**South Carolina General Assembly**

118th Session, 2009-2010

**A165, R195, H3778**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Harvin

Document Path: l:\council\bills\nbd\11371ac09.docx

Companion/Similar bill(s): 619

Introduced in the House on March 26, 2009

Introduced in the Senate on January 27, 2010

Passed by the General Assembly on April 28, 2010

Governor's Action: May 11, 2010, Signed

Summary: Hospitals

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/26/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\03-26-09.docx)‑2

3/26/2009 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** [HJ](file:///h:\HJ%20Archive\2009\03-26-09.docx)‑3

1/20/2010 House Committee report: Favorable **Medical, Military, Public and Municipal Affairs** [HJ](file:///h:\HJ%20Archive\2010\01-20-10.docx)‑27

1/26/2010 House Read second time [HJ](file:///h:\HJ%20Archive\2010\01-26-10.docx)‑9

1/27/2010 House Read third time and sent to Senate [HJ](file:///h:\HJ%20Archive\2010\01-27-10.docx)‑22

1/27/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\01-27-10.docx)‑7

1/27/2010 Senate Referred to Committee on **Medical Affairs** [SJ](file:///h:\SJ%20Archive\2010\01-27-10.docx)‑7

4/22/2010 Senate Committee report: Favorable **Medical Affairs** [SJ](file:///h:\SJ%20Archive\2010\04-22-10.docx)‑13

4/27/2010 Senate Read second time [SJ](file:///h:\SJ%20Archive\2010\04-27-10.docx)‑20

4/28/2010 Senate Read third time and enrolled [SJ](file:///h:\SJ%20Archive\2010\04-28-10.docx)‑23

5/6/2010 Ratified R 195

5/11/2010 Signed By Governor

5/21/2010 Effective date 05/11/10

5/25/2010 Act No. 165

**VERSIONS OF THIS BILL**

[3/26/2009](file:///p:\pprever\2009-10\3778_20090326.docx)

[1/20/2010](file:///p:\pprever\2009-10\3778_20100120.docx)

[4/22/2010](file:///p:\pprever\2009-10\3778_20100422.docx)

(A165, R195, H3778)

**AN ACT TO AMEND SECTION 44‑7‑2430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COLLECTION OF DATA PURSUANT TO THE “HOSPITAL INFECTIONS DISCLOSURE ACT”, SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO COMBINE DATA FROM MULTIPLE REPORTING PERIODS IN COMPILING THE DEPARTMENT’S REPORTS ON HOSPITAL ACQUIRED INFECTIONS AND TO REQUIRE THE BOARD OF HEALTH AND ENVIRONMENTAL CONTROL, RATHER THAN THE COMMISSIONER OF THE DEPARTMENT, TO APPOINT AN ADVISORY COMMITTEE ON HOSPITAL ACQUIRED INFECTIONS; TO AMEND SECTION 44‑7‑2440, AS AMENDED, RELATING TO REPORTS COMPILED BY THE DEPARTMENT ON HOSPITAL ACQUIRED INFECTIONS, SO AS TO REQUIRE REPORTS TO THE GENERAL ASSEMBLY TO BE SUBMITTED BEFORE APRIL SIXTEENTH OF EACH YEAR; AND TO AMEND SECTION 44‑7‑2460, RELATING TO THE REQUIREMENT THAT COMPLIANCE WITH THE HOSPITAL INFECTIONS DISCLOSURE ACT IS A CONDITION OF HOSPITAL LICENSURE AND PERMITTING, SO AS TO ALSO AUTHORIZE THE IMPOSITION OF CIVIL MONETARY PENALTIES FOR NONCOMPLIANCE.**

Be it enacted by the General Assembly of the State of South Carolina:

**Hospital acquired infection reports**

SECTION 1. Section 44‑7‑2430(B)(1) and (C)(1) of the 1976 Code, as added by Act 293 of 2006, is amended to read:

“(B)(1) Hospitals shall submit reports at least every six months on their hospital acquired infection rates to the department. Reports must be submitted in a format and at a time as provided for by the department. Data in these reports must cover a period ending not earlier than one month prior to submission of the report. These reports must be made available to the public at each hospital and through the department. The first report must be submitted before February 1, 2008. Subsequent reports must be submitted at least every six months on dates determined by the department. When compiling its reports, the department may combine data from multiple reporting periods in order to better demonstrate hospital acquired infection rates.

(C)(1) The Board of Health and Environmental Control shall appoint an advisory committee that must have an equal number of members representing all involved parties. The board shall seek recommendations for appointments to the advisory committee from organizations that represent the interests of hospitals, consumers, businesses, purchasers of health care services, physicians, and other professionals involved in the research and control of infections.”

**Annual reports to the General Assembly**

SECTION 2. Section 44‑7‑2440(A) of the 1976 Code, as added by Act 293 of 2006, is amended to read:

“(A) The department annually shall submit to the General Assembly a report summarizing the hospital reports submitted pursuant to Section 44‑7‑2430 and shall publish the annual report on its website. The first annual report must be submitted and published before February 1, 2009. Subsequent annual reports to the General Assembly must be submitted before April sixteenth of each year. The department may issue quarterly informational bulletins summarizing all or part of the information submitted in the hospital reports.”

**Civil penalties for noncompliance**

SECTION 3. Section 44‑7‑2460 of the 1976 Code, as added by Act 293 of 2006, is amended to read:

“Section 44‑7‑2460. (A) The department shall ensure and enforce compliance with this article and regulations promulgated pursuant to this article by the imposition of civil monetary penalties and as a condition of licensure or permitting under this chapter pursuant to Section 44‑7‑320.

(B) The department may promulgate regulations as necessary to carry out its responsibilities under this article.”

**Time effective**

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 6th day of May, 2010.

Approved the 11th day of May, 2010.

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