**South Carolina General Assembly**

119th Session, 2011-2012

**A77, R15, S434**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Senators Peeler, Bryant, Bright and Campsen

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Introduced in the Senate on January 26, 2011

Introduced in the House on March 2, 2011

Last Amended on February 24, 2011

Passed by the General Assembly on April 5, 2011

Governor's Action: April 6, 2011, Signed

Summary: Prohibiting DHHS from reducing provider rates

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/26/2011 Senate Introduced and read first time ([Senate Journal‑page 8](file:///h:\sj%20archive\2011\01-26-11.docx))

1/26/2011 Senate Referred to Committee on **Finance** ([Senate Journal‑page 8](file:///h:\sj%20archive\2011\01-26-11.docx))

2/9/2011 Senate Committee report: Majority favorable with amend., minority unfavorable **Finance**

2/22/2011 Senate Special order, set for February 22, 2011 ([Senate Journal‑page 22](file:///h:\sj%20archive\2011\02-22-11.docx))

2/24/2011 Senate Committee Amendment Adopted ([Senate Journal‑page 15](file:///h:\sj%20archive\2011\02-24-11.docx))

2/24/2011 Senate Read second time ([Senate Journal‑page 15](file:///h:\sj%20archive\2011\02-24-11.docx))

2/24/2011 Senate Roll call Ayes‑24 Nays‑11 ([Senate Journal‑page 15](file:///h:\sj%20archive\2011\02-24-11.docx))

3/1/2011 Senate Read third time and sent to House ([Senate Journal‑page 14](file:///h:\sj%20archive\2011\03-01-11.docx))

3/1/2011 Senate Roll call Ayes‑24 Nays‑8 ([Senate Journal‑page 14](file:///h:\sj%20archive\2011\03-01-11.docx))

3/2/2011 House Introduced and read first time ([House Journal‑page 10](file:///h:\hj%20archive\2011\03-02-11.docx))

3/2/2011 House Referred to Committee on **Ways and Means** ([House Journal‑page 10](file:///h:\hj%20archive\2011\03-02-11.docx))

3/29/2011 House Committee report: Favorable **Ways and Means** ([House Journal‑page 2](file:///h:\hj%20archive\2011\03-29-11.docx))

3/31/2011 House Objection by Rep. Cobb‑Hunter

3/31/2011 House Requests for debate‑Rep(s). Cooper, Skelton, Hiott, Clemmons, RL Brown, Ott, Hart, Butler Garrick, McLeod, Govan, Daning, Merrill, White, Jefferson, King, Knight, Sabb, Munnerlyn, Hosey, JR Smith, Weeks, and Hearn ([House Journal‑page 25](file:///h:\hj%20archive\2011\03-31-11.docx))

3/31/2011 House Read second time ([House Journal‑page 44](file:///h:\hj%20archive\2011\03-31-11.docx))

3/31/2011 House Roll call Yeas‑67 Nays‑45 ([House Journal‑page 44](file:///h:\hj%20archive\2011\03-31-11.docx))

4/5/2011 House Read third time and enrolled ([House Journal‑page 27](file:///h:\hj%20archive\2011\04-05-11.docx))

4/5/2011 House Roll call Yeas‑63 Nays‑44 ([House Journal‑page 27](file:///h:\hj%20archive\2011\04-05-11.docx))

4/6/2011 Ratified R 15

4/6/2011 Signed By Governor

4/8/2011 Effective date 04/06/11

8/23/2011 Act No. 77

**VERSIONS OF THIS BILL**

[1/26/2011](file:///p:\pprever\2011-12\434_20110126.docx)

[2/9/2011](file:///p:\pprever\2011-12\434_20110209.docx)

[2/24/2011](file:///p:\pprever\2011-12\434_20110224.docx)

[3/29/2011](file:///p:\pprever\2011-12\434_20110329.docx)

(A77, R15, S434)

**A JOINT RESOLUTION TO SUSPEND PROVISOS 21.11, 21.15, AND 21.20 OF PART IB, ACT 291 OF 2010, THE FISCAL YEAR 2010‑2011 GENERAL APPROPRIATIONS BILL AND TO SUSPEND A PORTION OF PROVISO 89.87 OF PART IB, ACT 291 OF 2010, PROHIBITING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FROM REDUCING PROVIDER RATES, TO PROVIDE THAT ALL PROPOSED CHANGES IN PROVIDER RATES MUST INCLUDE ESTIMATES OF THE PROJECTED DOLLAR COST SAVINGS BY SOURCE OF FUNDS AND THE NUMBER OF PROVIDERS AND CLIENTS IMPACTED, AND TO REQUIRE CERTAIN REPORTS RECONCILING ACTUAL SAVINGS IN COMPARISON TO THE ESTIMATES.**

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

**Provisions suspended, estimates and reports required**

SECTION 1. (A) Provisos 21.11, 21.15, and 21.20 of Part IB, Act 291 of 2010, the Fiscal Year 2010‑2011 General Appropriations Bill, are suspended.

(B) To the extent that Proviso 89.87 of Part IB, Act 291 of 2010 prohibits the Department of Health and Human Services from reducing provider rates from their current levels and expresses that this proviso is not intended to restrict the annual updating of cost base rates and those rates which are indexed to methodologies described in the Medicaid State Plan, this portion of the proviso is suspended. The remaining portion of Proviso 89.87 remains in effect and continues to have the force of law.

(C) All proposed changes must include estimates of the projected dollar savings by source of funds and the number of providers and clients impacted. Six months after receiving approval from the Centers for Medicare and Medicaid Services to implement rate changes, the Department of Health and Human Services must submit to the Senate Finance Committee and House Ways and Means Committee a report reconciling actual savings by source of funds and actual providers and clients impacted in comparison to the estimate. Where differences occur, an explanation must be provided to account for any discrepancies.

**Time effective**

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 6th day of April, 2011.

Approved the 6th day of April, 2011.

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