**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 155 TO TITLE 59 TO ENACT THE “HOME VISITATION ACCOUNTABILITY ACT OF 2012” SO AS TO ESTABLISH THE HOME VISITATION BOARD AND TO PROVIDE FOR ITS MEMBERSHIP, POWERS, AND DUTIES; TO PROVIDE CRITERIA FOR HOME VISITATION PROGRAMS; TO PROVIDE THAT THE BOARD SHALL DEVELOP DATA CONTENT AND COLLECTION REQUIREMENTS; TO REQUIRE THE STATE BUDGET AND CONTROL BOARD TO EVALUATE HOME VISITATION PROGRAMS; AND TO SPECIFY ALLOCATION OF STATE FUNDING FOR HOME VISITATION PROGRAMS.

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

SECTION 1. This act may be cited as the “Home Visitation Accountability Act of 2012”.

SECTION 2. Title 59 of the 1976 Code is amended by adding:

“CHAPTER 155

Home Visitation Accountability

Section 59‑155‑05. It is the purpose of the General Assembly in this chapter to ensure that state funds expended on voluntary home visitation programs meet certain standards, in order to provide the highest quality outcomes for families and children, as well as the strongest return on taxpayer investment.

Section 59‑155‑10. As used in this chapter:

(1) ‘Home visitation’ means a voluntary service delivery strategy that is carried out in the homes of families of pregnant women and children ages zero to five that provides culturally sensitive face‑to‑face visits by nurses, social workers, and other early childhood professionals or trained and supervised lay workers to improve maternal, infant, and child health outcomes, including reducing preterm births, promoting positive parenting practices, enhancing the social‑emotional and cognitive development of children, improving the health of the family, and empowering families to be self sufficient.

(2) ‘Home visitation program’ means an evidence‑based program or a promising program, funded in whole or in part with state funds, that provides home visitation using a model with curricula designed to enhance positive outcomes for pregnant women, infants, children, and families, including improved maternal and child health, school readiness, improved child health and development, positive parenting practices, and reductions in child maltreatment.

(3) ‘Evidence‑based program’ means a home visitation program, funded in whole or in part with state funds, that is based on a clear, consistent program model that is:

(a) research‑based; grounded in relevant empirically‑based knowledge; linked to program determined outcomes; associated with a national organization or institution of higher education that has comprehensive home visitation standards that ensure high quality service delivery and continuous quality improvement and that have demonstrated significant, sustained positive outcomes; and that:

(i) has been evaluated using rigorous randomized controlled research designs and evaluation results have been published in a peer‑reviewed journal; or

(ii) is based on quasi‑experimental research designs using two or more separate comparable client samples governed by a program manual or protocol that specifies the purpose, outcomes, and duration and frequency of service that constitute the program;

(b) employs well trained and competent staff along with continual professional development, relevant to the specific model being delivered;

(c) demonstrates strong linkages to other community‑based services; and

(d) is operated within an organization to ensure program fidelity.

(4) ‘Promising program’ means a home visitation program, funded in whole or in part with state funds, that does not satisfy the criteria of an evidenced‑based program but that has research demonstrating effectiveness.

Section 59‑155‑20. (A) The Home Visitation Review Board is established to ensure that home visitation programs comply with the requirements of this chapter. The Home Visitation Review Board must be comprised of:

(1) two members appointed by the Governor;

(2) one member appointed by the Speaker of the House of Representatives;

(3) one member appointed by the President Pro Tempore of the Senate;

(4) the State Superintendent of Education, who serves ex officio, or a designee;

(5) the Executive Director of the Office of First Steps to School Readiness, who serves ex officio, or a designee;

(6) the Director of the Department of Health and Human Services, who serves ex officio, or a designee;

(7) the Director of the Department of Health and Environmental Control, who serves ex officio, or a designee;

(8) the Director of the Department of Social Services, who serves ex office, or a designee;

(9) the Director of the Department of Juvenile Justice, who serves ex officio, or a designee;

(10) the Director of The Children’s Trust of South Carolina, who serves ex officio, or a designee;

(11) the Director of the Department of Disabilities and Special Needs, who serves ex officio, or a designee; and

(12) a representative from the State Budget and Control Board’s Office of Research and Statistics.

(B)(1) Except as provided for in item (2), members who do not serve ex officio shall serve terms of four years and until their successors are appointed and qualify. A vacancy created on the board by such a member must be filled for the unexpired portion of the term in the manner of the original appointment. Members of the board shall serve without compensation and may not receive mileage, per diem, or subsistence.

(2) The original appointee of the Governor shall serve a term of two years; the original appointee of the Speaker of the House of Representatives shall serve a term of three years; and the original appointee of the President Pro Tempore of the Senate shall serve a term of four years.

(C) The State Budget and Control Board shall provide staffing and administrative support to the board.

Section 59‑155‑30. The Home Visitation Review Board shall develop:

(1) data elements to be collected, including but not limited to:

(a) parent knowledge and involvement of early learning and development;

(b) child health, cognitive, language, social‑emotional, and physical development indicators;

(c) child maltreatment indicators;

(d) school readiness indicators;

(e) family economic success; and

(f) links to other community‑based resources.

(2) data outcome requirements, including but not limited to the following, that measure the extent to which:

(a) parents interact with their children in ways that enhance children’s development and early learning;

(b) children are healthy;

(c) children live in a safe environment;

(d) families access formal and informal support networks;

(e) children achieve optimal milestones in development and early learning; and

(f) children with developmental delays receive appropriate intervention services.

(3) data collection, format, and mode requirements;

(4) before December 1, 2012, data elements for home visitation program evaluation.

Section 59‑155‑40. A home visitation program shall:

(1) comply with state criteria to determine family eligibility for services;

(2) satisfy requirements of an evidence‑based program or a promising program;

(3) comply with data collection requirements;

(4) emphasize quality training for staff providing services;

(5) require program fidelity; and

(6) participate in the evaluation process as provided for in this chapter.

Section 59‑155‑50. Beginning with Fiscal Year 2012‑2013, at least fifty percent of state funds appropriated for home visitation services must be allocated for evidence‑based programs. Starting Fiscal Year 2013‑2014, and each fiscal year thereafter, of these funds allocated for evidence‑based programs, seventy‑five percent of the funds must be expended for evidence‑based programs and up to twenty‑five percent may be expended for promising programs.

Section 59‑155‑60. Contracts between funding entities, service providers, and home visitation programs must include data elements and data collection, format, and mode requirements as developed by the board pursuant to Section 59‑155‑30.

Section 50‑155‑70. A home visitation program shall submit data, pursuant to data collection requirements prescribed by the board pursuant to Section 59‑155‑30, to the State Budget and Control Board for evaluation.

Section 59‑155‑80. The State Budget and Control Board shall conduct a comprehensive evaluation and assessment of all home visitation programs to determine if specific goals are being met and whether programs satisfy the criteria for an evidence‑based program or a promising program.

Section 59‑155‑90. (A) Beginning with Fiscal Year 2013 the State Budget and Control Board, in conjunction with the Office of Research and Statistics, shall begin collecting outcome data as prescribed by the board pursuant to Section 59‑155‑30.

(B) Beginning with Fiscal Year 2016, the State Budget and Control Board annually shall prepare a report containing the findings of its evaluations of home visitation programs that have been in operation for three or more years. This report must be submitted to the Home Visitation Review Board, the Governor, members of the General Assembly, the Joint Citizens and Legislative Committee on Children, and the Early Childhood Advisory Council before December first of each year. The report also must be posted on the Citizens’ Interest Page of the South Carolina Legislature website.

Section 59‑155‑100. (A) Based upon evaluation findings of the State Budget and Control Board, the Home Visitation Review Board shall notify funding agencies of the programs determined to satisfy the criteria for evidence‑based programs or promising programs.

(B) The Home Visitation Review Board shall provide program evaluation findings to home visitation programs to assist these programs in continuing to improve their home visitation practices and outcomes.

Section 59‑155‑110. In the performance of its duties and responsibilities pursuant to this chapter, the Home Visitation Review Board, the State Budget and Control Board, and board staff are subject to the statutory provisions and penalties regarding confidentiality of records as they apply to children, students, and families.”

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

‑‑‑‑XX‑‑‑‑