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Statutory Authority: 44-1-180

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Subject: Charges for Maternal and Child Health Services

History: 4608

By Date Action Description Jt. Res. No. Expiration Date

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- 01/22/2016 Received by Lt. Gov & Speaker 05/21/2016

H 01/26/2016 Referred to Committee

S 01/26/2016 Referred to Committee

H 03/23/2016 Resolution Introduced to Approve 5158

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 provided for in the Regulation

Document No. 4608

**DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

CHAPTER 61

Statutory Authority: 1976 Code Section 44-1-180

61-88. Charges for Maternal and Child Health Services

**Synopsis:**

The Department has conducted a review of its maternal and child health regulations and, in the interest of good government and efficiency, repeals Regulation 61-88 because it is no longer needed. See detailed information in the Statement of Need and Reasonableness and Statement of Rationale herein.

A Notice of Drafting for the proposed repeal was published in the *State Register* on April 24, 2015.

**Instructions:** Repeal Regulation 61-88, Charges for Maternal and Child Health Services, in its entirety.

**Text:**

61‑88. [Repealed]

**Fiscal Impact Statement:**

The Department does not anticipate substantial fiscal or economic impact on the state and its political subdivisions resulting from repeal of Regulation 61-88.

**Statement of Need and Reasonableness:**

This Statement of Need and Reasonableness was determined by staff analysis pursuant to 1976 Code Section 1-23-115(C)(1)-(3) and (9)-(11).

DESCRIPTION OF REGULATION:

Repeal of Regulation 61-88, Charges for Maternal and Child Health Services.

Purpose: In the interest of good government and efficiency, the Department repeals Regulation 61-88 which describes charges for maternal and child health services. Regulation 61-88 is no longer necessary because the items regulated therein are currently addressed in state statute and federal regulation and the Department no longer provides maternity services.

Legal Authority: 1976 Code Section 44-1-180 and Sections 502(2)(D) and 501(b)(2) of the Social Security Act, as amended, effective October 1, 1981.

Plan for Implementation: None. Upon approval of the South Carolina General Assembly and publication as a final regulation repeal in the State Register,this regulation will be repealed. Regulation 61-88 will be shown as repealed in Chapter 61 of the S.C. Code of Regulations.

DETERMINATION OF NEED AND REASONABLENESS OF THE REGULATION REPEAL BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

Regulation 61-88 was promulgated pursuant to S.C. Code Section 44-1-180. Regulation 61-88 is not necessary because the regulated items therein are currently governed by state statute and federal regulations. Moreover, the Department no longer provides maternity services. As such, in the interest of effective and efficient government administration, the Department has repealed this regulation because it is no longer needed.

DETERMINATION OF COSTS AND BENEFITS;

The Department does not anticipate substantial fiscal or economic impact on the state or its political subdivisions from the repeal of Regulation 61-88. The Department also does not anticipate cost to the regulated community. The repeal benefits the regulated community by adding clarity to which laws are applicable and have legal effect.

UNCERTAINTIES OF ESTIMATES:

None.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

The Department anticipates no environmental or public health effect.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION REPEAL IS NOT IMPLEMENTED:

The Department anticipates no detrimental effect on the environment or public health. Repeal of this regulation is necessary to indicate it is no longer valid.

**Statement of Rationale:**

Upon review of regulations and the status of Regulation 61-88 pursuant to S.C. Code Section 44-1-180 and Sections 505(2)(D) and 501(b)(2) of the Social Security Act, as amended, effective October 1, 1981, the Department determined R.61-88 should be repealed as it is no longer necessary.