

**From:** Catherine Templeton <templecb@dhec.sc.gov>  
**To:** Keck, Anthonykeck@scdhhs.gov  
Patel, SwatiSwatiPatel@gov.sc.gov  
Veldran, KatherineKatherineVeldran@gov.sc.gov  
**Date:** 1/15/2014 9:17:03 AM  
**Subject:** Fwd: CON Reform

---

Dear All:

Please see below. It appears to me that any change to the state health plan would be to put more statutory parameters on the discretion of the participants. Tony - may I defer to the access, value, price point model you referenced that HHS uses for the language that would determine "need" under the state health plan?

Please advise if that is the direction we should go. If not, let us know your preference.

Begin forwarded message:

**From:** "Biggers, Ashley" <biggerac@dhec.sc.gov>  
**Date:** January 15, 2014 at 9:04:13 AM EST  
**To:** Catherine Templeton <templecb@dhec.sc.gov>  
**Cc:** "W. Marshall Taylor" <taylorwm@dhec.sc.gov>  
**Subject:** Re: CON Reform

The Department can change the contents of the State Health Plan without statutory or regulatory approval. The process is fairly lengthy, because statute requires that the state health planning committee meet to approve a draft plan, that the draft plan go out for public notice and comment period, and that regional public hearings are held. When the draft plan comes before the Board for adoption, the Board is free to make changes on its own initiative to the draft Plan before adoption.

Statute requires at a minimum that the Plan includes an inventory of health care facilities and specified services and equipment, projections of need for each, and standards for distribution of each. Health care facilities is a term defined by statute (which we are amending in the reform bill), so if it's in the health care facility definition it has to be in the Plan; specified services and equipment are not defined by statute. The department, with approval of the committee, determines the method for projecting need and the content of the criteria to be in the plan for each facility, service, equipment contained in the Plan; the Board has the ability to change the methods for projecting need and the content of the criteria when they adopt the plan. Any changes made to statute that conflict with the Plan as it exists now will trump over the Plan.

I think that answers the question you raised about the Plan, but if you have further questions please let me know. I will go back through our document to highlight and notate the changes we're making as requested before I send it to you; I can have that to you before noon.

Thanks,  
Ashley