

## Session 109 - (1991-1992)

**H\*4639 (Rat #0613, Act #0511 of 1992) General Bill, By J. Rama, R.L. Altman, J.G. Felder, P.B. Harris, W.S. Houck, S.G. Manly, J.W. Tucker and J.M. White**

A Bill to Title 44, Code of Laws of South Carolina, 1976, relating to health, by adding Section 44-7-265 so as to require the Department of Health and Environmental Control to promulgate regulations regarding freestanding or mobile technology; to amend Section 37-6-604, as amended, relating to the functions and duties of the Division of Consumer Advocacy, so as to include providing legal representation of consumer interest concerning certificates of need; to amend Section 44-7-120, as amended, relating to the purpose of the Certificate of Need and Health Licensure Act, so as to change references from the State Medical Facilities Plan to the State Health Plan; to amend Section 44-7-130, as amended, relating to definitions, so as to revise the definition of "affected person", "health care facility", "health service" and "freestanding or mobile technology", and to add the definition of "like equipment with similar capabilities"; to amend Section 44-7-160, as amended, relating to circumstances requiring certificate of need, so as to delete provisions relating to acquisition of medical equipment owned by or located in a health care facility; to amend Section 44-7-170, as amended, relating to transactions and institutions exempt from the Article, so as to delete provisions relating to the initiation of services through contractual arrangements for shared mobile diagnostic and therapeutic devices; to amend Section 44-7-180, as amended, relating to the State Medical Facilities Plan, so as to change this Plan to the State Health Plan, to provide for a Health Planning Committee, its members and terms, and to provide that the committee shall advise in the preparation of the Plan, to revise the content, approval, and revision procedures for the Plan, and to establish fees for operation of the Certificate of Need Program; to amend Section 44-7-200, as amended, relating to Certificate of Need applications, so as to prohibit certain Department personnel from communicating with other persons about pending applications; to amend Section 44-7-210, as amended, relating to procedures following completion of a Certificate of Need application so as to provide for project review criteria and procedures; to amend Section 44-7-230, as amended, relating to the nontransferability of Certificate of Need, so as to require project reports and inspections to assure compliance and to extend a Certificate of Need from six months to one year on major hospital construction projects; to amend Section 44-7-240, as amended, relating to a state construction program, so as to change the reference from State Facilities Plan to State Health Plan; to provide for Certificate of Need exemptions for medical equipment under certain conditions; to require Department of Health and Environmental Control to evaluate the adequacy of heart surgery and heart catheterization units in the State; to provide for staggered terms for members appointed to the Health Planning Committee; and to amend Section 44-7-260, as amended, relating to facilities and services requiring licensure, so as to include freestanding or mobile technology.-amended title

**03/31/92 House Introduced and read first time HJ-39**

**03/31/92 House Referred to Committee on Medical, Military, Public and Municipal Affairs HJ-40**

**04/15/92 House Committee report: Favorable with amendment Medical, Military, Public and Municipal Affairs HJ-9**

**04/29/92 House Amended HJ-291**

**04/29/92 House Read second time HJ-295**

**04/30/92 House Read third time and sent to Senate HJ-20**

**05/05/92 Senate Introduced, read first time, placed on calendar without reference SJ-8**

**05/07/92 Senate Read second time SJ-61**

**05/07/92 Senate Ordered to third reading with notice of amendments SJ-61**

**05/19/92 Senate Amended SJ-25**

**05/19/92 Senate Read third time and returned to House with amendments SJ-26**

**05/21/92 House Concurred in Senate amendment and enrolled HJ-66**

**06/04/92 Ratified R 613**

**07/10/92 Signed By Governor**

**07/10/92 Effective date 07/10/92**

**07/10/92 Act No. 511**

**07/28/92 Copies available**