

## Session 123 - (2019-2020)

### **S 1093 General Bill, By Talley, Hutto, Gambrell, Shealy, Climer, Goldfinch and Martin**

#### **Summary:** Administrative Procedures Act

A BILL TO AMEND SECTION 44-7-160 OF THE 1976 CODE, RELATING TO SITUATIONS REQUIRING A CERTIFICATE OF NEED, TO PROVIDE THAT THE ADDITION OF BEDS IN CERTAIN SITUATIONS IS EXEMPT FROM CERTIFICATE OF NEED REQUIREMENTS, TO INCREASE THE DOLLAR THRESHOLD FOR CAPITAL EXPENDITURES AND MEDICAL EQUIPMENT, AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MUST DETERMINE THE INCREASE OR DECREASE IN THE RATIO OF THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS, MEDICAL CARE COMMODITIES IN THE U.S. CITY AVERAGE FOR THE PRIOR FIVE-YEAR PERIOD AND ADJUST EXPENDITURES AND COSTS ACCORDINGLY; TO AMEND SECTION 44-7-170(A) OF THE 1976 CODE, RELATING TO CERTIFICATE OF NEED EXEMPTIONS, TO EXEMPT CERTAIN MEDICAL EQUIPMENT AND TO PROVIDE CERTAIN THRESHOLD CRITERIA TO EXEMPT THE ADDITION OF BEDS; TO AMEND SECTION 44-7-210(G) OF THE 1976 CODE, RELATING TO CERTIFICATE OF NEED CONTESTED CASES IN THE ADMINISTRATIVE LAW COURT, TO PROVIDE THAT THERE SHALL BE NO JUDICIAL REVIEW BEYOND THE ADMINISTRATIVE LAW COURT; TO AMEND SECTION 1-23-380 OF THE 1976 CODE, RELATING TO THE APPEAL OF A FINAL AGENCY DECISION UNDER THE ADMINISTRATIVE PROCEDURES ACT, TO REMOVE THE JUDICIAL REVIEW OF ADMINISTRATIVE LAW COURT DECISIONS INVOLVING CERTAIN CERTIFICATE OF NEED CONTESTED CASES; AND TO REPEAL SECTION 44-7-220 OF THE 1976 CODE, RELATING TO THE JUDICIAL REVIEW OF ADMINISTRATIVE LAW COURT DECISIONS IN CERTIFICATE OF NEED CONTESTED CASES.

**02/11/20 Senate Introduced and read first time (Senate Journal-page 5)**

**02/11/20 Senate Referred to Committee on Medical Affairs (Senate Journal-page 5)**