

Session 118 - (2009-2010)

S 0384 General Bill, By Leventis, Courson, Sheheen, Reese, Matthews, Thomas and Davis

Summary: Administrative Law Court

A BILL TO AMEND SECTION 1-23-600, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HEARINGS AND PROCEEDINGS OF THE ADMINISTRATIVE LAW COURT, SO AS TO REORGANIZE THE SECTION AND PROVIDE THAT IT IS APPLICABLE TO THE STATE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO AMEND SECTION 1-23-610, AS AMENDED, RELATING TO REVIEW OF DECISIONS OF THE ADMINISTRATIVE LAW COURT, SO AS TO DEFINE THE PROCEDURES FOR OBTAINING JUDICIAL REVIEW OF A FINAL DECISION OF AN ADMINISTRATIVE LAW JUDGE IN A CASE INVOLVING THE STATE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO AMEND SECTION 1-30-45, RELATING TO THE COMPOSITION OF THE FORMER SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO DEVOLVE AND TRANSFER ALL OF THESE COMPONENTS TO THE STATE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AS PROVIDED FOR IN THIS ACT; TO AMEND SECTION 44-1-20, RELATING TO THE CREATION AND SUPERVISION OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO RESTRUCTURE THE DEPARTMENT UNDER THE SUPERVISION OF A SECRETARY APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; TO AMEND SECTION 44-1-30, RELATING TO BOARD MEETINGS AND COMPENSATION OF MEMBERS, SO AS TO PROVIDE FOR THE COMPENSATION AND DUTIES OF THE SECRETARY OF THE STATE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO AMEND SECTION 44-1-40, RELATING TO THE SELECTION, TERM, AND SALARY OF THE DEPARTMENT DIRECTOR, SO AS TO CREATE A BOARD OF HEALTH AND A BOARD OF ENVIRONMENTAL CONTROL AND TO PROVIDE FOR THEIR MEMBERSHIP; TO AMEND SECTION 44-1-50, AS AMENDED, RELATING TO BOARD ADMINISTRATIVE REVIEWS, SO AS TO AUTHORIZE THE BOARD OF HEALTH AND THE BOARD OF ENVIRONMENTAL CONTROL TO CONDUCT ADMINISTRATIVE REVIEWS AND TO AUTHORIZE THE SECRETARY TO ORGANIZE THE DEPARTMENT AS NECESSARY; TO AMEND SECTION 44-1-60, RELATING TO APPEALS FROM DEPARTMENT DECISIONS, SO AS TO PROVIDE THAT A DEPARTMENT DECISION BECOMES FINAL THIRTY DAYS AFTER THE APPROPRIATE NOTICE IS RECEIVED BY A PERSON ENTITLED TO NOTICE; TO AMEND SECTION 44-1-70, RELATING TO BOARD RULES AND REGULATIONS, SO AS TO PROVIDE THAT THE DEPARTMENT SECRETARY MAY PROMULGATE RULES AND REGULATIONS; TO AMEND SECTION 44-1-80, AS AMENDED, RELATING TO THE BOARD'S DUTIES AND POWERS AS TO COMMUNICABLE OR EPIDEMIC DISEASES, SO AS TO TRANSFER THESE DUTIES AND POWERS TO THE DEPARTMENT SECRETARY; TO AMEND SECTION 44-1-90, RELATING TO CIRCUMSTANCES WHEN THE BOARD MUST ADVISE LOCAL AUTHORITIES, SO AS TO TRANSFER THESE RESPONSIBILITIES TO THE DEPARTMENT SECRETARY; TO AMEND SECTION 44-1-100, AS AMENDED, RELATING TO ASSISTANCE FROM LOCAL HEALTH OFFICERS, SO AS TO REQUIRE LOCAL HEALTH OFFICERS TO ASSIST THE DEPARTMENT SECRETARY; AND TO AMEND SECTION 44-1-280, RELATING TO COORDINATION WITH FIRST STEPS, SO AS TO REQUIRE THE DEPARTMENT SECRETARY TO COORDINATE WITH FIRST STEPS TO SCHOOL READINESS UNDER CERTAIN CIRCUMSTANCES.

02/03/09 Senate **Introduced and read first time SJ-12**
02/03/09 Senate **Referred to Committee on Medical Affairs SJ-12**
02/09/10 Senate **Committee report: Favorable with amendment Medical Affairs SJ-12**
02/10/10 **Scrivener's error corrected**