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To: Soura, Christian <ChristianSoura@gov.sc.gov>
CC: Carroll, John <JohnCarroll@gov.sc.gov>
Date: 4/25/2014 4:08:30 PM
Subject: DOC appointments

Hi Christian,

We met with John Carroll today and he was very helpful in getting the ball rolling on our need appointments. In looking at the statutes, it appears that some appointments are made by the agency rather than through the Boards and Commission process. One of these appointments is a "member of the Governor's Office staff".

I'm not sure how y'all want to handle this but I think I need to reach out to your "agency" to have a staff appointed to help with the DOC. As noted below, the DOC is responsible for approving the release of hospital data to researchers or other entities which are collect pursuant to state law and reg. I think they may meet once a month. I'll be glad to answer other questions you may have.

Also, I just noticed I will need to get with John to see about the Governor designating a chairman.

Thanks and have a good weekend,

Frank

SECTION 44-6-170. Collection and release of health care related data; confidentiality; regulations to be promulgated; Data Oversight Council; Health Data Analysis Task Force; hospitals to provide required information; violations and penalties.

(A) As used in this section:

- (1) "Office" means the Office of Research and Statistics of the Budget and Control Board.
- (2) "Council" means the Data Oversight Council.
- (3) "Committee" means the Joint Legislative Health Care Planning and Oversight Committee.

(B) There is established the Data Oversight Council comprised of:

- (1) one hospital administrator;
- (2) the chief executive officer or designee of the South Carolina Hospital Association;
- (3) one physician;
- (4) the chief executive officer or designee of the South Carolina Medical Association;
- (5) one representative of major third party health care payers;
- (6) one representative of the managed health care industry;
- (7) one nursing home administrator;
- (8) three representatives of nonhealth care-related businesses;
- (9) one representative of a nonhealth care-related business of less than one hundred employees;
- (10) the executive vice president or designee of the South Carolina Chamber of Commerce;
- (11) a member of the Governor's office staff;
- (12) a representative from the Human Services Coordinating Council;
- (13) the director or his designee of the South Carolina Department of Health and Environmental Control;
- (14) the executive director or his designee of the State Department of Health and Human Services;
- (15) the chairman or his designee of the State Health Planning Committee created pursuant to Section 44-7-180.

The members enumerated in items (1) through (10) must be appointed by the Governor for three-year terms and until their successors are appointed and qualify; the remaining members serve ex officio. The Governor shall appoint one of the members to serve as chairman. The office shall provide staff assistance to the council.

(C) The duties of the council are to:

- (1) make periodic recommendations to the committee and the General Assembly concerning the collection and release of health care-related data by the State which the council considers necessary to assist in the formation of health care policy in the State;
- (2) convene expert panels as necessary to assist in developing recommendations for the collection and release of health care-related data;
- (3) approve all regulations for the collection and release of health care-related data to be promulgated by the office;
- (4) approve release of health care-related data consistent with regulations promulgated by the office;
- (5) recommend to the office appropriate dissemination of health care-related data reports, training of personnel, and use of health care-related data.