**A** **BILL**

TO AMEND SECTION 44‑7‑170, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FACILITIES EXEMPT FROM THE CERTIFICATE OF NEED REQUIREMENTS AND HEALTH FACILITY LICENSURE, SO AS TO EXEMPT FROM THE CERTIFICATE OF NEED REQUIREMENTS A FACILITY USED ONLY FOR ENDOSCOPY IF THE FACILITY IS LOCATED IN A PRIMARY CARE HEALTH PROFESSIONAL SHORTAGE AREA (HPSA).

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

SECTION 1. Section 44‑7‑170(B) of the 1976 Code is amended to read:

“(B) The Certificate of Need provisions of this article do not apply to:

(1) an expenditure by or on behalf of a health care facility for nonmedical projects for services such as refinancing existing debt, parking garages, laundries, roof replacements, computer systems, telephone systems, heating and air conditioning systems, upgrading facilities ~~which~~ that do not involve additional square feet or additional health services, replacement of like equipment with similar capabilities, or similar projects as described in regulations;

(2) facilities owned and operated by the State Department of Mental Health and the South Carolina Department of ~~Mental Retardation~~ Disabilities and Special Needs, except an addition of one or more beds to the total number of beds of the departments’ health care facilities existing on July 1, 1988;

(3) educational and penal institutions maintaining infirmaries for the exclusive use of student bodies and inmate populations;

(4) ~~any~~ a federal health care facility sponsored and operated by this State;

(5) community‑based housing designed to promote independent living for persons with mental or physical disabilities. This exemption does not include a facility defined in this article as a ‘health care facility’~~.~~;

(6) kidney disease treatment centers including, but not limited to, free standing hemodialysis centers and renal dialysis centers~~.~~;

(7) a facility used only for endoscopy if the facility is located in a primary care Health Professional Shortage Area (HPSA) as defined by the U.S. Department of Health and Human Services.”

SECTION 2. This act takes effect upon approval by the Governor.

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