

REGULATION DEVELOPMENT UPDATE |

March 2019



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DHEC publishes this online report the fourth Friday of each month to exhibit pending regulatory initiatives. The report includes proposed new regulations and amendments and repeals of existing regulations.

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DHEC Regulatory Information
www.scdhec.gov/permits-regulations

South Carolina State Register
https://www.scstatehouse.gov/register_andregs.php

Terminology
NOD - Notice of Drafting
NPR - Notice of Proposed Regulation
NFR - Notice of Final Regulation

R.61-62, Air Pollution Control Regulations and Standards - Proposed Amendment

State Register Document No. TBD

Exempt from General Assembly review

Summary |

Summary available in State Register publication

The United States Environmental Protection Agency (EPA) promulgates amendments to the Code of Federal Regulations (CFR) throughout each calendar year. Recent federal amendments include revisions to New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories at 40 CFR Parts 60 and 63.

(1) The Department proposes amending Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards, to incorporate by reference federal amendments promulgated from January 1, 2018, through December 31, 2018.

(2) The Department proposes amending Regulation 61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories, to incorporate by reference federal amendments promulgated from January 1, 2018, through December 31, 2018.

The Department also proposes amending Regulation 61-62.60, Subpart Cf, Emission Guidelines and

Compliance Times for Municipal Solid Waste Landfills, and Subpart DDDD, Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units, to clarify the applicability and scope of EPA emission guidelines provisions incorporated by the Department, and to ensure compliance with federal law.

The Department may also propose other changes to Regulation 61-62, Air Pollution Control Regulations and Standards, as deemed necessary to maintain compliance with federal law. These changes may include corrections or other changes for internal consistency, clarification, reference, punctuation, codification, formatting, spelling, and overall improvement of the text of Regulation 61-62 as necessary.

In accordance with 1976 Code Section 1-23-120(H), legislative review is not required because the Department proposes promulgating the amendments to maintain compliance with federal law.

History and Status |

NOD published: February 22, 2019
NOD comment period will close: March 25, 2019

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R.61-62, Air Pollution Control Regulations and Standards - Final Amendment

State Register Document No. 4870

Exempt from General Assembly review

Link to published Notice of Final Regulation | www.scstatehouse.gov/regs/4870.docx

Summary |

Full summary available via link above

Amended the following standards to adopt federal amendments promulgated from January 1, 2017, through December 31, 2017:

R.61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards

R.61-62.61, National Emission Standards for Hazardous Air Pollutants

R.61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories
South Carolina State Implementation Plan (SIP)

Amended R.61-62.68, Chemical Accident Prevention Provisions, for internal consistency, clarification, chemical nomenclature, codification, and spelling to improve overall text and maintain compliance with federal law.

Amended R.61-62.70, Title V Operating Permit Program, to maintain state compliance with federal regulations.

Amended R.61-62.96, Nitrogen Oxides (NO_x) and Sulfur Dioxide (SO₂) Budget Trading Program, to repeal the Clean Air Interstate Rule (CAIR) and reinstate applicable portions of the EPA's "Finding of Significant Contribution and Rulemaking for Certain States in the Ozone Transport Assessment Group Region for Purposes of Reducing Regional Transport of Ozone" (NO_x SIP Call), to maintain state compliance with federal regulations.

Amended R.61-62, Air Pollution Control Regulations and Standards, for corrections or other changes for internal consistency, clarification, reference, punctuation, codification, formatting, spelling, and overall improvement to the text.

History and Status |

NOD published:	September 28, 2018
NOD comment period closed:	October 29, 2018
Board approval to publish NPR:	November 9, 2018
NPR published:	November 23, 2018
NPR comment period closed:	December 27, 2018
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NFR published/Legal effect:	January 25, 2019

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R.61-62, Air Pollution Control Regulations and Standards - Proposed Amendment

State Register Document No. 4873

General Assembly review required

Link to Notice of Final Regulation for legislative review | www.scstatehouse.gov/regs/4873.docx

Summary |

Full summary available via link above

Proposed amendment of R.61-62.1, Definitions and General Requirements, Section II, Permit Requirements, to expand and improve consistency in language regarding general and registration permits.

Proposed amendment of the introductory paragraph to R.61-62.5, Standard No. 2, Ambient Air Quality Standards, to remove the sentence describing the test method for Gaseous Fluorides to improve the accuracy and clarity of the regulation's text.

Proposed amendment of R.61-62.5, Standard No. 5.2, Control of Oxides of Nitrogen (NO_x), to update applicability and exemptions, as well as to propose corrections for internal consistency, punctuation, codification, and spelling.

Proposed amendment of R.61-62.5, Standard No. 7, Prevention of Significant Deterioration, to update applicability and exemptions, as well as to propose corrections for consistency with federal regulations, internal consistency, punctuation, codification, and spelling.

Proposed amendment of R.61-62.5, Standard No. 7.1, Nonattainment New Source Review (NSR), to improve the overall clarity and structure of the regulation, as well as to propose corrections for consistency with federal regulations, internal consistency, punctuation, codification, and spelling.

Proposed amendment of R.61-62.1, Definitions and General Requirements; R.61-62.5, Standard No. 7, Prevention of Significant Deterioration; R.61-62.5, Standard No. 7.1, Nonattainment New Source Review (NSR); and R.61-62.70 Title V Operating Permit Program, to update public participation procedures.

Other proposed changes to R.61-62, Air Pollution Control Regulations and Standards, including definitional updates, clarification of certain permitting provisions, and other changes and additions deemed necessary, as well as corrections for internal consistency, clarification, reference, punctuation, codification, formatting, and spelling to improve the overall text of R.61-62 as necessary.

History and Status |

NOD published:	November 23, 2018
NOD comment period closed:	December 27, 2018
Board approval to publish NPR:	January 3, 2019
NPR published:	January 25, 2019
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Legislative review of NFR began:	March 14, 2019

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Environmental Health Services | Environmental Affairs

R.61-25, Retail Food Establishments - Proposed Amendment

R.61-37, Retail Food Establishment Inspection Fees - Proposed Repeal

State Register Document No. 4842

General Assembly review required

Link to Notice of Final Regulation for legislative review | www.scstatehouse.gov/regs/4842.docx

Summary |

Full summary available via link above

Proposed amendment of R.61-25 to enable the Department, through regulation, to incorporate standards of the 2017 United States Food and Drug Administration ("FDA") Food Code. The FDA Food Code is the national standard for state, local, and tribal food protection programs.

Proposed amendments also include revisions to selected sections of R.61-25 to reflect the current business models of the food service industry based on comments and suggestions from the regulated community.

Further proposed amendments include combining R.61-25 with revised provisions of R.61-37, Retail Food Establishment Inspection Fees, which was last amended in 2002. Specifically, the Department proposes revising fee schedules currently residing in R.61-37, placing the fee schedules in R.61-25, and repealing R.61-37. This provides the retail food industry with one streamlined regulation, while allowing for necessary program support through an increase in inspection fees.

The proposed amendments also include other changes as deemed necessary by the Department to improve the overall clarity, organization, and quality of the regulation. These changes include, but are not limited to, stylistic changes, updates to definitions and exemptions, corrections for clarity, readability, grammar, punctuation, references, and codification, and overall improvement of the text of the regulation.

History and Status |

NOD published:	August 24, 2018
NOD comment period closed:	September 24, 2018
Board approval to publish NPR:	October 12, 2018
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R.61-55, Septic Tank Site Evaluation Fees - Proposed Repeal

R.61-56, Onsite Wastewater Systems - Proposed Amendment

R.61-56.1, License to Construct or Clean Onsite Sewage Treatment and Disposal Systems and Self-Contained Toilets - Proposed Repeal

R.61-56.2, Licensing of Onsite Wastewater Master Contractors - Proposed Repeal

State Register Document No. TBD

General Assembly review required

Summary |

Summary available in State Register publication

Proposed amendment of R.61-56, Onsite Wastewater Systems, to add new system standards, clarify and amend definitions, and clarify and update selected sections. The amendments will clarify and modernize the regulation to address needed updates in administering the Onsite Wastewater program.

Further proposed amendments include amending the fee schedule. The Department further proposes amending the fee schedule currently appearing in R.61-55 and, in the interest of efficiency, moving the amended fee scale to R.61-56. This will entail repealing R.61-55 and simultaneously adding its provisions, as amended, to R.61-56. The proposed amendments will include amended definitions, increase in fees, a new, expedited permitting process with associated fees, and assignment of application fees to specific performed services.

Proposed amendments also include amending provisions of R.61-56.1 and R.61-56.2 and merging

R.61-56.1 and R.61-56.2 into R.61-56 to improve efficiency and clarity for Department staff, regulated entities, and the public. This will entail repealing R.61-56.1 and R.61-56.2 and simultaneously adding their provisions, as amended, to R.61-56. The proposed amendments will include changes to licensing and fee requirements for pumpers and haulers currently under R.61-56.1. The proposed amendments also will revise provisions currently contained in R.61-56.2 to implement a tiered licensing program to establish improved competency of onsite wastewater system contractors/installers. This approach includes new requirements for examination, continuing education, and an associated licensure fee.

Proposed amendments may also include stylistic changes for internal consistency, such as corrections for clarity in wording, references, grammar, outlining and codification, and such other changes as necessary to improve the overall quality of the regulation.

History and Status |

NOD published: April 27, 2018
NOD comment period closed: May 28, 2018

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R.61-79, Hazardous Waste Management Regulations - Proposed Amendment

State Register Document No. TBD

General Assembly review required

Summary |

Summary available in State Register publication

The Department proposes adopting the “Revisions to the Definition of Solid Waste Rule,” published on January 13, 2015, at 80 FR 1694-1814 and May 30, 2018, at 83 FR 24664-24671. This United States Environmental Protection Agency (“EPA”) rule revised several recycling-related provisions issued under the authority of Subtitle C of the Resource Conservation and Recovery Act. The purpose of these revisions is to encourage reclamation of hazardous secondary materials in an environmentally safe manner. The federal rule has made the recycling-related provisions less stringent than previous standards. Because the standards are now less stringent than what states have been enforcing, the EPA has made state adoption optional. The proposed amendments are described in EPA Checklist 233D2 (2008 DSW exclusions and non-waste determinations, including revisions from 2015 DSW final rule and 2018 DSW final rule) and Checklist 233E (Remanufacturing Exclusion). These checklists may be found at <https://www.epa.gov/rcra/rule-checklists-applications-state-authorization-under-resource-conservation-and-recovery-act>.

The Department also proposes amending R.61-79 to correct typographical errors, citation errors, and other errors and omissions that have come to the Department’s attention, such as correcting form references, updating definitions, adding language that was erroneously omitted during adoption of previous rules, and other such changes.

The Administrative Procedures Act, S.C. Code Ann. Section 1-23-120(A), requires General Assembly review of these proposed amendments.

History and Status |

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R.61-79, Hazardous Waste Management Regulations - Proposed Amendment

State Register Document No. TBD

Exempt from General Assembly review

Summary |

Summary available in State Register publication

The Department proposes amending R.61-79 to adopt three final rules published in the Federal Register by the United States Environmental Protection Agency ("EPA"). The EPA requires state adoption of these rules, as the rules do not revise existing standards to make them less stringent.

The three final rules are summarized below.

1. The Department proposes adopting the "Revisions to the Definition of Solid Waste, Response to Vacatur of Certain Provisions of the Definition of Solid Waste Rule," published on May 30, 2018, at 83 FR 24664-24671. This rule revised several recycling-related provisions associated with the definition of solid waste under Subtitle C of the Resource Conservation and Recovery Act ("RCRA"). On July 7, 2017, the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit) vacated portions of this rule (see *American Petroleum Inst. v. Environmental Prot. Agency*, 883 F.3d 918 (D.C. Cir. 2018)). This ruling affects portions of the Definition of Solid Waste Rule that the Department adopted on May 27, 2016. (see State Register Document No. 4646).

2. The Department proposes adopting the "Confidentiality Determinations for Hazardous Waste Export and Import Documents," published on December 26, 2017, at 82 FR 60894-60901. This rule amends existing regulations regarding the export and import of hazardous wastes from and into the United States. This rule applies a confidentiality determination such that no person can assert confidential business information claims for documents related to the export, import, and transit of hazardous waste, and export of excluded cathode ray tubes. The EPA makes these changes to apply a consistent approach in addressing confidentiality claims for export and import documentation.

3. The Department proposes adopting the "Hazardous Waste Electronic Manifest System User Fee; Final Rule," published on January 3, 2018, at 83 FR 420-462. This rule establishes the methodology the EPA will use to determine and revise user fees applicable to the electronic and paper manifests to be submitted to the national electronic manifest system ("e-Manifest system") in accordance with the Hazardous Waste Electronic Manifest Establishment Act, P.L. 112-195. The Hazardous Waste Electronic Manifest System became operational nationwide on June 30, 2018.

Pursuant to the Administrative Procedures Act, S.C. Code Ann. Section 1-23-120(H)(1), these proposed amendments are exempt from General Assembly review because they are necessary to maintain compliance with federal law.

History and Status |

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R.61-79, Hazardous Waste Management Regulations - Final Amendment (Imports and Exports of Hazardous Waste Rule)

State Register Document No. 4840

Exempt from General Assembly review

Link to published Notice of Final Regulation | www.scstatehouse.gov/regs/4840.docx

Summary |

Full summary available via link above

The Department of Health and Environmental Control (“Department”) amends R.61-79, Hazardous Waste Management Regulations, to adopt the “Imports and Exports of Hazardous Waste Rule” published on November 28, 2016, at 81 FR 85696 85729 and on August 29, 2017, at 82 FR 41015 41016 by the United States Environmental Protection Agency (“EPA”). The amendments support the Department’s goal of promoting and protecting the health of the public and the environment in a more efficient and effective manner. The amendments make existing import and export related requirements more consistent with the current import export requirements for shipments between members of the Organization for Economic Cooperation and Development, enable electronic submittal to the EPA of all import and export related documents (e.g., export notices, export annual reports), and enable electronic validation of consent in the Automated Export System (“AES”) for export shipments subject to the Resource Conservation and Recovery Act (“RCRA”) export consent requirements prior to exit.

History and Status |

NOD published:	April 27, 2018
NOD comment period closed:	May 28, 2018
Board approval to publish NPR:	October 12, 2018
NPR published:	October 26, 2018
NPR comment period closed:	November 26, 2018
Public Hearing:	December 13, 2018
NFR published/Legal effect:	December 28, 2018

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R.61-79, Hazardous Waste Management Regulations - Proposed Amendment (Hazardous Waste Generator Improvements Rule)

State Register Document No. 4841

General Assembly review required

Link to Notice of Final Regulation for legislative review | www.scstatehouse.gov/regs/4841.docx

Summary |

Full summary available via link above

The Department of Health and Environmental Control (“Department”) amends R.61-79, Hazardous Waste Management Regulations, to adopt the Environmental Protection Agency’s (“EPA”) Hazardous Waste Generator Improvements Rule published November 28, 2016, at 81 FR 85732 85829. The amendments support the Department’s goal of promoting and protecting the health of the public and the environment in a more efficient and effective manner.

The amendments reorganize the hazardous waste generator regulations to improve their usability by the regulated community, provide a better understanding of how the Resource Conservation and Recovery Act (“RCRA”) hazardous waste generator regulatory program works, address gaps in existing regulations to strengthen environmental protections, provide greater flexibility for hazardous waste generators to manage their hazardous waste in a cost effective and protective manner, and make technical corrections to address inadvertent errors and remove obsolete references to programs that no longer exist.

The EPA periodically promulgates regulations that are either mandatory for authorized state programs to adopt or maintain program equivalency or are optional for states because the changes are less stringent than the current federal regulations. While the majority of the EPA’s Hazardous Waste Generator Improvements Rule is equivalent to current state regulations and optional for state adoption, several provisions are more stringent and must be adopted by the Department to maintain federal program authorization. Due to the interrelated nature of the equivalent provisions and the more stringent provisions, the Department has adopted the rule in a single drafting that required General Assembly review.

History and Status |

NOD published:	April 27, 2018
NOD comment period closed:	May 28, 2018
Board approval to publish NPR:	October 12, 2018
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Legislative review of NFR began:	January 8, 2019

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R.61-43, Standards for the Permitting of Agricultural Animal Facilities - Proposed Amendment

State Register Document No. TBD

General Assembly review required

Summary |

Summary available in State Register publication

The Department proposes amending R.61-43, Standards for the Permitting of Agricultural Animal Facilities, to incorporate the following statutory changes made by the General Assembly through passage of Act No. 139, which took effect March 12, 2018:

1. The General Assembly amended Section 44-1-65 to establish specific requirements for the review and appeal of decisions by DHEC regarding the permitting, licensing, certification, or other approval of poultry and other animal facilities (except swine facilities);
2. The General Assembly amended Section 44-1-60 to revise and clarify procedures for reviewing permits for poultry and other animal facilities (except swine facilities); and
3. The General Assembly amended Section 46-45-80 regarding setback distances for poultry and other animal facilities (except swine facilities) to prohibit DHEC from requiring additional setback distances if established distances are achieved, to allow waiver of the established setback distances in certain circumstances, and other purposes.

The Department may also include stylistic changes, such as corrections for clarity and readability, grammar, punctuation, definitions, references, codification, and overall improvement of the text of the regulation.

History and Status |

NOD published: February 22, 2019
NOD comment period will close: March 25, 2019

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R.61-67.1, Requirements for State Water Pollution Control Revolving Fund Loan Assistance - Proposed Repeal

State Register Document No. 4838

General Assembly review required

Link to Notice of Final Regulation for legislative review | www.scstatehouse.gov/regs/4838.docx

Summary |

Full summary available via link above

The Department of Health and Environmental Control (“Department”) repeals R.61 67.1. The regulation describes the process the Department and the former South Carolina Budget and Control Board followed in administering the State Water Pollution Revolving Fund received in federal grants from the Environmental Protection Agency (“EPA”). In 1992, the General Assembly repealed S.C. Code Section 48 6 10 et seq. and replaced it with the South Carolina Water Quality Revolving Fund Authority Act (S.C. Code Section 48 5 10 et seq.). Passage of the South Carolina Water Quality Revolving Fund Authority Act (“Act”) has rendered R.61 67.1 obsolete. The Act provides authority for the Department and the South Carolina Water Quality Revolving Fund Authority to administer the South Carolina clean water and drinking water revolving funds program and federal grants received as supplements to the revolving funds from the EPA. The South Carolina Water Quality Revolving Fund Authority comprises the members of the State Fiscal Accountability Authority, with administrative and implementation support from the South Carolina Rural Infrastructure Authority (“RIA”).

Repeal of the regulation will have no impact or implications for the current administration and implementation of the South Carolina Clean Water State Revolving Fund (“CWSRF”). The CWSRF, like its predecessor, the State Water Pollution Revolving Fund under the repealed Title 48, Chapter 6, provides low interest loans to public utilities and local governments for wastewater and stormwater infrastructure projects. The Department and RIA are able to effectively administer and implement the state revolving funds program using the state statute, Title 48, Chapter 5, and federal laws, regulations, and grant requirements that govern the use of the funds. Other existing state laws and regulations also are used to implement the program such as environmental permitting regulations that govern the design and construction of wastewater and drinking water infrastructure projects.

History and Status |

NOD published:	June 22, 2018
NOD comment period closed:	July 23, 2018
Board approval to publish NPR:	October 12, 2018
NPR published:	October 26, 2018
NPR comment period closed:	November 26, 2018
Public Hearing:	December 13, 2018
Legislative review of NFR began:	January 8, 2019

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R.61-68, Water Classifications and Standards - Proposed Amendment

State Register Document No. TBD

General Assembly review required

Summary |

Summary available in State Register publication

Section 303(c)(2)(B) of the federal Clean Water Act (“CWA”) requires South Carolina’s water quality standards be reviewed and revised, where necessary, at least once every three years. Referred to as the triennial review, this required process consists of reviewing and adopting, where appropriate, the Environmental Protection Agency’s updated numeric and narrative criteria according to Section 304(a) and Section 307(a) of the CWA. The Department proposes amending R.61-68 to adopt these criteria as deemed necessary to comply with federal regulatory revisions and recommendations.

The Department may also include stylistic changes, such as corrections for clarity and readability, grammar, punctuation, definitions, references, codification, and overall improvement of the text of the regulation.

History and Status |

NOD published:	February 22, 2019
NOD comment period will close:	March 25, 2019

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R.61-69, Classified Waters - Proposed Amendment

State Register Document No. TBD

General Assembly review required

Summary |

Summary available in State Register publication

Section 303(c)(2)(B) of the federal Clean Water Act (“CWA”) requires South Carolina’s water quality standards be reviewed and revised, where necessary, at least once every three years. The Department proposes amending R.61-69 to clarify and correct as needed waterbody names, counties, classes, and descriptions.

The Department may also include stylistic changes, such as corrections for clarity and readability, grammar, punctuation, definitions, references, codification, and overall improvement of the text of the regulation.

History and Status |

NOD published:	February 22, 2019
NOD comment period will close:	March 25, 2019

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Health Facilities Licensing | Health Regulation

R.61-93, Standards for Licensing Facilities That Treat Individuals for Psychoactive Substance Abuse or Dependence - Proposed Amendment

State Register Document No. TBD

General Assembly review required

Summary |

Summary available in State Register publication

R.61-93 has not been substantively updated since 2015. The Department proposes amending R.61-93 to update and revise definitions and requirements regarding obtaining licensure, inspections and violations, personnel and inservice training, accident and incident reporting, client records and care, infection control, meal service, record maintenance and retention, fire and life safety, construction design, and licensure standards throughout. The Department also intends to add language to incorporate current provider-wide exceptions and memoranda applicable to facilities that treat individuals for psychoactive substance abuse or dependence. 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.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments.

History and Status |

NOD published*: March 22, 2019
NOD comment period will close: April 22, 2019

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*Supersedes previously published NOD on June 22, 2018.

R.61-97, Standards for Licensing Renal Dialysis Facilities - Proposed Amendment

State Register Document No. TBD

General Assembly review required

Summary |

Summary available in State Register publication

R.61-97 has not been substantively updated since 1993. The Department proposes amending R.61-97 to update and revise definitions and requirements regarding obtaining licensure, inspections and violations, personnel and inservice training, accident and incident reporting, client records and care, infection control, meal service, record maintenance and retention, fire and life safety, construction design, and licensure standards throughout. The Department also intends to add language to incorporate current provider-wide exceptions and memoranda applicable to renal dialysis facilities. 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.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments.

History and Status |

NOD published: March 22, 2019
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Health Facilities Licensing | Health Regulation

R.61-125, Crisis Stabilization Unit Facilities - Proposed New Regulation

State Register Document No. 4809

General Assembly review required

Link to Notice of Final Regulation for legislative review | www.scstatehouse.gov/regs/4809.docx

Summary |

Full summary available via link above

The Department of Health and Environmental Control (“Department”) proposes a new regulation to establish licensure and regulatory requirements for Crisis Stabilization Unit (“CSU”) Facilities. These facilities provide a short-term residential program offering psychiatric stabilization services and brief, intensive crisis services to individuals eighteen (18) years of age or older, twenty-four (24) hours a day, seven (7) days a week.

History and Status |

NOD published:	May 26, 2017
NOD comment period closed:	June 26, 2017
Board approval to publish NPR:	January 4, 2018
NPR published:	January 26, 2018
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Public Hearing:	March 27, 2018
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Resubmitted/Legislative review began:	January 8, 2019

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R.61-23, Control of Anthrax - Proposed Repeal

State Register Document No. TBD

General Assembly review required

Summary |

Summary available in State Register publication

R.61-23 was promulgated July 1960 to prevent and/or control the ownership, possession, or transport of anthrax into or through the state. This regulation is no longer needed, as the federal government established Select Agent Regulations, at 7 C.F.R. Part 331 and 9 C.F.R. Part 121, setting forth requirements for possession, use, and transfer of select agents and toxins. The Federal Select Agent Program oversees and regulates the possession, use, and transfer of biological agents. The Federal Select Agent Program is jointly comprised of the Centers for Disease Control and Prevention/Division of Select Agents and Toxins and the Animal and Plant Health Inspection Service/Agriculture Select Agent Services.

History and Status |

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R.61-120, South Carolina Immunization Registry - Proposed Amendment

State Register Document No. 4837

General Assembly review required

Link to Notice of Final Regulation for legislative review | www.scstatehouse.gov/regs/4837.docx

Summary |

Full summary available via link above

The Department of Health and Environmental Control (“Department”) amends R.61-120 to enable the Department to provide specific Healthcare Effectiveness Data and Information Set (“HEDIS”) data from the South Carolina Immunization Registry (“Registry”) to health plans for public health purposes and to measure performance on important dimensions of care and service, including immunization data for clients. The amendments also detail the availability and use of a patient portal, which will be a feature of a new Registry allowing patients to access their personal immunization records. The amendments also remove obsolete language and make general improvements and clarifications to the text.

History and Status |

NOD published:	April 27, 2018
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R.61-1, Medical and Dental Scholarship Fund - Proposed Repeal

State Register Document No. TBD

General Assembly review required

Summary |

Summary available in State Register publication

South Carolina Code Sections 59-111-510 through 59-111-580 establish a Medical and Dental Loan Fund to be administered by the Department. The fund had originally been a scholarship program but was converted to a loan fund in 1985. Pursuant to Code Section 59-111-580, the Department adopted Regulation 61-1 to administer the program.

The General Assembly last funded the program in the 1988 Appropriations Act for the 1988-1989 fiscal year. The last recipients completed their service obligations in 1996 following three years of residency and four years of service.

Since the General Assembly has not funded the Medical and Dental Scholarship/Loan program since FY 1989, the Department has had no funds to administer and the program has been dormant for the past thirty years. The Department now proposes repealing R.61-1.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of this proposed repeal.

History and Status |

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NOD comment period will close: April 22, 2019

Contact Information |

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