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COMMITTEE REPORT

April 24, 2013

**H. 3567**

Introduced by Rep. Horne

S. Printed 4/24/13--H.

Read the first time February 19, 2013.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (H. 3567) to amend Section 44-7-130, as amended, Code of Laws of South Carolina, 1976, relating to the definition of terms used in the state Certificate of Need, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

LEON HOWARD for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

Department of Mental Health (DMH)

Department of Health & Environmental Control

The departments report this bill would have no fiscal impact on the General Fund of the State or on federal and/or other funds.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND SECTION 44-7-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN THE STATE CERTIFICATE OF NEED AND HEALTH FACILITY LICENSURE ACT, SO AS TO REVISE THE DEFINITION OF “CHILDREN AND ADOLESCENTS IN NEED OF MENTAL HEALTH TREATMENT” IN A RESIDENTIAL TREATMENT FACILITY BY REVISING THE TERM TO INCLUDE YOUNG ADULTS AND BY INCREASING THE ELIGIBILITY AGE FROM UNDER EIGHTEEN TO UNDER TWENTY-ONE.

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

SECTION 1. Section 44-7-130(18) of the 1976 Code is amended to read:

“(18) ‘Children ~~and~~, adolescents, and young adults in need of mental health treatment’ in a residential treatment facility means a child ~~or~~, adolescent, or young adult under age ~~eighteen or a child or adolescent under age~~ twenty‑one ~~who is a client of, committed to the custody of, or in the legal custody of an agency of the State of South Carolina~~ who manifests a substantial disorder of cognitive or emotional process, which lessens or impairs to a marked degree that child’s or adolescent’s or young adult’s capacity either to develop or to exercise age‑appropriate or age‑adequate behavior. The behavior includes, but is not limited to, marked disorders of mood or thought processes, severe difficulties with self‑control and judgment including behavior dangerous to self or others, and serious disturbances in the ability to care for and relate to others.”

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

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