**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 5241**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Murphy, Daning, Clemmons, Crawford, Kimmons, Chellis, Sottile, Davis, Bennett, Hayes, Atkinson, R. Williams, S. Williams, Garvin, Hewitt, Mace, Fry, Moore, Rivers, Matthews and Ridgeway

Document Path: l:\council\bills\cc\15731vr20.docx

Companion/Similar bill(s): 1077

Introduced in the House on February 19, 2020

Currently residing in the House Committee on **Judiciary**

Summary: Certificates of Need

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/19/2020 House Introduced and read first time ([House Journal‑page 10](file:///h:\hj\20200219.docx))

2/19/2020 House Referred to Committee on **Judiciary** ([House Journal‑page 10](file:///h:\hj\20200219.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=5241&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/19/2020](file:///p:\pprever\2019-20\5241_20200219.docx)

**A** **BILL**

TO AMEND SECTION 44‑7‑170, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSTITUTIONS AND TRANSACTIONS EXEMPT FROM THE STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT, SO AS TO EXEMPT THE ESTABLISHMENT OF A SUBSPECIALTY PERINATAL CENTER WITH A NEONATAL INTENSIVE CARE UNIT (LEVEL III) WITHIN A LICENSED HOSPITAL; AND TO AMEND SECTION 44‑7‑260, RELATING TO REQUIREMENTS FOR HEALTH FACILITY LICENSURE, SO AS TO ALLOW A HOSPITAL LICENSED AS A LEVEL II SPECIAL CARE NURSERY TO ESTABLISH A SUBSPECIALTY PERINATAL CENTER WITH NEONATAL INTENSIVE CARE UNIT (LEVEL III) UPON DEMONSTRATING COMPLIANCE WITH SPECIFIED GUIDELINES FOR PERINATAL CARE AND TO PROVIDE THAT A LEVEL III UNIT MAY PERFORM A NEONATAL TRANSPORT.

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 by adding an appropriately numbered item at the to read:

“( ) the establishment of a subspecialty perinatal center with a neonatal intensive care unit (Level III) within a hospital licensed pursuant to Section 44‑7‑260.”

SECTION 2. Section 44‑7‑260 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) A hospital applying to the department for licensure to become a subspecialty perinatal center with neonatal intensive care unit (Level III) must be approved and licensed to provide Level III services if the hospital is currently licensed as a specialty perinatal center with a special care nursery (Level II) and the hospital can demonstrate that it provides all aspects of perinatal care, including intensive care and a range of continuously available subspecialty consultation as recommended in the most recent edition of the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists’ Guidelines for Perinatal Care. A hospital with a licensed Level II nursery is not required to obtain a certificate of need to establish a Level III neonatal intensive care unit. To attain licensure, a hospital must have managed at least one thousand five hundred deliveries in the twelve months preceding the application for Level III licensure, but there is no other volume requirements imposed by the department of any kind, including volume requirements related to the number of neonate admissions or maternal transfers. A Level III subspecialty perinatal center with a neonatal intensive care unit may perform a neonatal transport.”

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

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