

## Session 121 - (2015-2016)

### **S 0600 General Bill, By Scott and Bryant**

**Summary:** Create the Division of Disabilities and Special Needs

A BILL TO AMEND SECTION 44-6-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RESPONSIBILITIES OF THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES, SO AS TO REQUIRE THE DEPARTMENT TO ADMINISTER A DIVISION OF DISABILITIES AND SPECIAL NEEDS; BY ADDING ARTICLE 9 TO CHAPTER 6, TITLE 44 SO AS TO CREATE THE DIVISION OF DISABILITIES AND SPECIAL NEEDS AS A DIVISION OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; TO AMEND CHAPTER 20, TITLE 44, RELATING TO THE SOUTH CAROLINA INTELLECTUAL DISABILITY, RELATED DISABILITIES, HEAD INJURIES, AND SPINAL CORD INJURIES ACT, SO AS TO CREATE THE DIVISION OF DISABILITIES AND SPECIAL NEEDS WITHIN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; TO ABOLISH THE COMMISSION ON DISABILITIES AND SPECIAL NEEDS; TO ABOLISH THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS; TO PROVIDE THE DIVISION OF DISABILITIES AND SPECIAL NEEDS THE AUTHORITY OVER THE STATE'S SERVICES AND PROGRAMS FOR THE TREATMENT AND TRAINING OF INDIVIDUALS WITH INTELLECTUAL DISABILITY, RELATED DISABILITIES, HEAD INJURIES, AND SPINAL CORD INJURIES INCLUDING, BUT NOT LIMITED TO, INTAKE AND ASSESSMENT SERVICES, SERVICE PLANNING, DEVELOPMENT OF SERVICE STANDARDS, COORDINATION AND DELIVERY OF CLIENT SERVICES, AND JOB-RELATED PLANNING AND PLACEMENT SERVICES; TO PROVIDE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES THE AUTHORITY TO PERFORM OFFICIAL ACTS OF THE DEPARTMENT, AND ITS DIVISIONS, OFFICES, AND PROGRAMS INCLUDING, BUT NOT LIMITED TO, THE AUTHORITY TO PROMULGATE REGULATIONS, TO ENTER INTO LEGAL CONTRACTS, TO ISSUE, DENY, AND REVOKE LICENSES TO OPERATE CERTAIN FACILITIES, TO CONDUCT HEARINGS TO REVIEW CLIENT COMPLAINTS, TO ADMINISTER FEDERAL FUNDS, TO REQUEST APPROPRIATIONS, AND TO RAISE MONIES FOR CAPITAL IMPROVEMENTS; TO REDESIGNATE THE INTELLECTUAL DISABILITY DIVISION, AUTISM DIVISION, AND HEAD AND SPINAL CORD INJURIES DIVISION AS OFFICES WITHIN THE DIVISION OF DISABILITIES AND SPECIAL NEEDS; AND TO SUBSTITUTE THE TERM "INDIVIDUAL" FOR "PERSON" WHEN THE TERM REFERS TO SOMEONE APPLYING FOR OR RECEIVING SERVICES FROM THE DIVISION; TO AMEND SECTIONS 44-21-10, 44-21-20, AND 44-21-30, ALL AS AMENDED, ALL RELATING TO THE FAMILY SUPPORT SERVICES PROGRAM, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 44-23-10, AS AMENDED, RELATING TO CHAPTER DEFINITIONS, SO AS TO ADD A DEFINITION FOR A PERSON WITH AN INTELLECTUAL DISABILITY; TO AMEND SECTIONS 44-23-220 AND 44-23-410, BOTH AS AMENDED, BOTH RELATING TO PERSONS WHO HAVE MENTAL ILLNESS AND INTELLECTUAL DISABILITIES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTIONS 44-26-10, AS AMENDED, 44-26-70, AS AMENDED, 44-26-80, AS AMENDED, 44-26-100, 44-26-140, AS AMENDED, 44-26-180, AS AMENDED, AND 44-26-200, AS AMENDED, ALL RELATING TO RIGHTS OF CLIENTS WITH AN INTELLECTUAL DISABILITY, SO AS TO MAKE CONFORMING CHANGES; BY ADDING SECTION 44-28-15 SO AS TO CREATE THE DIVISION OF DISABILITIES AND SPECIAL NEEDS; TO AMEND SECTIONS 44-28-20, 44-28-40, 44-28-60, 44-28-80, 44-28-360, AND 44-28-370, ALL RELATING TO THE SELF-SUFFICIENCY AND DISABILITY TRUST FUND, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTIONS 44-38-30, 44-38-310, 44-38-320, 44-38-330, 44-38-340, 44-38-610, AND 44-38-630, AS AMENDED, ALL RELATING TO THE SOUTH CAROLINA HEAD AND SPINAL CORD INJURY INFORMATION SYSTEM, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 44-38-380, RELATING TO THE SOUTH CAROLINA HEAD AND SPINAL CORD INJURY SERVICE DELIVERY SYSTEM ADVISORY COUNCIL, SO AS TO MAKE CONFORMING CHANGES; BY ADDING SECTION 1-30-23 SO AS TO TRANSFER THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS AND ITS DIVISIONS, OFFICES, AND PROGRAMS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO DEPARTMENTS OF THE EXECUTIVE BRANCH, SO AS TO ELIMINATE THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS; TO DIRECT THE CODE COMMISSIONER TO CHANGE CERTAIN REFERENCES IN THE CODE OF LAWS OF SOUTH CAROLINA, 1976, FROM THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS TO THE DIVISION OF DISABILITIES AND SPECIAL NEEDS AND CERTAIN REFERENCES FROM THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS AND THE COMMISSION ON DISABILITIES AND SPECIAL NEEDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; AND TO REPEAL SECTION 44-20-240 RELATING TO THE CREATION OF THE SOUTH CAROLINA DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS.

**03/25/15 Senate Introduced and read first time (Senate Journal-page 6)**

**03/25/15 Senate Referred to Committee on Medical Affairs (Senate Journal-page 6)**