**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-7-266 SO AS TO ESTABLISH MINIMUM STAFFING REQUIREMENTS FOR COMMUNITY RESIDENTIAL CARE FACILITIES; AND BY ADDING SECTION 44‑7‑305 SO AS TO REQUIRE ASSISTED LIVING CENTERS AND OTHER COMMUNITY RESIDENTIAL CARE FACILITIES TO INSTALL, OPERATE, AND MAINTAIN VIDEO MONITORING EQUIPMENT AT EVERY FACILITY ENTRANCE, EXIT, AND COMMON AREA FOR THE PURPOSE OF CONTINUOUS MONITORING AND TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ESTABLISH A SYSTEM FOR MAINTAINING RECORDED IMAGES.

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

SECTION 1. Article 3, Chapter 7, Title 44 of the 1976 Code is amended by adding:

“Section 44‑7‑266. (A) As a condition of licensure of a community residential care facility, there must be on duty sufficient staff members or direct care volunteers to provide supervision, direct care, and basic services for all residents. The minimum number of staff members or direct care volunteers that a community residential care facility must maintain on duty during peak and nonpeak hours are as follows:

(1) during peak hours, at least one staff member or direct care volunteer for each eight residents, or fraction thereof, in each building;

(2) during nonpeak hours, at least one staff member or direct care volunteer for each twenty‑two residents, or fraction thereof, in each building; provided, however, that at least one staff member or direct care volunteer must be awake and dressed at all times, and all staff members or direct care volunteers must be able to appropriately respond to resident needs.

(B) Notwithstanding the minimum staffing requirements set forth in subsection (A), if a facility that is licensed for more than ten beds is of multifloor design, there must be a staff member available on each floor at all times residents are present on that floor.

(C) A community care residential facility must maintain documentation that demonstrates the facility meets the minimum staff requirements of this section.

(D) For purposes of this section, ‘peak hours’ means 7 AM to 7 PM, and ‘nonpeak hours’ means 7 PM to 7 AM.”

SECTION 2. Article 3, Chapter 7, Title 44 of the 1976 Code is amended by adding:

“Section 44‑7‑305. (A) For the purposes of this section, ‘common area’ means an area of an assisted living center or other community residential care facility that all residents share including, but not limited to, dining areas, recreational areas, meeting areas, and hallways.

(B) Notwithstanding any provision of law to the contrary, video cameras must be installed at all entrances, exits, and common areas of an assisted living center or other community residential care facility licensed by the department, for the purposes of continuously monitoring the entrances, exits, and common areas of these facilities. The department shall establish a system for maintaining the recorded images produced by continuous video monitoring through regulations promulgated pursuant to this section.”

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

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