

## ***Health Facility Licensing***

### **State Register Document \_\_\_\_\_, Proposed Amendment of R.61-15, Certification of Need for Health Facilities and Services**

#### **Synopsis:**

The Department proposes amending Regulation 61-15 to enable an electronic application process, revise the application format, update exemption and non-applicability determination processes, and revise language regarding penalties and enforcement actions. The Department also intends to add, remove, or modify multiple definitions contained within the Regulation. The Department may also update language and processes related to public hearings on Certificate of Need applications, the application and review process and related notifications, voidance and extension procedures, and periodic and final reporting requirements regarding issued Certificates of Need. The amendment may also revise the project review criteria. The Department may also revise the monetary thresholds which trigger a Certificate of Need review.

The Department may also make stylistic changes for internal consistency, clarification in wording, corrections of references, grammatical errors, outlining and codification and such other changes as may be necessary to improve the overall quality of the regulation.

Legislative review is required.

#### **Status:**

*The Department initiated the statutory process to amend R.61-15 by publication of a Notice of Drafting in the S.C. State Register on September 23, 2016; the drafting comment period closed October 24, 2016. For additional information contact Louis Eubank, Director, Certificate of Need Program, S.C. Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina 29201 or via email at [eubanklw@dhec.sc.gov](mailto:eubanklw@dhec.sc.gov).*

### **State Register Document 4669, Proposed Amendment of R.61-12, Standards for Licensing Abortion Clinics**

#### **Synopsis:**

Regulation 61-12 has not been substantively updated since 1996. This amendment is necessary to update definitions, references, and codification. The amendment may also revise requirements for obtaining licensure, compliance for licensure, accident and incident reporting requirements, abortion reporting, inspections and violations, complaint reporting, patient rights, infection control, in service training, record maintenance and retention, personnel requirements, fire and life safety requirements, and construction design requirements. The Department also intends to add language to incorporating current provider-wide exceptions

and memoranda applicable to abortion clinics. The Department may also include stylistic changes, which may include corrections for clarity and readability, grammar, punctuation, codification, and overall improvement of the text of the regulation.

Legislative review will be required.

**Status:**

*The Department reinitiated the statutory process to amend Regulation 61-12 by publication of a second Notice of Drafting in the S.C. State Register on April 22, 2016 and also in the DHEC Regulation Development Update. This Notice of Drafting superseded and replaced the Notice of Drafting published in the State Register on May 22, 2015. The drafting comment period for the April 22, 2016 notice closed May 23, 2016. The DHEC Board granted staff initial approval on September 8, 2016 to publicly notice the proposed regulations. A Notice of Proposed Regulations with notice of opportunity for public comment was published as Document 4669 in the State Register on September 23, 2016 and can be viewed on the S.C. Legislature Online website at <http://www.scstatehouse.gov/regs/4669.docx> Effective November 25, 2016, the proposed amendments of R.61-12 in Document 4669 were terminated by publication of a Notice of Termination in the State Register on November 25, 2016. For additional information contact Gwen C. Thompson, Bureau Chief, Bureau of Health Facilities Licensing, South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina 29201 or via email at [HealthRegComm@dhec.sc.gov](mailto:HealthRegComm@dhec.sc.gov).*

**State Register Document 4740 Proposed Amendment of R.61-16, Minimum Standards for Licensing Hospitals and Institutional General Infirmaries**

**Synopsis:**

The Department of Health and Environmental Control is proposing amendments to Regulation 61-16. These amendments are necessary to incorporate recent changes in state law as well as changes to current practices and standards. The amendment will incorporate provisions allowing dietitians to prescribe diets and other dietary services; incorporate requirements of S.C. Code Sections 44-41-410 through -480 relating to the provision of abortion services; incorporate existing inspection and construction fees; and incorporate new safe haven requirements.

Legislative review will be required.

**Status:**

*The Department initiated the statutory process to amend R.61-16 by publication of a Notice of Drafting in the S.C. State Register on September 23, 2016 and also in the DHEC Regulation Development Update. The drafting comment period closed October 24, 2016. On December 8, 2016, the DHEC Board approved public notice for the proposed amendments. A Notice of Proposed Regulations with opportunity for public comment identified as Document 4740 was published in the State Register on December 23, 2016 and can be viewed on the S.C.*

*Legislature Online website at <http://www.scstatehouse.gov/regs/4740.docx>. As published in the State Register, the time period for submitting written comments on the proposed regulations closed January 23, 2016, and a public hearing was scheduled before the Department's Board for February 9, 2017. The public hearing for February 9, 2017 was cancelled and rescheduled for April 13, 2017. Notice of this rescheduling was published in the State Register on February 24, 2017. Subsequently, the public hearing for April 13, 2017 was cancelled and has been rescheduled before the Department's Board for June 8, 2017. Notice of the rescheduling will be published in the April 28, 2017 State Register. For additional information contact Gwen C. Thompson, Bureau Chief, Bureau of Health Facilities Licensing, South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina 29201 or via email at [HealthRegComm@dhec.sc.gov](mailto:HealthRegComm@dhec.sc.gov).*