

Session 117 - (2007-2008)

S 0887 General Bill, By Cleary and Fair

Summary: DHEC

A BILL TO AMEND SECTION 44-7-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CIRCUMSTANCES REQUIRING A CERTIFICATE OF NEED, SO AS TO INCREASE TO TWO MILLION DOLLARS THE THRESHOLD AMOUNT OF CERTAIN EXPENDITURES REQUIRING A CERTIFICATE OF NEED, TO DELETE SPECIFIC REQUIREMENTS TO INCLUDE WHEN DETERMINING WHETHER AN EXPENDITURE EXCEEDS THE LIMIT, AND TO REQUIRE A CERTIFICATE OF NEED FOR THE ACQUISITION OF CERTAIN MEDICAL EQUIPMENT COSTING MORE THAN EIGHT HUNDRED THOUSAND DOLLARS; TO AMEND SECTION 44-7-170, RELATING TO EXEMPTIONS FROM THE CERTIFICATE-OF-NEED REQUIREMENT, SO AS TO PROVIDE THAT AN EXEMPTION FOR CERTAIN NONMEDICAL EXPENDITURES DOES NOT REQUIRE WRITTEN EXEMPTION FROM THE DEPARTMENT; TO AMEND SECTION 44-7-210, SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL COMPLETE THE CERTIFICATE-OF-NEED APPLICATION REVIEW PROCESS IN A TIMELY MANNER AND TO IMPOSE A SIXTY-DAY PERIOD IN WHICH A PUBLIC HEARING ON AN APPLICATION MAY BE HELD; AND TO AMEND SECTION 44-7-220, RELATING TO JUDICIAL REVIEW OF FINAL CERTIFICATE-OF-NEED DECISIONS OF THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL BOARD, SO AS TO PROVIDE THAT ONLY AN AFFECTED PERSON WHO HAS PARTICIPATED IN THE CERTIFICATE-OF-NEED PROCESS MAY APPEAL A FINAL DECISION OF THE BOARD, TO INCREASE THE AMOUNT OF A BOND THAT MUST BE POSTED IN CONJUNCTION WITH CERTAIN APPEALS, AND TO MAKE THE AWARD OF THE ENTIRE BOND AND REASONABLE ATTORNEY'S FEES AND COSTS MANDATORY IN CERTAIN CIRCUMSTANCES.

12/05/07 Senate Prefiled

12/05/07 Senate Referred to Committee on Medical Affairs

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