

April 4, 2014

2013-2014 Legislative Session

*Legislative News* is a publication prepared and distributed by the South Carolina Department of Mental Health (DMH) Office of Public Affairs to keep you informed of bills introduced in the General Assembly that may affect the DMH, mental health, health care issues, or employee issues. In addition, we will provide budget information and general news from the General Assembly. You can also access the complete bills online by clicking the link at the end of each description, OR visiting <http://www.scstatehouse.gov>.

This publication is also available on the DMH Internet and Intranet sites. However, if you do not have access to the site and wish to receive a copy of the update, call us, and we will send you one in the mail. If at any time you have questions or need more information about bills or other legislative issues, contact the Office of Public Affairs at (803) 898-8581 or [TLL06@scdmh.org](mailto:TLL06@scdmh.org).  
**\*\*In order to streamline *Legislative News*, we have removed from the summary bills that have not moved. If there is activity on any of these bills, they will be returned to the Update.\*\***

## Budget Update

The House adopted the Ways & Means Committee's recommendation. The Senate Finance Committee meets the week of April 7 to discuss recommendations to the Senate. The full Senate is expected to take up the Budget the following week.

### FY 2015 BUDGET COMPARISON

	DMH Budget Request	Governor's Rec.	House
<b>OPERATING REQUEST</b>			
Sustainability of Mental Health Services	\$16,900,000	\$5,000,000	\$10,500,000
Forensics Inpatient Services	\$2,800,000	\$1,450,000	\$ -
School Based Services	\$1,000,000	\$ -	\$ -
Assessment and Resource Center (ARC)	\$200,000	\$200,000	\$ -
Community Supportive Housing Placement	\$1,500,000	\$800,000	\$ -
Center-to-Center Telepsychiatry	\$250,000	\$250,000	\$ -
Crisis Services	\$300,000	\$300,000	\$ -
Telepsychiatry Program Sustainability	\$500,000	\$500,000	\$ -
Sexually Violent Predator Treatment Program	\$1,000,000	\$600,000	\$ -
Information Network Security Improvements	\$728,000	\$ -	\$ -
<b>OPERATING REQUEST TOTAL</b>	<b>\$25,178,000</b>	<b>\$9,100,000</b>	<b>\$10,500,000</b>
<b>CAPITAL REQUEST</b>			
Santee-Wateree MHC Construction	\$9,856,000	\$ -	\$ -
Anderson-Oconee-Pickens MHC Construction	\$9,592,000	\$ -	\$ -
Catawba MHC Construction	\$10,580,000	\$ -	\$ -
Community Buildings Deferred Maintenance	\$3,663,630	\$500,000	\$ -
Harris HVAC Renovations	\$8,100,000	\$ -	\$ -
Inpatient and Support Buildings Deferred Maint.	\$7,564,000	\$1,000,000	\$ -
Columbia Area MHC Construction	\$2,500,000	\$ -	\$ -
Campbell VA Nursing Home Renovations	\$962,500	\$ -	\$ -
<b>CAPITAL REQUEST TOTAL</b>	<b>\$52,818,130</b>	<b>\$1,500,000</b>	<b>\$ -</b>
<b>ONE-TIME FUNDING REQUEST</b>			
Physical Plant Replacement of Vehicles	\$694,114	\$ -	\$ -
Inpatient Electronic Medical Record	\$4,905,000	\$ -	\$2,250,000
Pharmaceutical Automated Dispensing Machine	\$1,000,000	\$1,000,000	\$ -
Law Enforcement Vehicles	\$176,407	\$ -	\$ -
Information Network Security Improvements	\$1,928,000	\$ -	\$ -
<b>ONE-TIME FUNDING REQUEST TOTAL</b>	<b>\$8,703,521</b>	<b>\$1,000,000</b>	<b>\$2,250,000</b>
<b>GRAND TOTAL REQUEST</b>	<b>\$86,699,651</b>	<b>\$11,600,000</b>	<b>\$12,750,000</b>

## **Senate Bills (with companion House bills) – Click the bill number to view full text.**

### **290 Telemedicine Insurance Reimbursement Act**

#### **H 3779**

This bill provides definitions and requires coverage of telemedicine services by the state public employee benefit program. It also would establish the Telemedicine Advisory Council.

*S290 – Passed the Senate, 4/23/13; House referred to Committee on Labor, Commerce and Industry 4/24/13.*

*H3779 – Referred to Committee on Labor, Commerce and Industry 3/7/13.*

### **764 Vulnerable Adult Guardian Ad Litem Program (Alexander, Cromer and Malloy)**

#### **H 4349 - Referred to Judiciary Committee, 1/14/14.**

These bills would create a Vulnerable Adult Guardian ad Litem program within the Office on Aging to recruit, train, and supervise volunteers to serve as court appointed guardians ad litem for vulnerable adults in abuse, neglect, and exploitation proceedings.

*S764 Sent to the House 2/27/14, House read first time and referred to Judiciary Committee 3/4/14.*

*H4349 Referred to Judiciary Committee, 1/14/14.*

### **864 Children's Advocacy Medical Response System Act (L. Martin, Lourie and Shealy)**

#### **H 4347**

These bills would create the South Carolina Children's Advocacy Medical Response System, which will provide coordination and medical service resources statewide to agencies and entities that respond to victims of child abuse and neglect.

*S864 Referred to Judiciary Subcommittee: Coleman (ch), Shealy, Turner, 1/22/14.*

*H4347 Senate returned to House with Amendments, 3/19/14 House concurred with Senate Amendment and enrolled 3/26/14.*

### **872 Joint Citizens and Legislative Committee on Children (Fair, Hutto, Jackson and L. Martin)**

#### **H 4798**

These bills would make the Joint Citizens and Legislative Committee on Children a permanent joint committee.

*S872 Sent to the House 3/5/14, House read first time and referred to Judiciary Committee, 3/6/14.*

*H4798 Read first time, referred to Judiciary Committee, 2/26/14.*

### **1040 Vulnerable Adult and Senior Citizen Protection Act (Alexander, Peeler, Jackson, Lourie, Williams, Setzler, Grooms, Nicholson, Bennett, Scott, Shealy, Kimpson, Rankin, Leatherman, Fair, Hayes, Courson, and others)**

This bill expands protection from abuse, neglect and exploitation under the Vulnerable Adult Statute to senior citizens (people 60 years old and above). Changes include: adding human trafficking to the list of prohibited actions; amending the definitions of existing offenses, the criminal penalties, and defenses; and addressing the discharge of vulnerable adults from designated facilities.

*Introduced, read first time, and referred to General Committee 2/19/14.*

### **1090 Mental Health Services (Cleary)**

This bill would change existing law to allow county councils to impose a mileage increase of up to six tenths for funding of mental health services if it is first approved by public referendum.

*Introduced, read first time, and referred to Finance Committee 3/11/14.*

## **House Bills – Click the bill number to view full text.**

### **3024 Child abuse (McCoy, Henderson and Long)**

This legislation requires any person in this state to report suspected child abuse or neglect.

*Passed the House; referred to Senate Judiciary Committee, 5/28/13, Referred to Subcommittee: Coleman (ch), Shealy, Turner, 2/11/14.*

**3098 Long-Term Care Facilities (Spires)**

This bill requires the resident of a community residential care facility to provide the facility administrator written notice of the resident's intent to voluntarily relocate to another community residential care facility. The written notice must be given not less than thirty days before the resident relocates. The facility administrator may charge the equivalent of thirty days occupancy for failure to give this notice.

*Passed the House; referred to Senate Medical Affairs Committee, 5/15/13.*

**3124 Protections for Reporting Child Abuse or Neglect (Bingham, Taylor, Long and M.S. McLeod)**

This legislation provides a civil cause of action for reinstatement and back pay against any employer who dismisses, demotes, suspends, or otherwise disciplines or discriminates against an employee for reporting child abuse or neglect.

*Passed the House; referred to Senate Committee on Judiciary, 5/1/13. Referred to Subcommittee: Coleman (ch), Shealy, Turner, 2/11/14 and received a favorable report with amendment. The Judiciary Committee adopted the amendment on 4/1/14.*

**3365 Mental Health Counseling (Govan, Jefferson and Williams)**

This bill was amended to provide for a school safety task force to study and make recommendations for the provision of mental health services in schools.

*Passed the House, 1/16/14; referred to the Senate Committee on Education, 1/21/14.*

**3416 Patient Firearm Ownership (Putnam, Pitts, H.A. Crawford, Kennedy, Southard, McCoy, Allison, Loftis, Gambrell, G.R. Smith, J.R. Smith, Taylor, Rivers, Erickson, Hamilton, Hardee, Toole, Hiott, Limehouse, Bannister, and others)**

This legislation prohibits a health care provider from asking a patient about firearm ownership or possession of a firearm or the presence of firearms in the patient's home. However, this provision does not apply if the health care provider is: (1) treating a patient with a gunshot wound or an injury related to the use or discharge of a firearm; (2) treating a patient for a mental health or psychiatric disorder; or (3) required by law to report adult abuse and neglect or child abuse and neglect and information concerning firearms in the home or in possession of the patient is integral to the report.

*Referred to Committee on Judiciary, 1/24/13.*

**3567 Mental Health Treatment for Children (Horne)**

This bill adds the term "young adults" in the definition of children and adolescents who are in need of mental health treatment in a residential facility. The bill also increases the eligibility age from under 18 to under 21.

*Passed the House, 5/01/13; Senate referred to the Committee on Medical Affairs, 5/02/13.*

**3776 Evaluation of a Person to Determine Whether He is a Sexually Violent Predator (Quinn)**

This bill involves the procedure to evaluate a person to determine whether he is a sexually violent predator, and provides that the court may require the person to complete certain procedures or tests if requested by the expert conducting the evaluation.

*Introduced, read first time, and referred to Committee on Judiciary 3/07/13.*

**4550 Long Term Health Care Administrators (Parks)**

**S1055 Long Term Health Care Administrator (Nicholson) – Companion Bill**

This bill would amend the law relating to long term health care administrators, including revisions to their licensure criteria (education and training) and prohibiting a person from serving as a nursing home or residential care facility administrator without a license.

*H4550 Sent to Senate, 3/6/14; Senate introduced, read first time, referred to Committee on Medical Affairs, 3/11/14.*

*S1055 Introduced, read first time and referred to Medical Affairs Committee, 2/26/14.*

**4901 Insurance Reimbursement Telemedicine Act (H.M. Smith)**

Among other things, this bill provides that South Carolina health insurance entities will provide coverage for telemedicine services to the same extent as they would for in-person consultation.

*Introduced, read first time, and referred to Committee on Labor, Commerce and Industry, 3/11/14.*