergency medical services; to collect, analyze, and distribute information about emergency medical services; to promote the improvement of patient care; to cooperate with other organizations; and to effect more efficient administration of emergency medical services in the State of South Carolina. 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 appropriated for EMS Regional Councils or Aid to Counties greater than such stipulated percentage.

**34.33** **DELETE** (Coastal Zone Appellate Panel) Suspends the Coastal Zone Appellate Panel for the current fiscal year.

**WMC:** DELETE proviso. Requested by Department of Health and Environmental Control.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**34.33.** (DHEC: Coastal Zone Appellate Panel) ~~The Coastal Zone Appellate Panel as delineated in Section 48-39-40 of the 1976 Code under the Department of Health and Environmental Control shall be suspended for the current fiscal year.~~

**34.43** **AMEND** (DHEC: Abstinence-Until-Marriage Emerging Programs) Directs the department to use the "Abstinence-Until Marriage Emerging Programs" special item funds to award a 12 month grant for abstinence-until marriage emerging programs to nonprofits that meet all the A-H Title

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V, Section 510 definitions of Abstinence Education; requires a competitive bidding process be used; and provides procedures for the awarding of the grant.

**SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to specify that the awarding of grants must be to nonprofit 501(c)(3) agencies that meet all A-H Title V, Section 510 definitions of Abstinence Education “as defined in the 2017 Social Security Act.”

**34.43.** (DHEC: Abstinence-Until-Marriage Emerging Programs) (A) From the funds appropriated to DHEC in this act as a Special Item and titled “Abstinence-Until Marriage Emerging Programs” the department shall award a twelve month grant for abstinence-until-marriage emerging programs. This funding shall be awarded by the department only to nonprofit 501(c)(3) agencies meeting all the A-H Title V, Section 510 definitions of Abstinence Education, as defined in the 2017 Social Security Act.

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

(C) Applicants must provide a budget and budget narrative to the department that explains how the funds will be used.

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

(E) The department shall determine and develop the necessary application for awards.

(F) The programs implemented by the entity awarded a contract pursuant to this proviso may not violate any portion of the South Carolina Comprehensive Health Education Act when implemented in a school setting. An entity that violates any portion of the South Carolina Comprehensive Health Education Act must reimburse the State for all funds disbursed.

Organizations or individuals awarded grants must provide quarterly reports on expenditures and participation to the Department of Health and Environmental Control and the Department of Social Services within fifteen days of the end of each quarter.

(G) Grantees failing to submit reports within thirty days of the end of each quarter will be terminated.

**34.44** **AMEND** (DHEC: Abstinence-Until-Marriage Evidence-Based Programs Funding) Directs the department to use “Continuation of Teen Pregnancy Prevention” funds to award contracts to separate private, non-profit 501(c)(3) entities to provide Abstinence Until Marriage teen pregnancy prevention programs and services that meets all A-H Title V, Section 510 definition of Abstinence Education; requires a competitive bidding process be used; and provides procedures for the awarding of contracts.

**SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to specify that the programs/curricula must be certified by NAEA as being in compliance with all Title V, Section 510 A-H requirements for abstinence-until marriage education programs “as defined in the 2017 Social Security Act.”

**34.44.** (DHEC: Abstinence Until Marriage Evidence-Based Programs Funding) From the monies appropriated for the Continuation of Teen Pregnancy Prevention, contracts must be awarded to separate private, nonprofit 501(c)(3) entities to provide Abstinence Until Marriage teen pregnancy prevention programs and services within the State that meet all of the A-H Title V, Section 510 definitions of Abstinence Education as defined in the 2017 Social Security Act. Contracts must be awarded utilizing a competitive approach in accordance with the South Carolina Procurement Code. Proposed programs/curricula must be certified by the National

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Abstinence Education Association (NAEA) as meeting and being in compliance with all of the Title V, Section 510 A-H requirement for abstinence-until-marriage education programs, as defined in the 2017 Social Security Act. Applicants must provide a budget for the proposed project for which the application is being made. Monies will be paid over a twelve month basis for services rendered. Unexpended funds shall be carried forward for the purpose of fulfilling the department's contractual agreement. The programs implemented by the entity awarded a contract pursuant to this proviso may not violate any portion of the South Carolina Comprehensive Health Education Act when implemented in a school setting. An entity that violates any portion of the South Carolina Comprehensive Health Education Act must reimburse the State for all funds disbursed.

- 34.56 DELETE** (Water Quality Initiative) Requires the department to spend funds remaining from prior State Beachfront Management and Beach Renourishment appropriations for the City of Myrtle Beach, the City of North Myrtle Beach and for the Ocean Water Quality Outfall Initiative. Authorizes unexpended funds to be carried forward and used for the same purpose.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~**34.56.** (DHEC: Water Quality Initiative) The department shall expend the funds remaining from appropriations to the department for State Beachfront Management and Beach Renourishment in prior fiscal years as follows: \$1,000,000 to the City of Myrtle Beach for the Ocean Water Quality Outfall Initiative \$1,000,000 to the City of North Myrtle Beach for the Ocean Water Quality Outfall Initiative and \$187,291 to Horry County for Socastee Creek Flood Control. Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purpose.~~

- 34.57 AMEND** (HIV/AIDS Treatment and Prevention) Authorizes funds for HIV and AIDS prevention and treatment be used to develop partnerships to provide services to all patients, regardless of their ability to pay. Directs the department to ensure that the funds are spent solely for testing and treatment services. Allows funds to be used to enhance services provided through federal funds allocation or the state's AIDS Drug Assistance Program rebate funds.

**WMC:** AMEND proviso to specify partnership development with the Joseph H. Neal Health Collaborative and CAN Community Health, Inc. and include a plan for prevention and treatment of Hepatitis C. Direct Ryan White Part B Grants funds be included in the funds allowed to enhance services.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**34.57.** (DHEC: HIV/AIDS Treatment and Prevention) From the funds appropriated to the Department of Health and Environmental Control in the current fiscal year for HIV and AIDS prevention and treatment, the department shall develop ~~one or more~~ partnerships with ~~providers that offer~~ the Joseph H. Neal Health Collaborative and CAN Community Health, Inc. to provide comprehensive medical, psychological and educational services to all patients, regardless of their financial situation, insurance status, or ability to pay. In addition, CAN Community Health, Inc. shall develop a plan for the treatment and prevention of Hepatitis C. The department shall ensure the funds are expended solely for testing, ~~and~~ treatment, and follow-up services of HIV/AIDS and Hepatitis C. Funds may be used to enhance the services provided through ~~any allocation of a~~

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combination of Ryan White Part B Grant funds and other federal funds or the state's AIDS Drug Assistance Program rebate funds.

- 34.58**     **ADD** (State Trauma Registry) **WMC:** ADD new proviso to direct the department, through the State Trauma Registry to require all state verified trauma centers to submit relevant patient care data and direct the department to develop appropriate policies or regulations by January 1, 2020 to ensure the trauma centers collect the data.  
**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

**34.58.** (DHEC: State Trauma Registry) From the funds appropriated or authorized in the current fiscal year, the Department of Health and Environmental Control, through the State Trauma Registry, shall direct that all state verified trauma centers are required to submit relevant patient care data. The department shall develop appropriate policies or regulations no later than January 1, 2020, to ensure data is collected by all trauma centers.

- 34.59**     **CONFORM TO FUNDING / ADD** (Storm Water and Ocean Outfall) **WMC:** ADD new proviso to direct the department to equally distribute Ocean Outfalls funds to the Cities of Myrtle Beach and North Myrtle Beach for storm water drainage and ocean outfall construction and repair as state match funds for Horry County Ocean Water Quality Outfall Initiatives. Authorize these funds to be retained, carried forward, and used for the same purpose. Require interest to be retained and used as state match funds for either local or federal funding.  
**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

**34.59.** (DHEC: Storm Water and Ocean Outfalls) In the current fiscal year, funds appropriated to the department for Ocean Outfalls shall be distributed equally to the City of Myrtle Beach and the City of North Myrtle Beach for the purpose of storm water drainage and ocean outfall construction and repair as state matching funds for Horry County Ocean Water Quality Outfall Initiatives. The department shall be authorized to retain and carry forward these funds into the current fiscal year to be used for the same purpose. Any interest generated by the account must be retained and deposited into this account, to be used as state matching funds for either local or federal funding, and utilized for Ocean Water Quality Outfall Initiatives in Horry County.

**SECTION 35 - J120 - DEPARTMENT OF MENTAL HEALTH**

- 35.9**     **ADD** (Commitments to Treatment Facilities) **WMC:** ADD new proviso to direct that funding related to commitments, admissions, and discharges to mental health facilities or alcohol and drug abuse facilities be expended for compensation of court appointed private examiners, guardians ad litem, and patients' attorneys and other related costs. Direct that the examiners, guardians, and attorneys be paid at rates determined by the Association of Probate Judges, State Court Administrator and DMH with the approval of the Attorney General with any changes in the rate schedule to be reported to the Senate Finance and House Ways and Means Committees prior to implementation. *Moved from Judicial Department (formerly Proviso 57.3).*  
**HOU:** ADOPT new proviso.

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**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

**35.9.** (DMH: Commitments to Treatment Facilities) The authorization for continued implementation of Article 7, Chapter 17, Title 44 of the 1976 Code, Chapter 24, Title 44 of the 1976 Code, and Chapter 52, Title 44 of the 1976 Code, relating to commitments, admissions and discharges to mental health facilities, or treatment facility for the purpose of alcohol and drug abuse treatment, shall be expended for the compensation of court appointed private examiners, guardians ad litem, and attorneys for proposed patients, and related costs arising from the filing, service and copying of legal papers and the transcription of hearings or testimony. Court appointed private examiners, guardians ad litem and attorneys shall be paid at such rates or schedules as are jointly determined to be reasonable by the South Carolina Association of Probate Judges, the Office of Court Administration, and the Department of Mental Health with the approval of the Attorney General. The Department of Mental Health shall notify the Senate Finance Committee and the House Ways and Means Committee of any fee adjustment or change in schedule before implementation and may enter into an agreement with the Commission on Indigent Defense solely for the purpose of processing vouchers for the payment of above fees and costs.

- 35.10**    **ADD** (Judicial Commitment) **WMC:** ADD new proviso to prohibit funds authorized for commitments to treatment facilities from being used to compensate state agencies or state employees who are appointed as examiners, guardians ad litem, or attorneys except as authorized in Proviso 117.5. *Moved from Judicial Department (formerly Proviso 57.4).*  
**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

**35.10.** (DMH: Judicial Commitment) Except as otherwise provided in Proviso 117.5, no money authorized to be expended for the purposes set forth in Proviso 35.9 shall be used to compensate any state employees appointed by the court as examiners, guardians ad litem, or attorneys nor shall such funds be used in payment to any state agency for providing such services by their employees.

**SECTION 38 - L040 - DEPARTMENT ON SOCIAL SERVICES**

- 38.24**    **AMEND** (Internal Child Fatality Review Committees) Requires the Director of the Department of Social Services to create and fund Internal Child Fatality Review Committees to allow for rapid and expeditious review of child fatalities that are reported to the Department.

**SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to update fiscal year reference.

**38.24.** (DSS: Internal Child Fatality Review Committees) For Fiscal Year ~~2018-19~~ 2019-20, the Director of the Department of Social Services shall create and fund Internal Child Fatality Review Committees (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 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

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abandonment, child abuse, neglect or harm. Each internal committee shall be composed of a board-certified child abuse pediatrician, an agent from the State Law Enforcement Division, a local law enforcement officer, a representative from the local coroner's office, and representatives from the Department of Social Services. 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 an internal committee. 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 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. The meetings, information obtained by, reports prepared by, and statements made before the internal committees are confidential and protected from disclosure pursuant to the Freedom of Information Act, criminal and civil proceedings, and subpoenas as set forth in Sections 63-7-940 and 63-7-1990.

**SECTION 40 - L600 - DEPARTMENT ON AGING**

- 40.1**     **ADD** (State Matching Funds Carry Forward) **WMC:** ADD new proviso to authorize Distribution to Subdivisions required state matching funds to be carried forward. *Moved from Lt. Gov. Office (formerly Proviso 95.1) due to creation of Department on Aging by Act 261 of 2018.*

**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

*40.1. (AGING: State Matching Funds Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year of the required state matching funds appropriated in Part IA, Section 40, Distribution to Subdivisions, shall be carried forward into the current fiscal year to be used as required state match for federal funds awarded to subdivisions on or before September thirtieth of the current fiscal year.*

- 40.2**     **ADD** (State Match Funding Formula) **WMC:** ADD new proviso to direct that Distribution to Subdivision funds be first allocated for the required state match for the Older Americans Act funds and that the balance be distributed to the planning and service areas. *Moved from Lt. Gov. Office (formerly Proviso 95.2) due to creation of Department on Aging by Act 261 of 2018.*

**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

*40.2. (AGING: State Match Funding Formula) Of the state funds appropriated under "Distribution to Subdivisions," the first allocation by the Department on Aging shall be for the provision of required State matching funds according to the Department on Aging formula for distributing Older Americans Act funds. The balance of this item shall be distributed to the planning and service areas of the State. In the event state appropriations are reduced, reductions to the planning and service areas shall be based on amounts distributed in accordance with the previous requirements.*

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- 40.3**     **ADD** (Registration Fees) **WMC:** ADD new proviso to authorize the Department on Aging to receive and spend registration fees for educational, training and certification programs. *Moved from Lt. Gov. Office (formerly Proviso 95.3) due to creation of Department on Aging by Act 261 of 2018.*

**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

*40.3. (AGING: Registration Fees) The Department on Aging is authorized to receive and expend registration fees for educational, training and certification programs.*

- 40.4**     **ADD** (Council Meeting Requirements) **WMC:** ADD new proviso to suspend the duties and responsibilities, including the statutory meeting requirement, of the Coordinating Council and the Long Term Care Council. *Moved from Lt. Gov. Office (formerly Proviso 95.4) due to creation of Department on Aging by Act 261 of 2018.*

**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

*40.4. (AGING: Council Meeting Requirements) The duties and responsibilities, including the statutory requirement to hold meetings of the Coordinating Council established pursuant to Section 43-21-120 and of the Long Term Care Council established pursuant to Section 43-21-130, both under the Department on Aging, are suspended for the current fiscal year.*

- 40.5**     **ADD** (Home and Community Based Services) **WMC:** ADD new proviso to direct that Home and Community-Based Services state funds be used for services that most directly meet the goal of allowing seniors to live safely and independently at home. Define allowable services; provide a methodology for allocating these funds to the Area Agencies on Aging; allow the AAAs to spend up to 10% for administrative services and the department to retain 1/4 of 1% to monitor and oversee the program; allow the department to retain up to 3% to be allocated for cases of a recognized emergency and/or natural disaster recognized by the Governor, 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 each AAA to submit a budget to the Department 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. *Moved from Lt. Gov. Office (formerly Proviso 95.5) due to creation of Department on Aging by Act 261 of 2018.*

**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

*40.5. (AGING: Home and Community-Based Services) 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 safely and independently at home. Allowable services as defined in the Department on Aging's State Plan include: group dining, home delivered meals, transportation to group dining sites, transportation for essential trips, personal care (formerly Home Care Level I), homemaker (formerly Home Care Level II), Home Chore, Home Modification, Legal Assistance, and Assessments. Area Agencies on Aging (AAAs) may expend no more than ten percent for administrative services and one-quarter of one percent shall be retained by the Department on Aging to provide monitoring and oversight of the program.*

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However, up to three percent of the annual state appropriation for Home and Community-Based Services may be retained at the Department on Aging to be allocated by the department to the affected regions in cases of an emergency and/or natural disaster recognized by the Governor. If these funds are not utilized in the fiscal year allocated, they are to be treated as carry forward funds and reallocated to the AAAs. The Interstate Funding Formula shall be used as a guideline for the allocation of state funds appropriated for Home and Community-Based Services. The Department on Aging shall develop and implement a structured methodology to allocate the state Home and Community-Based Services funding. The methodology shall include flexibility to reallocate funds amongst the AAAs, and be composed of, at a minimum, the following factors: a minimum base amount, the fiscal year's federally allocated funds, federal and state carry forwards funds, and an appropriate weighted proportion that will achieve the mission of the Department on Aging to provide as many services as possible to the citizens of South Carolina. Each AAA shall submit a budget for approval by the Department on Aging indicating the services to be provided. Any unexpended Home and Community-Base Services funds in this program shall be carried forward by the Department on Aging and used for the same purposes. Funds may not be transferred from the Home and Community-Based special line item for any other purpose.

- 40.6**     **ADD** (Geriatric Loan Forgiveness Program) **WMC:** ADD new proviso to authorize the Geriatric Physician Loan Program, to make a single lump sum payment of up to \$35,000 or the loan balance whichever is less, to the lending institution. Authorize unexpended funds to be carried forward and used for the same purpose. *Moved from Lt. Gov. Office (formerly Proviso 95.6) due to creation of Department on Aging by Act 261 of 2018.*  
**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

**40.6. (AGING: Geriatric Loan Forgiveness Program)** In lieu of quarterly payments to a recipient of the Geriatric Physician Loan Program, the Department on Aging is authorized to make a single lump sum payment to the lending institution of up to \$35,000 or the loan balance, whichever is less.

Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated in Part IA, Section 40, Geriatric Physician Loan Program, shall be carried forward and used for the same purpose as originally appropriated.

- 40.7**     **ADD** (Caregivers Carry Forward) **WMC:** ADD new proviso to direct that unexpended caregiver funds be carried forward and used for the same purpose. *Moved from Lt. Gov. Office (formerly Proviso 95.7) due to creation of Department on Aging by Act 261 of 2018.*  
**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

**40.7. (AGING: Caregivers Carry Forward)** Unexpended funds from appropriations to the Department on Aging for caregivers shall be carried forward from the prior fiscal year and used for the same purpose.

- 40.8**     **ADD** (Vulnerable Adult Guardian Ad Litem Carry Forward) **WMC:** ADD new proviso to direct that unexpended Vulnerable Adult Guardian ad Litem Program funds be carried forward and used for the same purpose. *Moved from Lt. Gov. Office (formerly Proviso 95.8) due to creation of Department on Aging by Act 261 of 2018.*

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**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

**40.8.** (AGING: Vulnerable Adult Guardian ad Litem Carry Forward) Any unexpended funds from appropriation to the Department 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 41 - L800 - DEPARTMENT OF CHILDREN'S ADVOCACY**

- 41.1**     **ADD** (Foster Care-Private Foster Care Reviews) **WMC:** ADD new proviso to authorize the Foster Care Program to restructure its programs, including suspending reviews of children privately placed in private foster care and/or changing the location of reviews of children in public foster care, to maintain continuous operations within existing resources as dictated by recent budget reductions. Require the decisions be based on existing funds availability. *Moved from DOA (formerly Proviso 93.4) due to creation of Department of Children's Advocacy by Act 160 of 2018.*

**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

**41.1.** (DCA: Foster Care-Private Foster Care Reviews) The Department of Children's Advocacy, Foster Care Program is authorized to restructure its programs, including but not limited to, suspending reviews of children privately placed in private foster care and/or changing the location of reviews of children in public foster care, to maintain continuous operations within existing resources as dictated by recent budget reductions. These decisions must be based upon the availability of existing funds. This provision supersedes any previous statutory or regulatory mandate.

- 41.2**     **ADD** (Guardian Ad Litem Program) **WMC:** ADD new proviso to require the Guardian ad Litem Program and funds be administered separately from other programs within the Department of Children's Advocacy and that program funds be used exclusively for the program. Direct the Department of Revenue reduce the rate of interest paid on eligible refunds by 2 percentage points and to deposit these funds into the S.C. Guardian ad Litem Trust Fund. Authorize program funds to be carried forward. *Moved from DOA (formerly Proviso 93.5) due to creation of Department of Children's Advocacy by Act 160 of 2018.*

**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

**41.2.** (DCA: Guardian Ad Litem Program) Both the program and the funds appropriated to the Department of Children's Advocacy, Guardian ad Litem Program must be administered separately from other programs within the Department of Children's Advocacy and must be expended for the exclusive use of the Guardian ad Litem Program.

For the current fiscal year, the Department of Revenue is directed to reduce the rate of interest paid on eligible refunds by two percentage points. The revenue resulting from this reduction must be used exclusively for operations of the Guardian ad Litem program and be deposited in the State Treasury in a separate and distinct fund known as the "South Carolina Guardian ad Litem Trust Fund." Unexpended revenues in this fund carry forward to succeeding

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fiscal years, and earnings in this fund must be credited to it. The Guardian ad Litem program may carry forward the other funds authorized herein for its operations from the prior fiscal year into the current fiscal year.

- 41.3**     **ADD** (Continuum of Care Carry Forward) **WMC:** ADD new proviso to authorize Continuum of Care Program funds to be carried forward to continue services. *Moved from DOA (formerly Proviso 93.6) due to creation of Department of Children's Advocacy by Act 160 of 2018.*  
**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

**41.3.** (DCA: Continuum of Care Carry Forward) The Department of Children's Advocacy. Continuum of Care Program may carry forward funds appropriated herein to continue services.

- 41.4**     **ADD** (CCRS Evaluations & Placements) **WMC:** ADD new proviso to require the amount appropriated for the Children's Case Resolution System for Private Placement of Handicapped School-Age Children be used for expenses incurred in the evaluation of children in order to facilitate placement and specify the amount to be paid for placements. Direct the CCRS to determine the balance of funding necessary to provide the child with services. Direct that funding must be apportioned among the appropriate public agencies on the basis of the reasons for the private placement. *This responsibility was moved from DOA (formerly Proviso 93.2) to the new Department of Children's Advocacy created in Act 160 of 2018.*  
**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

**41.4.** (DCA: CCRS Evaluations & Placements) The amount appropriated in this section under Special Items Children's Case Resolution System for Private Placement of Handicapped School-Age Children must be used for expenses incurred in the evaluation of children referred to the CCRS to facilitate appropriate placement and to pay up to forty percent when placement is made in-state and up to thirty percent when placement must be made out-of-state of the excess cost of private placement over and above one-per-pupil share of state and local funds generated by the Education Finance Act, and the one per pupil share of applicable federal funds; provided it has been established that all other possible public placements are exhausted or inappropriate. The balance of funding responsibility necessary to provide the child with services must be determined by the Children's Case Resolution System (CCRS) and apportioned among the appropriate public agencies on the basis of the reasons for the private placement. When the amount appropriated in this section is exhausted, the funding responsibility must be apportioned according to the procedures of the CCRS.

- 41.5**     **ADD** (CCRS Significant Fiscal Impact) **WMC:** ADD new proviso to define "significant fiscal impact" in the current fiscal year as the greater of (1) funds appropriated by the General Assembly for the current fiscal year on cases referred to, decided or placed through the Children's Case Resolution System or (2) that agency's assigned shares in the current fiscal year of five cases decided by the CCRS. *This responsibility was moved from DOA (formerly Proviso 93.3) to the new Department of Children's Advocacy created in Act 160 of 2018.*  
**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

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**41.5. (DCA: CCRS Significant Fiscal Impact)** In accordance with Section 20-7-5240(e) of the 1976 Code, "significant fiscal impact" in the current fiscal year shall be defined for each designated agency as the greater of (1) funds appropriated by the General Assembly for the current fiscal year on cases referred to, decided or placed through the Children's Case Resolution System or (2) that agency's assigned shares in the current fiscal year of five cases decided by the Children's Case Resolution System.

**SECTION 93 - D500 - DEPARTMENT OF ADMINISTRATION**

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

**SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to delete Vocational Rehabilitation from the reporting requirement.

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

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

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

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

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

The Department of Agriculture, the Educational Television Commission, the Department of Corrections, the Department of Natural Resources, and the Forestry Commission, ~~and the Department of Vocational Rehabilitation~~ shall annually submit a report, within sixty days after

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the close of the fiscal year, to the Senate Finance Committee and the House Ways and Means Committee on the status of the sale of the identified property and a detailed accounting on the expenditure of funds resulting from such sale.

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

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

**SECTION 95 - E040 - OFFICE OF THE LIEUTENANT GOVERNOR**

- 95.1 DELETE** (State Matching Funds Carry Forward) Provides carry forward authority for the Lieutenant Governor's Office so that state matching funds will be available throughout the federal grant period.

**WMC:** DELETE proviso. *This responsibility was moved to the new Department on Aging created in Act 261 of 2018. See new Proviso 40.1.*

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**95.1.** (LTG: State Matching Funds Carry Forward) ~~Any unexpended balance on June thirtieth of the prior fiscal year of the required state matching funds appropriated in Part IA, Section 95, Distribution to Subdivisions, shall be carried forward into the current fiscal year to be used as required state match for federal funds awarded to subdivisions on or before September thirtieth of the current fiscal year.~~

- 95.2 DELETE** (State Match Funding Formula) Directs the allocation of state matching funds by the Office on Aging for the distribution of the Older Americans Act funds and provides for the balance of funds to be distributed to the planning and service areas.

**WMC:** DELETE proviso. *This responsibility was moved to the new Department on Aging created in Act 261 of 2018. See new Proviso 40.2.*

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**95.2.** (LTG: State Match Funding Formula) ~~Of the state funds appropriated under "Distribution to Subdivisions," the first allocation by the Office on Aging shall be for the provision of required State matching funds according to the Office on Aging formula for distributing Older Americans Act funds. The balance of this item shall be distributed to the planning and service areas of the State. In the event state appropriations are reduced, reductions to the planning and service areas shall be based on amounts distributed in accordance with the previous requirements.~~

- 95.3 DELETE** (Registration Fees) Authorizes the Office of Aging to receive and expend registration fees for educational, training and certification programs.

**WMC:** DELETE proviso. *This responsibility was moved to the new Department on Aging created in Act 261 of 2018. See new Proviso 40.3.*

**HOU:** ADOPT deletion of proviso.

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**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**95.3.** (LTG: Registration Fees) ~~The Office on Aging is authorized to receive and expend registration fees for educational, training and certification programs.~~

- 95.4** **DELETE** (Council Meeting Requirements) Suspends the duties and responsibilities, including the statutory meeting requirement, of the Coordinating Council and the Long Term Care Council. **WMC:** DELETE proviso. *This responsibility was moved to the new Department on Aging created in Act 261 of 2018. See new Proviso 40.4.*  
**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**95.4.** (LTG: Council Meeting Requirements) ~~The duties and responsibilities, including the statutory requirement to hold meetings of the Coordinating Council established pursuant to Section 43-21-120 and of the Long Term Care Council established pursuant to Section 43-21-130, both under the Office on Aging in the Office of the Lieutenant Governor, are suspended for the current fiscal year.~~

- 95.5** **DELETE** (Home and Community Based Services) Directs 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. Defines allowable services; provide a methodology for allocating these funds to the Area Agencies on Aging; allows the AAAs to expend up to 10% for administrative services and the state office to retain 1/4 of 1% to monitor and oversee the program; allows up to 3% to be retained at the state office to be allocated for cases of a recognized emergency and/or natural disaster and directs that if the funds are not allocated they are to be treated as carry forward funds and reallocated to the AAA's; requires the AAAs to submit a budget to the Lieutenant Governor's Office on Aging's for approval that indicates the services to be provided; authorizes these funds to be carried forward and used for the same purpose; and prohibits the funds from being transferred and used for any other purpose. **WMC:** DELETE proviso. *This responsibility was moved to the new Department on Aging created in Act 261 of 2018. See new Proviso 40.5.*  
**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**95.5.** (LTG: Home and Community-Based Services) ~~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 safely and independently at home. Allowable services as defined in the Lieutenant Governor's State Plan include: group dining, home delivered meals, transportation to group dining sites, transportation for essential trips, personal care (formerly Home Care Level I), homemaker (formerly Home Care Level II), Home Chore, Home Modification, Legal Assistance, and Assessments. Area Agencies on Aging (AAAs) may expend no more than ten percent for administrative services and one quarter of one percent shall be retained by the Lieutenant Governor's Office on Aging to provide monitoring and oversight of the program. However, up to three percent of the annual state appropriation for Home and Community Based Services may be retained at the Lieutenant Governor's Office on Aging to be allocated by the Lieutenant Governor's Office on Aging to the affected regions in cases of an emergency and/or natural disaster recognized by the Governor. If these funds are not utilized in the fiscal year allocated, they are to be treated as carry forward funds and reallocated to the AAAs.~~

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~~The Interstate Funding Formula shall be used as a guideline for the allocation of state funds appropriated for Home and Community Based Services. The Lieutenant Governor's Office on Aging shall develop and implement a structured methodology to allocate the state Home and Community Based Services funding. The methodology shall include flexibility to reallocate funds amongst the AAAs, and be composed of, at a minimum, the following factors: a minimum base amount, the fiscal year's federally allocated funds, federal and state carry forwards funds, and an appropriate weighted proportion that will achieve the mission of the Lieutenant Governor's Office on Aging to provide as many services as possible to the citizens of South Carolina. Each AAA shall submit a budget for approval by the Lieutenant Governor's Office on Aging indicating the services to be provided. Any unexpended Home and Community Base Services funds in this program shall be carried forward by the Lieutenant Governor's Office on Aging and used for the same purposes. Funds may not be transferred from the Home and Community Based special line item for any other purpose.~~

- 95.6**     **DELETE** (Geriatric Loan Forgiveness Program) Authorizes the Geriatric Loan Forgiveness Program, to make a single lump sum payment of up to \$35,000 or the loan balance whichever is less, to the lending institution. Authorizes unexpended funds to be carried forward and used for the same purpose.

**WMC:** DELETE proviso. *This responsibility was moved to the new Department on Aging created in Act 261 of 2018. See new Proviso 40.6.*

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

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

~~Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated in Part IA, Section 95, Geriatric Physician Loan Program, shall be carried forward and used for the same purpose as originally appropriated.~~

- 95.7**     **DELETE** (Caregivers Carry Forward) Directs that unexpended caregiver funds be carried forward and used for the same purpose.

**WMC:** DELETE proviso. *This responsibility was moved to the new Department on Aging created in Act 261 of 2018. See new Proviso 40.7.*

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**95.7.** (LTG: Caregivers Carry Forward) ~~Unexpended funds from appropriations to the Lieutenant Governor's Office on Aging for caregivers shall be carried forward from the prior fiscal year and used for the same purpose.~~

- 95.8**     **DELETE** (Vulnerable Adult Guardian ad Litem Carry Forward) Directs that unexpended Vulnerable Adult Guardian ad Litem Program funds be carried forward and used for the same purpose.

**WMC:** DELETE proviso. *This responsibility was moved to the new Department on Aging created in Act 261 of 2018. See new Proviso 40.8.*

**HOU:** ADOPT deletion of proviso.

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**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**95.8.** (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 102 - E500 - REVENUE AND FISCAL AFFAIRS OFFICE**

**102.3** **AMEND** (SC Health & Human Services Data Warehouse) Establishes the South Carolina Health and Human Services Data Warehouse within the Revenue and Fiscal Affairs Office to ensure that health and human services agencies operations may be enhanced by coordination and integration of client information; defines client data; provides guidelines for operation of the data warehouse; and specifies agencies which are required to report client information.

**WMC:** AMEND proviso to change "Department of Administration" to "Department of Children's Advocacy" and "Office of the Lieutenant Governor, Division on Aging" to "Department on Aging." *Conforms to creation of both departments per Act 160 of 2018 and Act 261 of 2018, respectively.*

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**102.3.** (RFAO: SC Health & Human Services Data Warehouse) There is hereby established within the Revenue and Fiscal Affairs Office, the South Carolina Health and Human Services Data Warehouse. The purpose of the Warehouse is to ensure that the operation of health and human services agencies may be enhanced by coordination and integration of client information. Client data is defined as person-level data that is created, received, and/or maintained by state agencies and other entities required to report client information to the Revenue and Fiscal Affairs Office under this provision. To integrate client information, client data from health and human services state agencies will be linked to improve client outcome measures, enabling state agencies to analyze coordination and continuity of care issues. The addition of these data will enhance existing agency systems by providing client data from other state agency programs to assist in the provision of client services. Certain client information shall be delivered to the Revenue and Fiscal Affairs Office in order to assist in the development and maintenance of this Warehouse. The following agencies shall report client information:

- Departments of:
  - (1) Health and Human Services;
  - (2) Health and Environmental Control;
  - (3) Mental Health;
  - (4) Alcohol and Other Drug Abuse Services;
  - (5) Disabilities and Special Needs;
  - (6) Social Services;
  - (7) Vocational Rehabilitation;
  - (8) Education;
  - (9) Juvenile Justice;
  - (10) Corrections;
  - (11) Probation, Parole and Pardon Services;
- Department of ~~Administration~~ Children's Advocacy:
  - (1) Children's Foster Care Review Board;

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- (2) Continuum of Care;
- ~~Office of the Lieutenant Governor, Division~~ Department on Aging;
- South Carolina School for the Deaf and the Blind;
- Commission for the Blind; and
- Other entities as deemed necessary by the Revenue and Fiscal Affairs Office.

These agencies and departments shall collect and provide client data in formats and schedules to be specified by the Revenue and Fiscal Affairs Office (Office). The Office shall establish a Memorandum of Agreement with each agency, department or division. These Memorandums of Agreement shall specify, but are not limited to, the confidentiality of client information, the conditions for the release of data that may identify agencies, departments, divisions, programs and services, or clients, any restrictions on the release of data so as to be compliant with state and federal statutes and regulations on confidentiality of data, conditions under which the data may be used for research purposes, and any security measures to be taken to insure the confidentiality of client information.

To ensure accountability and the coordinated, efficient delivery of health and human services, the Office shall implement, in consultation with state health and human services agencies and other entities as deemed necessary by the Office, an integrated data system that includes client data from all participating agencies.

In order to provide for inclusion of other entities into the South Carolina Health and Human Services Data Warehouse and other research and analytic-oriented applications that will assist the state in the efficient and effective provision of services, the Office shall have the authority to enter into agreements or transactions with any federal, state or municipal agency or other public institution or with any private individual, partnership, firm, corporation, association or other entity to provide statistical, research and information dissemination services including, but not limited to, program and outcomes evaluation, program monitoring/surveillance, projects to determine the feasibility of data collection and/or analyses, information dissemination and research. The confidentiality of data collected under these initiatives shall comply with applicable state and federal laws governing the privacy of data. The Office shall have the power to promulgate regulations, policies and procedures, in consultation with the participating agencies, for the development, protection and operation of the Data Warehouse, other research and analytic-oriented applications, and their underlying processes.

The Office shall develop internet-accessible secure analytic query tools (such as analytic cubes) using integrated client data from the Warehouse. All agencies shall cooperate with the Office in the development of these analytic tools. It is the intent of this provision that the analytic tools developed under this provision shall be made available to members of the South Carolina General Assembly and their research staff members, state agencies, and researchers. To that end, the Office shall, in consultation with the participating agencies, promulgate regulations addressing access to and use and release of information generated through use of the query tools.

All state agencies participating in the Warehouse shall utilize it and its associated software applications in the day-to-day operation of their programs and for coordination, collaboration, program evaluation and outcomes analysis. The Department of Health and Environmental Control shall be exempt from usage of the integrated client management system and the analytic query tools in the day-to-day operation of their Client Automated Record and Encounter System and their South Carolina Community Assessment Network, but shall provide the Warehouse with client data from the system and network.

No state agency shall duplicate any of the responsibilities of this provision.

For purposes of this subsection, all state laws, regulations, or any rule of any state agency, department, board, or commission having the effect or force of law that prohibits or is inconsistent with any provision of this subsection is hereby declared inapplicable to this subsection.

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**SECTION 104 - E550 - STATE FISCAL ACCOUNTABILITY AUTHORITY**

- 104.4 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 "2019-20."

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** AMEND further to change "2019-20" to "for the current fiscal year."

**104.4.** (SFAA: Insurance Coverage for Aging Entity Authorized) The State Fiscal Accountability Authority, through the Insurance Reserve Fund, for ~~Fiscal Year 2018-19~~ 2019-20 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 108 - F500 - PUBLIC EMPLOYEE BENEFIT AUTHORITY**

- 108.1 RESTORE ORIGINAL PROVISO** (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:** AMEND proviso to allow active volunteer firefighters and their dependents who are eligible for the income tax deduction per Section 12-6-1140 [DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME] to participate in the State Health and Dental Insurance Plan upon paying full premium costs.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** RESTORE 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, ~~and active volunteer firefighters and their dependents who are eligible for the income tax deduction pursuant to Section 12-6-1140 of the 1976 Code,~~ 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** (State Health Plan) Directs that for the 2019 State Health Plan, employer premiums will increase 7.4%; subscriber premiums will not increase. Allows co-payments to be increased to the extent permitted to maintain the grandfathered plan status under the Affordable Care Act. Authorizes PEBA to adjust the plan, benefits, or contributions during Plan Year 2019 to ensure the plan remains fiscally stable.

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**HOU:** AMEND proviso to delete reference to the employer premium increase of 7.4% and subscriber premium increase of 0%. Direct that employer and subscriber premiums for Plan Year 2020 shall remain the same as in Plan Year 2019. Delete the grandfathered status directive. Sponsor: Rep. Herbkersman.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

**108.6.** (PEBA: State Health Plan) Of the funds authorized for the State Health Plan pursuant to Section 1-11-710(A)(2) of the 1976 Code, ~~an employer premium increase of 7.4 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~~ employer and subscriber premiums for Plan Year 2020 shall remain the same as in Plan Year 2019. Copayments for participants of the State Health Plan shall remain the same in Plan Year 2020 as in Plan Year 2019 ~~may be increased to the extent permitted to maintain status as a grandfathered plan under the federal Affordable Care Act.~~ 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 ~~2019~~ 2020 to ensure the fiscal stability of the Plan.

- 108.10** **AMEND** (PEBA: Covered Contraceptives) Directs the 2017 State Health Plan shall not require co-pays/deductibles for contraceptives.

**SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to change Plan Year reference to “beginning in January of the current fiscal year.”

**108.10.** (PEBA: Covered Contraceptives) ~~In its Plan of Benefits effective January 1, 2017,~~ For the Plan year beginning in January of the current fiscal year, 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.

- 108.11** **AMEND** (Former Spouses on the State Health Plan) Requires the 2018 State Health Plan of Benefits to cover a subscriber’s former spouse, who is eligible to be covered pursuant to a court order, on the former spouse’s individual policy at the full amount of the premium for the elected coverage. Directs that the former spouse may only elect such health, dental and vision coverage as required by the court order and may continue coverage as long as the subscriber remains a participant in the State Health Plan. Directs that this proviso does not affect a subscriber’s ability to cover a current spouse on a policy when the subscriber’s former spouse is covered on a separate policy.

**SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to change Plan Year reference to “beginning in January of the current fiscal year.”

**108.11.** (PEBA: Former Spouses on the State Health Plan) ~~In its Plan of Benefits effective January 1, 2018,~~ For the Plan Year beginning in January of the current fiscal year, the State Health Plan shall cover a subscriber’s former spouse, who is eligible to be covered pursuant to a court order, on the former spouse’s own individual policy and at the full amount of the premium for the coverage elected, with such rates, billing, and other administrative policies to be determined by the Public Employee Benefit Authority. The former spouses may only elect such health, dental, and vision coverage as required by the court order. The former spouse’s individual coverage may continue under the State Health Plan as long as authorized under the court order

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and the subscriber remains a participant in the State Health Plan. This proviso does not affect a subscriber's ability to cover a current spouse on an employee/retiree and spouse or full family policy when the subscriber's former spouse is covered on a separate policy.

- 108.15 DELETE NEW PROVISO** (Cafeteria Workers SCRS Opt Out) **WMC:** ADD new proviso to allow new part-time school cafeteria workers to opt out of the South Carolina Retirement System. **HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** DELETE new proviso.

~~108.15. (PEBA: Cafeteria Workers SCRS Opt Out) In the current fiscal year, a new part-time school cafeteria worker may exercise the option, within thirty days after entering upon the discharge of such duties, to not become a member of the South Carolina Retirement System.~~

- 108.16 DELETE NEW PROVISO** (Return to Covered Employment) **HOU:** ADD new proviso to direct that the earnings limitation does not apply for a member of the SCRS or PORS who returns to work for a covered employer if the return to work employee has not worked for a covered employer as an employee, independent contractor, leased employee, joint employee, or other classification of worker for at least 12 consecutive months after retirement. Sponsors: Reps. Pope, Tallon, Bannister, Daning, and Herbkersman.

**SUBCOMMITTEE RECOMMENDATION:** DELETE new proviso.

~~108.16. (PEBA: Return to Covered Employment) For compensation earned during the current fiscal year, the earnings limitation imposed pursuant to Sections 9-1-1790(A)(1) and 9-11-90(4)(a)(i) of the Code of Laws does not apply if the retired member has not been engaged to perform services for a participating employer in the South Carolina Retirement System or South Carolina Police Officers Retirement System for compensation in any capacity, whether as an employee, independent contractor, leased employee, joint employee, or other classification of worker, for a period of at least twelve consecutive months subsequent to retirement.~~

- 108.cd CONFORM TO FUNDING / ADD** (Contraceptives for Dependents) **SUBCOMMITTEE RECOMMENDATION:** CONFORM TO FUNDING / ADD new proviso to require the State Health Plan of Benefits to cover prescribed contraceptives for dependents and that generic products are not subject to copayments. Direct that this proviso does not alter the current approved list of contraceptives and complies with proviso 108.4 [FUNDING ABORTIONS PROHIBITED].

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

~~108.cd. (PEBA: Contraceptives for Dependents) In its Plan of Benefits effective January of the current fiscal year, the State Health Plan shall cover prescribed contraceptives for dependents. Generic products shall be provided with no patient copayment, while brand copayments shall be the regular copayments applied under the Plan. This provision does not alter the current approved list of contraceptives and complies with the requirements of proviso 108.4.~~

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**SECTION 117 - X900 - GENERAL PROVISIONS**

- 117.66 DELETE** (Sexually Violent Predator Program) Directs that after DMH obtains project approvals, the Department of Corrections may use inmate labor to construct additional treatment space and staff offices for the Edisto Unit at the Broad River Correctional Institution, which houses the DMH's Sexually Violent Predator Treatment Program. Authorizes the Department of Corrections to exceed the \$350,000 limit on projects.

**WMC:** DELETE proviso. Requested by Department of Mental Health.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~**117.66.** (GP: Sexually Violent Predator Program) After the Department of Mental Health obtains all necessary project approvals, the Department of Corrections may utilize inmate labor to perform any portion of the construction of an addition to the Edisto Unit at the Broad River Correctional Institution, which houses the Department of Mental Health's Sexually Violent Predator Treatment Program, such addition to be used for additional treatment space and staff offices. For purposes of this project, the Department of Corrections may exceed the \$350,000 limit on projects for which it may use inmate labor.~~

- 117.85 AMEND** (Joint Children's Committee) Directs DOR to reduce the rate of interest paid on eligible refunds by one percentage point and to transfer \$300,000 of the resulting revenue to the Senate for the Joint Citizens and Legislative Committee on Children. Directs that this reduction rate is in addition to the reduction authorized in Proviso 93.5.

**WMC:** AMEND proviso to change Proviso 93.5 to Proviso 41.2. *Proviso 93.5 was moved from DOA to the new Department of Children's Advocacy created by Act 160 of 2018.*

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**117.85.** (GP: Joint Children's Committee) For the current fiscal year, the Department of Revenue is directed to reduce the rate of interest paid on eligible refunds by one percentage point. Of the revenue resulting from this reduction, \$300,000 shall be transferred to the Senate for the Joint Citizens and Legislative Committee on Children to provide the report, research, and other operating expenses as directed in Section 63-1-50 of the 1976 Code. Funds transferred to the University of South Carolina for the Joint Citizens and Legislative Committee on Children shall be maintained in a separate and distinct account. A detailed report of all expenditures shall be made to the Executive Budget Office within thirty days of the close each fiscal quarter, and the Executive Budget Office shall distribute this information to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee. The remaining revenue resulting from this reduction shall be transferred to the Department of Juvenile Justice to be used for mentoring or alternatives to incarceration programs. Unexpended funds authorized by this provision may be retained and carried forward by the Senate or the Department of Juvenile Justice, respectively, and used for the same purposes. The rate of reduction authorized in this provision shall be in addition to the reduction authorized in Proviso ~~93.5~~ 41.2.

- 117.112 CONFORM TO FUNDING / AMEND** (Employee Compensation) Provides a plan to distribute employee pay increases for FY 2018-19 in the amount of 0%. Directs EBO to review Executive Branch agencies in FY 2018-19 to determine whether their budgets warrant an increase

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in other fund authorization due to the 0% pay raise and if so, to work with the Comptroller General to increase the authorization for the affected agencies. 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 excess funding for statewide employer contributions for other statewide purposes and allows the funds to be carried forward.

**WMC:** AMEND proviso to change the amount of the increase from “zero” to “two” percent and direct that institutions of higher education and technical colleges employees that earn a base salary of \$100,000 or more are not eligible for the increase. Change references to the “Lieutenant Governor’s Office” to the “Department on Aging.”

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

**117.112.** (GP: Employee Compensation) The amounts appropriated to F300-Statewide Employee Benefits for Employee Pay Increases must be allocated by the 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, except that employees of institutions of higher education and technical colleges that earn a base salary of \$100,000 or more shall not be eligible to receive the increase in compensation.

(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, except that employees of institutions of higher education and technical colleges that earn a base salary of \$100,000 or more shall not be eligible to receive the increase in compensation. 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~~ Department 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~~ Department on Aging 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~~ 2019-20, 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 ~~zero~~ two percent compensation increase for all full-time

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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.

- 117.125 AMEND** (BabyNet) Directs EBO to conduct an inventory of all BabyNet related spending and submit it to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees by July 15, 2018. Directs affected agencies to provide such information upon request so that the first recommendation contained in the "2011" LAC audit report may be implemented. **WMC:** AMEND proviso to update calendar year reference from "2018" to "2019." Requested by Department of Health and Human Services.  
**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**117.125.** (GP: BabyNet) From funds available in the current fiscal year for budgetary analysis and oversight, the Executive Budget Office shall conduct an inventory of all BabyNet-related spending, which shall be submitted to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee no later than July 15, ~~2018~~ 2019. All affected agencies shall support the Executive Budget Office in this effort by providing information upon request, so that the first recommendation of the Legislative Audit Council's 2011 report on BabyNet may be implemented.

- 117.126 AMEND FURTHER** (South Carolina Telemedicine Network) Directs the MUSC Hospital Authority and the Department of Health and Human Services to continue to develop the SC Statewide Telemedicine Network and directs the authority to publish a summary progress report on the telemedicine transformation and submit it to the Governor and General Assembly by April 1, 2019.  
**WMC:** AMEND proviso to delete the required summary progress report and instead direct DHHS and PEBA to review federal additions to telehealth coverage established under specific federal legislation and by October 1, 2019, to each submit a report to the Governor and to the Chairmen of the Senate Finance and House Ways and Means Committees on how they intend to broaden their service-based coverage to align with the federal changes and to improve sustainability of telehealth services.  
**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** AMEND FURTHER, subsection (C), to change "each agency" to "both of these agencies."

**117.126.** (GP: South Carolina Telemedicine Network) From the funds appropriated to the Medical University of South Carolina for the MUSC Hospital Authority for Telemedicine and the funds appropriated and authorized for the Department of Health and Human Services, the

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agencies must continue the development of the South Carolina Statewide Telemedicine Network. The South Carolina Telehealth Alliance shall submit a proposal to the MUSC Hospital Authority and the Department of Health and Human Services to determine which hospitals, clinics, schools or other entities are best suited for Telemedicine partnerships.

(A) The Department of Health and Human Services shall develop or continue a program to leverage the use of teaching hospitals to provide rural physician coverage by expanding the use of Telemedicine, to include new applications such as School Based Telehealth, and Tele-ICU. The department shall also amend its policy related to reimbursement for telemedicine to add Act 301 Behavioral Health Centers as a referring site for covered telemedicine services.

(B) During the current fiscal year the Department of Health and Human Services shall contract with the MUSC Hospital Authority in the amount of \$5,000,000 to lead the development and operation of a statewide, open access South Carolina Telemedicine Network. The MUSC Hospital Authority shall contract with each Regional Support Hub to ensure funding and support of strategic plans submitted by the Regional Support Hubs and approved by both the MUSC Hospital Authority and the Department of Health and Human Services. Institutions and other entities participating in the network must be afforded the opportunity to meaningfully participate in the development of any annual refining to the initiative's strategic plan. 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. The MUSC Hospital Authority must provide the department with quarterly reports regarding the funds allocation and progress of telemedicine transformation efforts and networks. These reports must include an itemization of the ultimate recipients of these funds, whether vendors, grantees, specific participating institutions, or the Medical University of South Carolina, and must distinguish between funds allocation to the university as a participating institution as opposed to those retained and used by the university in its capacity as the administering entity for the network.

(C) ~~The MUSC Hospital Authority shall publish a summary report to the Governor and the General Assembly indicating the overall progress of the state's telemedicine transformation by April 1, 2019.~~ The Department of Health and Human Services and the Public Employee Benefit Authority shall each review federal additions to telehealth coverage established under the Bipartisan Budget Act of 2018, the SUPPORT for Patients and Communities Act, and other recent federal legislation and/or regulation. No later than October 1, 2019, ~~each agency both~~ of these agencies shall submit a report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on how they intend to broaden their service-based coverage to align with these federal changes and to improve the sustainability of telehealth services.

- 117.131 AMEND** (SCRS & PORS Trust Fund) Directs that the funds allocated to PEBA for the SCRS or PORS Trust Funds be credited toward contributions due from participating employers in those systems for FY 2018-19; directs that no credits shall be issued for covered employees of special purpose districts, joint authorities, non-profits, hospitals, participating associations or service organizations as defined in Section 9-1-10(11)(e) [RETIREMENT SYSTEMS DEFINITIONS], and state employees whose salaries are paid with federal funds. Directs that the SC Ports Authority, the SC Public Service Authority, and the Medical University Hospital Authority are excluded from this prohibition. Directs PEBA to collaborate with EBO and RFA to determine the amount of credit exclusion for federally funded state employees.

**WMC:** AMEND proviso to update fiscal year reference from "2018-19" to "2019-20."

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

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**117.131.**(GP: SCRS & PORS Trust Fund) Unless otherwise provided in Paragraphs A through D of this provision, the funds appropriated to the Public Employee Benefit Authority (PEBA) for the South Carolina Retirement System Trust Fund and the Police Officers' Retirement System Trust Fund in Part IA, Section 108 of this act shall be credited toward the contributions due from participating employers in SCRS and PORS for Fiscal Year ~~2018-19~~ 2019-20. Each employer's credit shall be determined at the same rate as calculated by PEBA for the pension funding allocation credit for Fiscal Year 2017-18. A participating employer shall not receive a credit that exceeds the employer contributions due from the employer.

(A) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of special purpose districts, joint authorities, or non-profit corporations; however, this provision does not apply to the South Carolina State Ports Authority and the South Carolina Public Service Authority.

(B) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of hospitals; however this provision does not apply to the Medical University Hospital Authority.

(C) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of participating associations or service organizations as defined in Section 9-1-10(11)(e) of the 1976 Code.

(D) From the funds available for allocation pursuant to this provision, no credits shall be issued for state employees who are funded with federal funds. The Public Employee Benefits Authority shall collaborate with the Department of Administration, Executive Budget Office and the Revenue and Fiscal Affairs Office to determine the amount of credit exclusion for federally-funded employees of state agencies.

**117.133 CONFORM TO FUNDING / AMEND** (Opioid Abuse Prevention and Treatment Plan) Directs DAODAS and DHHS to establish a coalition of state agencies, providers, and other related entities to coordinate opioid abuse prevention and treatment services throughout the state.

**WMC:** AMEND proviso, item (B), to delete the waiver application directive. Amend item (C) to delete reference to the "2018 pilot" and include Act 264 of 2018 [APPROPRIATIONS BILL]. Add new item (D) to direct DHHS, in consultation with DAODAS, to identify at least one county that has a disproportionately high number and incidence of opioid-related overdoses and deaths and provide up to \$500,000 to develop a local continuum of substance and behavioral health service coordination within the target county and across the region. Amend item (H) to update calendar year reference pertaining to the required progress report from January 31, "2019" to "2020."

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

**117.133.**(GP: Opioid Abuse Prevention and Treatment Plan) From the funds appropriated and authorized to the Department of Alcohol and Other Drug Abuse Services and the Department of Health and Human Services in the current fiscal year, the agencies shall establish a coalition of state agencies, providers and other related entities to combat the opioid epidemic in a collaborative manner and ensure that appropriate services and treatments are made available statewide. This initiative should include efforts to coordinate funding for the provision of treatment with an assessment of current programs and funding levels, to enhance available prevention, treatment and recovery services; expand provider capacity; and enable workforce development for substance use disorder services. General Funds appropriated to any state agency for Opioid Abuse Prevention and Treatment may be carried forward and expended for the same purpose.

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(A) The Department of Alcohol and Other Drug Abuse Services, the State Law Enforcement Division, and the Department of Health and Human Services shall establish an advisory board with representation from both agencies, to provide both oversight and administrative direction to the coalition. The advisory board may also include representation from the Department of Health and Environmental Control, the Department of Mental Health, the Medical University of South Carolina, the University of South Carolina's School of Medicine, the Department of Labor Licensing and Regulation, the Department of Corrections, state and local law enforcement agencies, the judicial branch, the South Carolina Hospital Association, the South Carolina Medical Association, the South Carolina Primary Health Care Association, Behavioral Health Centers and other related entities. The advisory board must consider recommendations made in the 2018 report by the South Carolina House of Representatives Opioid Abuse Prevention Study Committee, as well as any recommendations made by the South Carolina Behavioral Health Coalition related to substance use disorders and create a plan to ensure implementation of appropriate recommendations.

(B) The Department of Health and Human Services may leverage any and all available federal funds to implement enhanced treatment services and resources for this coalition. ~~The department may also develop a waiver application through the Centers for Medicaid and Medicare Services that could provide coverage for populations that have a substance use disorder diagnosis. Until a waiver is approved to expand access to substance use treatment in Institutions of Mental Disease (IMD), the department shall ensure that IMDs are considered an "in lieu of" service in its managed care contracts, when medically appropriate. The department must also work with Medicaid Managed Care Organizations to ensure policies governing the clinical review, utilization management, and determinations of medical necessity for Medication-Assisted Treatment (MAT) for opioid use disorder are consistent with American Society for Addiction Medicine (ASAM) criteria.~~

(C) In consultation with the Department of Alcohol and Other Drug Abuse Services and the Medical University of South Carolina Hospital Authority, the Department of Health and Human Services shall review and evaluate outcomes data from the 2018 pilot program for MAT services for prescription opioid dependency and addiction established by Act 97 of 2017 and expanded by Act 264 of 2018. Based on the success rate and ability to ~~replicate this pilot~~ continue expansion of this model, the department may provide funding not to exceed \$2,500,000 to continue and expand the program to additional providers that are necessary to ensure greater impact in geographical areas of critical need. All medications proven to be effective in treating opioid addiction shall be considered as viable options on a case by case basis to ensure the greatest level of success for individuals in the program.

(D) In consultation with the Department of Alcohol and Other Drug Abuse Services, the Department of Health and Human Services shall identify at least one county with a disproportionately high number and incidence of opioid-related overdoses and deaths to provide up to \$500,000 to develop a local continuum of substance and behavioral health service coordination within the target county and across the region.

~~(D)~~ E The Department of Alcohol and Other Drug Abuse Services and the Department of Health and Human Services shall assist the Department of Health and Environmental Control with any funding required to implement necessary programmatic enhancements to the Prescription Monitoring Program. The departments must consider changes to strengthen risk assessments and patient support tools, as well as the potential integration of Electronic Health Record systems. To the extent possible, the program must be expanded to include the administration of naloxone and other opioid overdose antidotes.

~~(E)~~ F In order to provide comprehensive treatment, from the point of incarceration, to individuals charged with criminal offenses who suffer from any substance use disorder that is treatable with medication, the Department of Alcohol and Other Drug Abuse Services must

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solicit potential cooperation from law enforcement, the state's solicitors, Magistrate Courts and Circuit Courts, to establish a diversion program in at least one judicial circuit. This program shall provide both behavioral and medical treatment, consultations with peer support specialists, and continued supervision of participants who are released, which may include electronic monitoring.

(F ~~G~~) The Department of Alcohol and Other Drug Abuse Services and the Department of Health and Human Services shall also coordinate with at least one four-year college or university and one two-year technical college with on-campus dormitories to establish pilot programs for Collegiate Recovery Programs to target intervention and the retention of students. These programs must offer academic support in designated spaces that provide for group meetings, clinical support, technology access, and academic advising, to assist students in recovery.

(G ~~H~~) The advisory board shall provide a report on the success of the development of the plan and the implementation of recommendations to the Chairman of the Senate Finance Committee, the Chairman of the House Ways & Means Committee, and the Governor no later than January 31, ~~2019~~ 2020. The report may also include proposals for amending existing recommendations or the establishment of new policies to combat the opioid epidemic.

- 117.154 AMEND NEW PROVISO (DSS Study Committee) WMC:** ADD new proviso to establish a committee to study the structural organization and core mission of DSS and include a determination on whether specific operations should more appropriately be located at a different agency; whether DSS is performing services outside their mission or not performing services within their mission. Direct that findings and recommendations be submitted by January 14, 2020 to the Chairmen of the Senate Finance and House Ways and Means Committees and the Governor.

**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** AMEND new proviso to direct that staff support shall be provided by appropriate standing committees of the Senate and House.

*117.154.(GP: DSS Study Committee) A committee shall be established to study the Department of Social Services structural organization and core mission. The study shall include, but not be limited to: determining whether specific areas of operation should more appropriately be housed at a different agency to more efficiently and effectively manage those services; to determine whether the department is performing services outside the scope of their mission; and to determine whether the department is not performing services within the scope of their mission.*

*The study committee shall be comprised of the following:*

- (1) Two members of the Senate appointed by the President of the Senate;*
- (2) Two members of the House of Representatives appointed by the Speaker of the House;*
- (3) Two members appointed by the Chairman of the Senate Finance Committee;*
- (4) Two members appointed by the Chairman of the House Ways and Means Committee;*

*and*

- (5) One member appointed by the Governor*

*~~Support~~ Staff support shall be provided by the ~~staffs of the Senate Finance Committee and the House Ways and Means Committee~~ relevant standing committees of the Senate and the House of Representatives, as appropriate. Findings and recommendations shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor by January 14, 2020.*

- 117.157 CONFORM TO FUNDING / AMEND NEW PROVISO (Magistrates and Masters In Equity Compensation) WMC:** ADD new proviso to direct that notwithstanding the pay plan proviso,

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the salary for each magistrate and master-in-equity must be calculated using the same schedule and circuit judge salary that was in effect in FY 2018-19.

**HOU:** AMEND new proviso to delete references to Masters-In-Equity and specify that the salary be “at a minimum” the same as was in effect in FY 2018-19. Sponsors: Reps. Ott, Bannister, and G.M. Smith.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

*117.157.(GP: Magistrates Compensation) Notwithstanding Proviso 117.112 (Employee Compensation), in the current fiscal year, the salary for each magistrate must be calculated using the same schedule and same circuit judge salary, at a minimum, as was in effect in Fiscal Year 2018-19.*

- 117.159 ADD** (New Savannah Bluff Lock and Dam) **HOU:** ADD new proviso to prohibit DHEC from using appropriated funds to process and approve any license, permit, authorization, or certification related to the New Savannah Bluff Lock and Dam that is not consistent with the State’s policy and General Assembly’s intent to maintain the existing water quality and navigability conditions of that portion of the Savannah River. Sponsors: Reps. Hixon, Blackwell, Clyburn, Taylor, and Young.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

*117.159.(GP: New Savannah Bluff Lock and Dam) The Department of Health and Environmental Control is prohibited from using any appropriated funds to process and approve any license, permit, authorization, or certification related to the New Savannah Bluff Lock and Dam inconsistent with the State's policy and the General Assembly's intent of maintaining the existing water quality and navigability conditions of that portion of the Savannah River in and around the New Savannah Bluff Lock and Dam. Consistency may occur by including conditions on any proposed project for the maintenance of the New Savannah Bluff Lock and Dam pool at elevation 114.5 NAVD88 for the preservation of adequate and sufficient water quality, navigation, water supply, and recreational activities.*

**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, 2018, 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 update calendar year reference from “2018” to “2019.”

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT as amended.

**118.9.** (SR: Tax Relief Reserve Fund) (A) 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, ~~2018~~ 2019, the State Treasurer shall transfer funds identified in this act from the General Fund to the Tax

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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.

- 118.13 DELETE** (Nonrecurring Revenue) Appropriates non-recurring revenue to various agencies for Fiscal Year 2018-19, generated from specific sources.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

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

- ~~(1) \$16,567,887 from Fiscal Year 2017-18 Debt Service Lapse;~~
- ~~(2) \$4,119,137 from the Litigation Recovery Account;~~
- ~~(3) \$293,301 from Fiscal Year 2017-18 Capital Reserve Fund Lapse (Per SC Code 11-11-320); and~~
- ~~(4) \$13,360,642 from Fiscal Year 2018-19 Unobligated Debt Service.~~

~~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 2017-18 and shall be available for use in Fiscal Year 2018-19.~~

~~This revenue is deemed to have occurred and is available for use in Fiscal Year 2018-19 after September 1, 2018, following the Comptroller General's close of the state's books on Fiscal Year 2017-18.~~

~~(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, 2018, for the purposes stated:~~

- ~~(1) H630 Department of Education
  - ~~(a) Bus Lease ..... \$ 2,527,812;~~
  - ~~(b) Governor's School for the Arts and the Humanities
    - ~~Fire Protection Component Upgrade..... \$ 480,000;~~~~
  - ~~(c) Governor's School for the Arts and the Humanities Core
    - ~~Switch Replacement..... \$ 65,000;~~~~
  - ~~(d) Low Achieving Schools, Proviso 1A.51 ..... \$ 125,000;~~~~
- ~~(2) H710 Wil Lou Gray Opportunity School
  - ~~Capital Improvements..... \$ 500,000;~~~~
- ~~(3) H030 Commission on Higher Education
  - ~~Statewide Higher Education Repair and Renovation Fund ..... \$ 1;~~~~
- ~~(4) H180 Francis Marion University
  - ~~(a) Medical and Health Education Classroom Complex..... \$ 5,000,000;~~
  - ~~(b) Honors College..... \$ 2,100,000;~~~~
- ~~(5) H590 State Board for Technical and Comprehensive Education
  - ~~Orangeburg Calhoun Technical College Nursing Cooperative
    - ~~Program with Claflin University ..... \$ 200,000;~~~~~~
- ~~(6) H790 Department of Archives and History
  - ~~(a) Conservation of South Carolina's Constitutions ..... \$ 200,000;~~
  - ~~(b) Charleston Library Society Beaux Arts Building..... \$ 250,000;~~~~

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~~(e) Historic Buildings Preservation..... \$ 500,000;~~

~~(7) H910 Arts Commission~~

~~SC Children's Theatre ..... \$ 500,000;~~

~~(7.1) The funds appropriated to the Arts Commission above in item (7) for the SC Children's Theatre must be matched 2:1 by the organization and the Arts Commission must verify that the organization has matched the funds prior to disbursement.~~

~~(8) H730 Vocational Rehabilitation~~

~~Equestrian Center PTSD Program ..... \$ 500,000;~~

~~(8.1) The funds appropriated to the Department of Vocational Rehabilitation in Item (8) for the Equestrian Center PTSD Program shall be used by the department to develop an equine therapy program with an emphasis on serving veterans with Post Traumatic Stress Disorder. Any unexpended funds appropriated to Lander University in previous fiscal years for this purpose shall be transferred to the Department of Vocational Rehabilitation to be expended for this program. The department may utilize existing contract proposals to establish a pilot program at a single location and provide for potential expansion to other locations.~~

~~(9) J020 Department of Health and Human Services~~

~~Medical Contracts ..... \$ 4,000,000;~~

~~(10) J040 Department of Health and Environmental Control~~

~~(a) Water Quality ..... \$ 1;~~

~~(b) M.A.D. USA Men Against Domestic Violence ..... \$ 150,000;~~

~~(c) SC Cervical Cancer Awareness Initiative ..... \$ 130,000;~~

~~(11) L040 Department of Social Services~~

~~Florence Crittenton ..... \$ 150,000;~~

~~(12) P120 Forestry Commission~~

~~Firefighting Equipment ..... \$ 1,000,000;~~

~~(13) P160 Department Agriculture~~

~~Statewide Agribusiness Infrastructure ..... \$ 210,000;~~

~~(14) P240 Department of Natural Resources~~

~~(a) Statewide Public Wildlife and Fisheries Management~~

~~Projects ..... \$ 500,000;~~

~~(b) Natural Resources Significant Sites Grant Program ..... \$ 1;~~

~~(15) P280 Department of Parks, Recreation and Tourism~~

~~(a) State Park Maintenance Needs ..... \$ 2,400,000;~~

~~(b) Parks and Recreation Development Fund ..... \$ 1;~~

~~(c) International African American Museum ..... \$ 1;~~

~~(d) Murrells Inlet Channel Clearing ..... \$ 300,000;~~

~~(e) Morris Island Lighthouse ..... \$ 175,000;~~

~~(16) P320 Department of Commerce~~

~~(a) Deal Closing Fund ..... \$ 1;~~

~~(b) Applied Research Centers ..... \$ 500,000;~~

~~(c) Military Base Task Force ..... \$ 600,000;~~

~~(d) Locate SC ..... \$ 4,000,000;~~

~~(e) Economic Development Hubs and Community~~

~~Development Infrastructure ..... \$ 1,300,000;~~

~~(17) P400 S C Conservation Bank~~

~~Conservation Bank Trust ..... \$ 1;~~

~~(18) B040 Judicial Department~~

~~Digital Recording (5 Court Rooms) ..... \$ 220,000;~~

~~(19) C050 Administrative Law Court~~

~~Technology Upgrades ..... \$ 80,000;~~

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(20) E200—Office of the Attorney General	
IT/Infrastructure Upgrades .....	\$ 1;
(21) E210—Prosecution Coordination Commission	
Case Management System .....	\$ 1;
(22) D100—State Law Enforcement Division	
(a) Forensics Equipment .....	\$ 1;
(b) First Responder PTSD Treatment .....	\$ 1;
(23) K050—Department of Public Safety	
(a) Rifles for Highway Patrol .....	\$ 1;
(b) Local Law Enforcement Grants .....	\$ 1;
(24) N040—Department of Corrections	
Security Systems and Equipment Repairs and Upgrades .....	\$ 3,050,590;
(25) N120—Department of Juvenile Justice	
Child Advocacy Centers .....	\$ 170,000;
(26) R360—Department of Labor, Licensing and Regulation	
Local Fire Department Grants .....	\$ 1;
(27) R400—Department of Motor Vehicles	
Act 40 of 2017 Implementation Costs .....	\$ 1;
(28) R600—Department of Employment and Workforce	
Be Pro Be Proud .....	\$ 1;
(29) Y140—State Ports Authority	
Jasper Ocean Terminal Port .....	\$ 1,425,000;
(30) D500—Department of Administration	
State-Owned Building Maintenance .....	\$ 1;
(31) E240—Office of Adjutant General	
(a) Statewide Readiness Centers—Female Latrines (12) .....	\$ 1;
(b) Stand Alone Kitchens .....	\$ 107,547;
(c) Infrastructure Improvements .....	\$ 325,000; and
(32) E280—Election Commission	
Special Election Fund Recoupment .....	\$ 600,000.

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

**118.15 CONFORM TO FUNDING / ADD (Taxpayer Rebate) WMC:** ADD new proviso provide for a one-time taxpayer rebate of up to \$50 per taxpayer if excess FY 2018-19 unobligated general revenue as certified by the BEA become available due to increased income tax collections resulting from the October 24, 2018 Mega Millions lottery ticket redemption. Direct that those funds combined with funds appropriated for a taxpayer rebate must be used to provide the one-time rebate.

**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

*118.15. (SR: Taxpayer Rebate) In the event that amounts in excess of the Fiscal Year 2018-19 unobligated general fund revenue as certified by the Board of Economic Advisors become available due to increased income tax collections resulting from the lottery ticket redemption associated with the October 24, 2018 Mega Millions contest, those funds, combined with additional funds appropriated in this Act for taxpayer rebate, must be utilized to provide a one-time taxpayer rebate in an amount up to \$50 per taxpayer.*

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- 118.16 CONFORM TO FUNDING / ADD** (Nonrecurring Revenue) **WMC:** ADD new proviso to (A) appropriate non-recurring revenue for FY 2019-20 generated from FY 2017-18 Contingency Reserve Fund and projected FY 2018-19 Unobligated General Fund Revenue as certified by the BEA; (B) appropriate funds to various agencies for specific purposes; add item 6.1 to direct that of the \$1,000,000 appropriated to PRT for Coastal Tourism Advertising, \$800,000 shall be used to help increase travel to coastal regions and mitigate loss of tourism business caused by catastrophic weather events and \$200,000 shall be distributed to Coastal South Carolina USA to increase international travel to the state; add item 8.1 to direct that if the \$37,065,450 appropriated to DMH for Certification of State Match - VA Nursing Homes, along with available existing agency funds, are not sufficient to cover the total cost of the project, DMH must remit the funds back to the General Fund; and (C) authorize unexpended funds to be carried forward and spent for the same purpose.  
**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

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

- (1) \$169,541,926 from Fiscal Year 2017-18 Contingency Reserve Fund; and
- (2) \$158,650,000 from projected Fiscal Year 2018-19 unobligated general fund revenue as certified by the Board of Economic Advisors.

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 2018-19 and shall be available for use in Fiscal Year 2019-20.

This revenue is deemed to have occurred and is available for use in Fiscal Year 2019-20 after September 1, 2019, following the Comptroller General's close of the state's books on Fiscal Year 2018-19.

(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, 2019, for the purposes stated:

- (1) F310 - General Reserve Fund  
General Reserve Fund Contribution..... \$27,089,778;
- (2) E240 - Office of Adjutant General  
Emergency Management Division - FEMA State Match  
Hurricane Florence ..... \$22,000,000;
- (3) D500 - Department of Administration  
New Statewide Voting System ..... \$40,000,000;
- (4) E280 - Election Commission  
2020 Presidential Primary..... \$ 2,166,500;
- (5) D500 - Department of Administration  
State Owned Building Deferred Maintenance ..... \$26,919,265;
- (6) P280 - Department of Parks, Recreation, and Tourism
  - (a) Coastal Tourism Advertising ..... \$ 1,000,000;
  - (b) Saluda River Greenway..... \$ 1,500,000;
  - (c) Special Olympics ..... \$ 250,000;
  - (d) SC Aquarium..... \$ 1,500,000;
  - (e) SC Association of Tourism Regions..... \$ 550,000;

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(f) Parks Revitalization..... \$ 2,500,000;

(6.1) Of the funds appropriated to the Department of Parks, Recreation, and Tourism in Item (6)(a) for Coastal Tourism Advertising, the department is directed to spend \$800,000 on advertising to help increase travel to coastal regions and mitigate the loss of tourism business caused by catastrophic weather events, and to distribute \$200,000 to Coastal South Carolina, USA, to increase international travel to South Carolina.

(7) J020 - Department of Health and Human Services

(a) Medicaid Management Information System..... \$ 7,409,009;

(b) Medical Contracts ..... \$ 2,750,000;

(8) J120 - Department of Mental Health

Certification of State Match - VA Nursing Homes..... \$37,065,450;

(8.1) In the event the funds appropriated to the Department of Mental Health in item (8) for Certification of State Match - VA Nursing Homes, along with any available existing agency funds, are not sufficient to cover the total cost of the project, the department must remit the amount appropriated for the project back to the General Fund.

(9) J200 - Department of Alcohol and Other Drug Abuse Services

Infrastructure Improvement/Substance Abuse

Provider System..... \$ 6,000,000;

(10) L040 - Department of Social Services

(a) Child Support Enforcement System..... \$28,600,000;

(b) Criminal Domestic Violence - SCCADVASA..... \$ 800,000;

(c) Epworth Children's Home..... \$ 350,000;

(11) H910 - Arts Commission

Greenville Cultural and Arts Center..... \$ 5,000,000;

(12) J040 - Department of Health and Environmental Control

Murrells Inlet Channel Clearing ..... \$ 2,000,000;

(13) P320 - Department of Commerce

(a) Closing Fund ..... \$ 3,700,000;

(b) Military Base Task Force ..... \$ 750,000;

(c) LocateSC..... \$ 4,000,000;

(14) B040 - Judicial Department

Case Management System Modernization..... \$13,000,000;

(15) E240 - Office of Adjutant General

(a) SCEMD - State Emergency Operations Center

Improvements ..... \$ 250,000;

(b) Armory Construction and Revitalizations ..... \$ 5,612,500;

(c) McEntire Joint National Guard Base - Land

Management..... \$ 2,200,000;

(16) J160 - Department of Disabilities and Special Needs

South Carolina Genomic Medicine Initiative - TGEM..... \$ 2,000,000;

(17) H730 - Vocational Rehabilitation

(a) Information Technology/Security - Computer

Purchases ..... \$ 659,000;

(b) VR Center Capital Improvements - State Match ..... \$ 808,509;

(18) P160 - Department of Agriculture

Laboratory/Inspection Equipment ..... \$ 800,000;

(19) P120 - Forestry Commission

Firefighting Equipment..... \$ 1,000,000;

(20) Y140 - State Ports Authority

Jasper Ocean Terminal Port Facility Infrastructure Fund ..... \$ 4,000,000;

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<u>(21) K050 - Department of Public Safety</u>	
<u>Vehicles.....</u>	<u>\$ 500,000;</u>
<u>(22) N040 - Department of Corrections</u>	
<u>Detention Services and Equipment Upgrades .....</u>	<u>\$10,000,000;</u>
<u>(23) N12 - Department of Juvenile Justice</u>	
<u>(a) Electrical Grid Conversion.....</u>	<u>\$ 1,120,000;</u>
<u>(b) Child Advocacy Centers .....</u>	<u>\$ 170,000;</u>
<u>(24) N200 - Law Enforcement Training Council</u>	
<u>Criminal Justice Academy Mobile Training.....</u>	<u>\$ 270,869;</u>
<u>(25) P240 - Department of Natural Resources</u>	
<u>(a) Ft. Johnson Boat Slip Renovations.....</u>	<u>\$ 2,000,000;</u>
<u>(b) Watercraft Registration Conversion - Act 233 .....</u>	<u>\$ 1,795,680;</u>
<u>(c) Hunter Education - Sporting Event Range .....</u>	<u>\$ 750,000;</u>
<u>(26) P400 - Conservation Bank</u>	
<u>Conservation Grants.....</u>	<u>\$ 4,000,000;</u>
<u>(27) H630 - Department of Education</u>	
<u>Governor's School for Arts and Humanities Shingled</u>	
<u>Roof Replacement.....</u>	<u>\$ 120,000;</u>
<u>(28) H710 - Wil Lou Gray Opportunity School</u>	
<u>(a) Infrastructure Upgrades .....</u>	<u>\$ 100,000;</u>
<u>(b) HVAC Upgrade.....</u>	<u>\$ 100,000;</u>
<u>(29) H950 - State Museum Commission</u>	
<u>Exhibit Renovations .....</u>	<u>\$ 3,000,000;</u>
<u>(30) H960 - Confederate Relic Room and Military Museum Commission</u>	
<u>(a) Uniform Collection.....</u>	<u>\$ 75,000;</u>
<u>(b) Security Upgrades .....</u>	<u>\$ 25,000;</u>
<u>(31) P360 - Patriots Point Development Authority</u>	
<u>USS Clamagore Veteran Memorial Reef.....</u>	<u>\$ 2,700,000;</u>
<u>(32) L240 - Commission for the Blind</u>	
<u>Bathroom Renovations for ADA Compliance .....</u>	<u>\$ 30,000;</u>
<u>(33) H790 - Department of Archives and History</u>	
<u>(a) Replacement Microfilm Scanner.....</u>	<u>\$ 102,000;</u>
<u>(b) African American Heritage Commission - Greenbook</u>	
<u>of SC.....</u>	<u>\$ 100,000;</u>
<u>(34) L360 - Human Affairs Commission</u>	
<u>SC Pregnancy Accommodations Act Training - Act 244 .....</u>	<u>\$ 70,100;</u>
<u>(35) R080 - Workers Compensation Commission</u>	
<u>IT System Legacy Modernization Project.....</u>	<u>\$ 1,800,000;</u>
<u>(36) R400 - Department of Motor Vehicles</u>	
<u>(a) Real ID Implementation - Year 3 of 3.....</u>	<u>\$ 4,000,000;</u>
<u>(b) End-to-End Encryption.....</u>	<u>\$ 400,000;</u>
<u>(37) U120 - Department of Transportation</u>	
<u>Rest Areas .....</u>	<u>\$ 4,000,000;</u>
<u>(38) E500 - Revenue and Fiscal Affairs Office</u>	
<u>Statewide Aerial Imagery Project.....</u>	<u>\$ 2,000,000; and</u>
<u>(39) R440 - Department of Revenue</u>	
<u>Taxpayer Rebate .....</u>	<u>\$34,733,266.</u>
<u>(C) Unexpended funds appropriated pursuant to this provision may be carried forward to</u>	
<u>succeeding fiscal years and expended for the same purposes.</u>	