INTRODUCED

May 17, 2011

**H. 4214**

Introduced by Reps. Limehouse, Rutherford and Harrell

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Read the first time May 17, 2011.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑1‑300 SO AS TO PROVIDE THAT A PRIVATE DETENTION HEALTH CARE FACILITY MUST NOT ADMIT AN OUT‑OF‑STATE INMATE FOR TREATMENT, UNLESS HIS ADMISSION TO THE FACILITY IS PURSUANT TO AN AGREEMENT ENTERED INTO BY THE DEPARTMENT OF CORRECTIONS AND AN OUT‑OF‑STATE CORRECTIONAL FACILITY, AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 44‑7‑263 SO AS TO PROVIDE THAT A HEALTH CARE FACILITY THAT PROVIDES PSYCHIATRIC SERVICES AND RECEIVES MEDICAID, OR ANY OTHER FORM OF STATE FUNDS, MUST NOT ADMIT AN OUT‑OF‑STATE INMATE OR JUVENILE WHO HAS BEEN ADJUDICATED DELINQUENT FOR TREATMENT, AND TO PROVIDE SANCTIONS.

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

SECTION 1. Chapter 1, Title 24 of the 1976 Code is amended by adding:

“Section 24‑1‑300. (A) A private detention health care facility must not admit an out‑of‑state inmate to the facility for treatment unless his admission is pursuant to an agreement entered into by the Department of Corrections and an out‑of‑state correctional facility.

(B) A private detention health care facility that violates this section is subject to an order to cease operations, a civil fine, or both.”

SECTION 2. Article 1, Chapter 7, Title 44 of the 1976 Code is amended by adding:

“Section 44‑7‑263. (A) A health care facility licensed by the department pursuant to this article that provides psychiatric services and that receives Medicaid, or any other form of state funds, must not admit an out‑of‑state inmate or juvenile who has been adjudicated delinquent to the facility for treatment.

(B) A health care facility that violates this section is subject to an order to cease operations, license suspension or revocation, a civil fine, or any combination of these.”

SECTION 3. This act takes effect upon approval by the Governor.

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