

South Carolina



South Carolina - HB 3161

Sponsor: Representative Bill Taylor (R)

Actions: 05/13/2021 Carried over to 2022 Session
01/12/2021 Introduced
12/09/2020 Prefiled; Referred to Committee on Medical, Military, Public and Municipal Affairs

Summary: Summary for 12/9/2020 Version

This measure amends South Carolina code to eliminate Certificate of Need requirements.

This measure applies to all existing and future South Carolina facilities that need or would need a Certificate of Need.

This measure provides that beginning on the effective date of this act, there is no requirement for issuance of a Certificate of Need for any project or operation of a facility in this State. The department may not take any action on pending applications for a Certificate of Need and must (1) notify a facility with a pending application that there is no longer any Certificate of Need requirement and (2) identify any licensing requirements which are applicable to the facility's proposed project or operation. For a facility with an existing Certificate of Need, the department must (1) notify the facility that it is no longer required to submit periodic reports or other previously required information pursuant to the Certificate of Need, (2) notify the facility that the department will not make further inspections to determine compliance with the Certificate of Need, and (3) identify any licensing requirements which are applicable to the facility's proposed project or operation.

This measure directs the department to update its website and other publicly available information to reflect that there is no requirement under the laws of the State for issuance of a Certificate of Need for a project or operation of a facility and summarizing the licensing requirements and associated application process applicable to a facility for any projects or operations. A court with jurisdiction over a pending case resulting from an appeal of a denial of a Certificate of Need application must issue an appropriate order of dismissal that includes in its findings that there is no requirement for a Certificate of Need for any project or operation of a facility.

This measure will take effect upon enactment.

Bill Links [12/9/2020 Version](#)



South Carolina - HB 3223

Sponsor: Representative Sylleste Davis (R)

Actions: 05/13/2021 Carried over to 2022 Session
01/12/2021 Introduced

12/09/2020 Prefiled; Referred to Committee on Medical, Military, Public and Municipal Affairs

Summary: Summary for 12/9/2020 Version

This measure amends South Carolina code to eliminate Certificate of Need requirements.

This measure applies to all existing and future South Carolina facilities that need or would need a Certificate of Need.

This measure provides that beginning on the effective date of this act, there is no requirement for issuance of a Certificate of Need for any project or operation of a facility in this State. The department may not take any action on pending applications for a Certificate of Need and must (1) notify a facility with a pending application that there is no longer any Certificate of Need requirement and (2) identify any licensing requirements which are applicable to the facility's proposed project or operation. For a facility with an existing Certificate of Need, the department must (1) notify the facility that it is no longer required to submit periodic reports or other previously required information pursuant to the Certificate of Need, (2) notify the facility that the department will not make further inspections to determine compliance with the Certificate of Need, and (3) identify any licensing requirements which are applicable to the facility's proposed project or operation.

This measure directs the department to update its website and other publicly available information to reflect that there is no requirement under the laws of the State for issuance of a Certificate of Need for a project or operation of a facility and summarizing the licensing requirements and associated application process applicable to a facility for any projects or operations. A court with jurisdiction over a pending case resulting from an appeal of a denial of a Certificate of Need application must issue an appropriate order of dismissal that includes in its findings that there is no requirement for a Certificate of Need for any project or operation of a facility.

This measure will take effect upon enactment.

Bill Links [12/9/2020 Version](#)



South Carolina - HB 3775

Sponsor: Representative Leola Robinson (D)

Actions: 03/08/2022 Hearing scheduled
02/23/2022 Hearing held
05/13/2021 Carried over to 2022 Session
01/28/2021 Introduced; Referred to House Committee on Medical, Military, Public and Municipal Affairs

Summary: Summary for 1/28/2021 Version

This measure prohibits step therapy protocols for the treatment of stage four advanced, metastatic cancer.

This measure applies to all individual and group health insurance policies and health maintenance organizations ("carriers") that provide coverage for the treatment of stage four advanced, metastatic cancer.

This measure prohibits a carrier from limiting or excluding coverage for an FDA-approved drug by mandating that the insured must first be required to fail to respond successfully to a different drug or drugs or prove a history of failure of such drug or drugs. Regardless, the use of such drug or drugs must consistent with best practices for the treatment of stage four advanced, metastatic cancer and be supported by peer-reviewed literature.

This measure does not outline any rulemaking or enforcement mechanisms.

This measure will take effect upon enactment.

Bill Links [1/28/2021 Version](#)



South Carolina - HB 4564

Sponsor:

Actions: 11/10/2021 Prefiled; Referred to House Ways and Means Committee

Summary: Summary of 11/10/2021 Version

This measure will amend code section 44-7-170, which relates to the certificate of need program and add opioid treatment programs to the list of exempted programs.

This measure is applicable to certificate of need programs.

This measure adds an opioid treatment program to the list of institutions and transactions that are exempt from the Certificate of Need Review. 'Opioid treatment program' means a narcotic treatment program or a facility for chemically dependent or addicted persons, that provides outpatient services using methadone or other opioid treatment medication and offers a range of treatment procedures and services for the rehabilitation of persons dependent on opium, morphine, heroin, or any other derivative or synthetic controlled substance of that group.

This measure will take effect immediately.

Bill Links [11/10/2021 Version](#)



South Carolina - HB 4567

Sponsor: Representative Melissa Oremus (R)

Actions: 03/09/2022 Hearing Held
03/02/2022 Hearing Held
01/11/2022 Introduced
11/10/2021 Pre-Filed; Referred to House Committee on Medical, Military, Public and Municipal Affairs

Summary: Summary for 11/10/2021 Version

This measure defines a patient who contracted an illness that is part of a declared pandemic or epidemic as a patient with a terminal illness, making them eligible for experimental treatments.

This measure applies to licensed physicians.

This measure states that any patient who contracts an infection from a declared epidemic or pandemic disease is considered an eligible patient with a terminal illness under state law. This measure clarifies that such patients are allowed to receive an investigational drug, biological product, or device for treatment if the physician recommends it and after all other FDA-approved options are considered and exhausted.

This measure would take effect immediately after enactment.

Bill Links [11/10/2021 Version](#)



South Carolina - SB 290

Sponsor: Senator Wes Climer (R)

Actions: 01/26/2022 Introduced in House; Referred to House Ways and Means Committee
01/25/2022 Hearing Held; Passed Senate
01/19/2022 Hearing Held
01/12/2022 Hearing Held
05/13/2021 Carried over to 2022 Session
04/28/2021 Recalled from committee
01/12/2021 Introduced; Referred to Senate Medical Affairs Committee
12/09/2020 Prefiled; Referred to Senate Committee on Medical Affairs

Summary: Summary for 12/9/2020 Version

This measure amends South Carolina code to eliminate Certificate of Need requirements.

This measure applies to all existing and future South Carolina facilities that need or would need a Certificate of Need.

This measure provides that beginning on the effective date of this act, there is no requirement for issuance of a Certificate of Need for any project or operation of a facility in this State. The department may not take any action on pending applications for a Certificate of Need and must (1) notify a facility with a pending application that there is no longer any Certificate of Need requirement and (2) identify any licensing requirements which are

applicable to the facility's proposed project or operation. For a facility with an existing Certificate of Need, the department must (1) notify the facility that it is no longer required to submit periodic reports or other previously required information pursuant to the Certificate of Need, (2) notify the facility that the department will not make further inspections to determine compliance with the Certificate of Need, and (3) identify any licensing requirements which are applicable to the facility's proposed project or operation.

This measure directs the department to update its website and other publicly available information to reflect that there is no requirement under the laws of the State for issuance of a Certificate of Need for a project or operation of a facility and summarizing the licensing requirements and associated application process applicable to a facility for any projects or operations. A court with jurisdiction over a pending case resulting from an appeal of a denial of a Certificate of Need application must issue an appropriate order of dismissal that includes in its findings that there is no requirement for a Certificate of Need for any project or operation of a facility.

This measure will take effect upon enactment.

Bill Links [1/13/2022 Version](#)
[1/19/2022 Version](#)
[1/25/2022 Version](#)
[12/9/2020 Version](#)



South Carolina - SB 370

Sponsor: Senator Scott Talley (R)

Actions: 05/13/2021 Carried over to 2022 Session
12/09/2020 Prefiled; Referred to Committee on Medical Affairs

Summary: Summary for 12/9/2020 Version

This measure amends South Carolina code to modify the conditions under which a Certificate of Need is required, including establishing a price threshold.

Applicability

This measure applies to facilities with Certificate of Need requirements.

Certificate of Need Price Threshold

This measure provides that an expenditure by or on behalf of a health care facility in excess of five million dollars is considered a capital expenditure and is subject to a certificate of need requirement. This measure also provides that the acquisition of medical equipment is subject to Certificate of Need requirements if the total equipment cost is greater than two million dollars, or the threshold as adjusted pursuant to this measure.

This measure provides that beginning July 1, 2025, and every five years thereafter, the department must determine an increase or decrease in the ratio of the Consumer Price Index for all Urban Consumers (CPI-U) and Medical Care Commodities in the U.S. City Average. The dollar threshold for expenditures by or on behalf of a health care facility must

be adjusted accordingly, except that the dollar amount may never be adjusted below five million dollars. As soon as practicable after this adjustment is calculated, the director of the department must submit the revised amount to the State Register for publication. The revised amount becomes effective on July 1 of every fifth year.

Certificate of Need Exemptions

This measure exempts a change in the existing bed complement of a health care facility through the addition of beds from the Certificate of Need review if (i) in the previous year, the average bed occupancy in the same license category as the facility in question exceeded 75% capacity, including beds considered as observational status; (ii) for licensed general acute care hospital beds, the number of beds exempt from review under this section does not exceed the greater of fifty beds or 10% of the total number of licensed general acute care hospital beds at the facility in question; or (iii) for beds in facilities other than general acute care hospitals, the number of beds exempt from review under this section does not exceed 10% of the total number of beds in the same license category as the facility in question.

Certificate of Need Review

This measure provides that there will be no judicial review of final decisions issued by the Administrative Law Court for a contested case arising from the department's decision to grant or deny a Certificate of Need application, the department's decision to grant or deny a request for exemption under Section 44-7-170, the department's issuance of a determination regarding the applicability of Section 44-7-160, or any other department decisions relating to Article 3, Chapter 7, Title 44.

Enactment

This measure will take effect upon enactment.

Bill Links [12/9/2020 Version](#)



South Carolina - SB 717

Sponsor: Senator Darrell Jackson (D)

Actions: 02/15/2022 Referred to House Committee on Medical, Military, Public and Municipal Affairs
05/13/2021 Carried over to 2022 Session
04/29/2021 Passed Senate
04/14/2021 Passed committee
03/31/2021 Introduced; Referred to Senate Medical Affairs Committee

Summary: Summary for 3/31/2021 Version

This bill amends South Carolina code to exempt diabetes screening facilities from certificate of need requirements.

This measure exempts diabetes screening facilities from certificate of need requirements. This includes freestanding angiogram imaging centers in areas of the state that exceed the national percentages published by the CDC in the current or previous calendar year.

This measure will take effect upon enactment.

Bill Links [3/31/2021 Version](#)

South Dakota



South Dakota - HB 1267

Sponsor: Representative Phil Jensen (R)

Actions: 02/23/2022 Hearing Held; Deferred to 41st Day
02/15/2022 Referred to Senate Health and Human Services Committee
02/14/2022 Amended; Passed House
02/10/2022 Hearing Held; Passed Committee
01/31/2022 Introduced; Referred to House Health and Human Services Committee

Summary: Summary for 2/14/2022 Version

This measure authorizes a practitioner to prescribe and dispense ivermectin.

This measure authorizes a practitioner to prescribe ivermectin to a person. This measure prohibits a practitioner from seeking personal financial benefit by participating in an incentive-based program that encourages therapeutic or product changes or the ordering of tests or services related to ivermectin. This measure requires a practitioner to provide a person with an information sheet that includes the importance of follow-up care and health care referral information.

This measure takes effect on July 1, 2022.

Bill Links [2/14/2022 Version](#)
[1/31/2022 Version](#)
