

## Session 114 - (2001-2002)

### S 0753 General Bill, By Fair and Short

*Similar (S 0141, H 5012)*

**Summary:** Certificate of Need and Health Facility Licensure Act, requirements of; Residential Care Facilities, Medical, DHEC

A BILL TO AMEND SECTION 44-7-110, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CITATION TO ARTICLE 3, CHAPTER 7, TITLE 44, ENTITLED "STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT", SO AS TO REVISE THE ARTICLE NAME; TO AMEND SECTION 44-7-120, AS AMENDED, RELATING TO THE PURPOSE OF THIS ARTICLE, SO AS TO REVISE THE PURPOSE TO INCLUDE CARRYING OUT THE STATE'S HEALTH PLANNING EFFORT AND TO DELETE THE PROVISION RELATING TO DEVELOPING PROCEDURES FOR THE APPLICATION AND REVIEW PROCESS FOR CERTIFICATES OF NEED; TO AMEND SECTION 44-7-130, AS AMENDED, RELATING TO DEFINITIONS USED IN THIS ARTICLE, SO AS TO REVISE CERTAIN DEFINITIONS AND TO DELETE OTHERS; TO AMEND SECTION 44-7-150, AS AMENDED, RELATING TO DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL IN CARRYING OUT THE PURPOSES OF THIS ARTICLE, SO AS TO INCLUDE DATA COLLECTION; TO AMEND SECTION 44-7-160, AS AMENDED, RELATING TO CIRCUMSTANCES UNDER WHICH A CERTIFICATE OF NEED IS REQUIRED, SO AS TO REVISE THESE CIRCUMSTANCES; TO AMEND SECTION 44-7-170, AS AMENDED, RELATING TO EXEMPTIONS FROM THE ARTICLE, SO AS TO REVISE THE EXEMPTIONS; TO AMEND SECTION 44-7-180, AS AMENDED, RELATING TO THE HEALTH PLANNING COMMITTEE AND THE STATE HEALTH PLAN, SO AS TO REVISE THE CONTENTS OF THE PLAN AND TO REQUIRE THAT THE DEPARTMENT BE NOTIFIED WHEN A PERSON PROPOSES TO OFFER HEALTH SERVICES FOR WHICH UTILIZATION DATA ARE MAINTAINED IN THE STATE HEALTH PLAN; TO AMEND SECTION 44-7-190 RELATING TO PROJECT REVIEW CRITERIA FOR USE IN DETERMINING THE NEED FOR HEALTH CARE FACILITIES, BEDS, SERVICES, AND EQUIPMENT, SO AS TO SPECIFICALLY DEFINE THE EQUIPMENT REQUIRING USE OF THIS CRITERIA IN DETERMINING THE NEED FOR THE EQUIPMENT; TO AMEND SECTION 44-7-200, AS AMENDED, RELATING TO THE CERTIFICATE OF NEED APPLICATION, SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 44-7-210, AS AMENDED, RELATING TO PROCEDURES FOR COMPLETION OF CERTIFICATE OF NEED APPLICATIONS AND FOR APPEALS OF STAFF DECISIONS, SO AS TO CLARIFY THESE PROCEDURES TO REVISE THE DATE INDICATING WHEN CERTAIN METHADONE TREATMENT FACILITIES DO NOT HAVE TO OBTAIN A CERTIFICATE OF NEED; TO AMEND SECTION 44-7-220, AS AMENDED, RELATING TO JUDICIAL REVIEW OF A FINAL BOARD DECISION, SO AS TO MAKE A TECHNICAL CORRECTION; TO AMEND SECTION 44-7-230, AS AMENDED, RELATING TO LIMITATIONS ON A CERTIFICATE OF NEED, SO AS TO PROVIDE PENALTIES WHEN IMPLEMENTATION OF A PROJECT OR THE OPERATION OF A FACILITY IS NOT IN ACCORDANCE WITH CERTAIN REQUIREMENTS; TO AMEND SECTION 44-69-75, AS AMENDED, RELATING TO HOME HEALTH AGENCIES REQUIRING A CERTIFICATE OF NEED, SO AS TO DELETE THE PROVISION EXEMPTING HOME HEALTH AGENCIES FROM THE CERTIFICATE OF NEED IF THE AGENCY PROVIDED HOME HEALTH SERVICES BEFORE JULY 1, 1980; TO REQUIRE THE DEPARTMENT TO CONDUCT A STUDY BEFORE JULY 1, 2003, OF OTHER STATES THAT HAVE REPEALED THEIR CERTIFICATE OF NEED PROGRAMS; AND TO REPEAL SECTION 44-7-185 RELATING TO A TASK FORCE TO STUDY OPEN HEART SURGERY AND THERAPEUTIC CARDIAC CATHETERIZATION SERVICES AND SECTION 44-7-240 RELATING TO FACILITIES CONSTRUCTION PROGRAM.

06/07/01	Senate	Introduced and read first time SJ-6
06/07/01	Senate	Referred to Committee on Medical Affairs SJ-6
02/01/02		Scrivener's error corrected
03/26/02	Senate	Committee report: Favorable with amendment Medical Affairs SJ-10
04/16/02	Senate	Read second time SJ-24
04/16/02	Senate	Ordered to third reading with notice of amendments SJ-24
05/08/02	Senate	Recommitted to Committee on Medical Affairs SJ-32