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Date: 12/18/2013 8:58:30 AM

Subject: Fwd: Psych Bed Legislation

Mental health language

South Carolina General Assembly
120th Session, 2013-2014

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H. 4260

STATUS INFORMATION

General Bill

Sponsors: Reps. Horne, Sabb, Clemmons and H.A. Crawford

Document Path: l:\council\billsggs\22574vr13.docx

Companion/Similar bill(s): 695

Introduced in the House on May 30, 2013

Currently residing in the House Committee on **Medical, Military, Public and Municipal Affairs**

Summary: Mental health services

HISTORY OF LEGISLATIVE ACTIONS

Date Body Action Description with journal page number

5/30/2013 House Introduced and read first time (House Journal-page 28)

5/30/2013 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** (House Journal-page 28)

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VERSIONS OF THIS BILL

5/30/2013

(Text matches printed bills. Document has been reformatted to meet World Wide Web specifications.)

A BILL

TO AMEND SECTION 44-7-170, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING, IN PART, TO TRANSACTIONS THAT ARE EXEMPT FROM A CERTIFICATE OF NEED REVIEW PURSUANT TO ARTICLE 3, CHAPTER 7, TITLE 44, SO AS TO EXEMPT THE REQUIREMENT OF A CERTIFICATE OF NEED REVIEW FOR A HOSPITAL TO ADD NEW BEDS AND TO CHANGE CLASSIFICATION OF GENERAL HOSPITAL BEDS, AS LONG AS THE NEW BEDS AND RECLASSIFIED BEDS ARE BEDS TO BE USED EXCLUSIVELY FOR MENTAL HEALTH SERVICES.

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

SECTION 1. Section 44-7-170(A) of the 1976 Code, as last amended by Act 278 of 2010, is further amended to read:

"(A) The following are exempt from Certificate of Need review:

(1) the acquisition by a person of medical equipment to be used solely for research, the offering of an institutional health service by a person solely for research, or the obligation of a capital expenditure by a person to be made solely for research if it does not:

(a) affect the charges imposed by the person for the provision of medical or other patient care services other than the services that are included in the research;

(b) change the bed capacity of a health care facility; or

(c) substantially change the medical or other patient care services provided by the person.

A written description of the proposed research project must be submitted to the department in order for the department to determine if these conditions are met. A Certificate of Need is required in order to continue use of the equipment or service after the equipment or service is no longer being used solely for research;

(2) the offices of a licensed private practitioner whether for individual or group practice except as provided for in Section 44-7-160(1) and (6);

(3) the replacement of like equipment for which a Certificate of Need has been issued which does not constitute a material change in service or a new service.; and

(4) a change in the existing bed complement of a general hospital through the addition of one or more beds to be used exclusively for mental health services or a change in the classification of licensure of one or more general hospital beds to beds to be used exclusively for mental health services, provided that the hospital proposing the change in existing bed complement or classification provides documentation to the department in the form of an affidavit from the hospital's chief executive officer or administrator, that the hospital had a minimum of one hundred hours per month of holding patients in need of admission for mental health services in its emergency department for any three months within the preceding twelve-month period."

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

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South Carolina General Assembly
120th Session, 2013-2014

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S. 695

STATUS INFORMATION

General Bill

Sponsors: Senators Campbell, Hutto, Peeler, Gregory, Hembree and Bennett

Document Path: l:\s-res\pgc\011beds.hm.pgc.docx

Companion/Similar bill(s): 4260

Introduced in the Senate on May 14, 2013

Currently residing in the Senate Committee on **Medical Affairs**

Summary: Mental health services

HISTORY OF LEGISLATIVE ACTIONS

Date Body Action Description with journal page number

5/14/2013 Senate Introduced and read first time (Senate Journal-page 4)

5/14/2013 Senate Referred to Committee on **Medical Affairs**
(Senate Journal-page 4)

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VERSIONS OF THIS BILL

5/14/2013

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A BILL

TO AMEND SECTION 44-7-170 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE CERTIFICATE OF NEED REVIEW, TO EXEMPT A CHANGE IN THE EXISTING BED COMPLEMENT OF A GENERAL HOSPITAL THROUGH THE ADDITION OF ONE OR MORE BEDS TO BE USED EXCLUSIVELY FOR MENTAL HEALTH SERVICES, OR CHANGE IN THE CLASSIFICATION OF LICENSURE OF ONE OR MORE GENERAL HOSPITAL BEDS TO BEDS TO BE USED EXCLUSIVELY FOR MENTAL HEALTH SERVICES.

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

SECTION 1. Section 44-7-170(A) of the 1976 Code is amended to read:

"(A) The following are exempt from Certificate of Need review:

(1) the acquisition by a person of medical equipment to be used solely for research, the offering of an institutional health service by a person solely for research, or the obligation of a capital expenditure by a person to be made solely for research if it does not:

(a) affect the charges imposed by the person for the provision of medical or other patient care services other than the services that are included in the research;

(b) change the bed capacity of a health care facility; or

(c) substantially change the medical or other patient care services provided by the person.

A written description of the proposed research project must be submitted to the department in order for the department to determine if these conditions are met. A Certificate of Need is required in order to continue use of the equipment or service after the equipment or service is no longer being used solely for research;

(2) the offices of a licensed private practitioner whether for individual or group practice except as provided for in Section 44-7-160(1) and (6);

(3) the replacement of like equipment for which a Certificate of Need has been issued which does not constitute a material change in service or a new service;

(4) a change in the existing bed complement of a general hospital through the addition of one or more beds to be used exclusively for mental health services, or change in the classification of licensure of one or more general hospital beds to beds to be used exclusively for mental health services, provided that the hospital proposing the change in existing bed complement or classification provides documentation to the department, in the form of an affidavit from the hospital's chief executive director or administrator, that the hospital had a minimum of one hundred hours per month of holding patients in need of admission for psychiatric services in its emergency department for any three months within the preceding twelve month period."

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

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William Thomas
Partner

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