Agency Name: Department of Health and Environmental Control

Statutory Authority: 44-1-180

Document Number: 4607

Proposed in State Register Volume and Issue: 39/11

House Committee: Regulations and Administrative Procedures Committee

Senate Committee: Medical Affairs Committee

120 Day Review Expiration Date for Automatic Approval: 05/21/2016

Final in State Register Volume and Issue: 40/6

Status: Final

Subject: Charges for Family Planning Services

History: 4607

By Date Action Description Jt. Res. No. Expiration Date

- 11/27/2015 Proposed Reg Published in SR

- 01/22/2016 Received by Lt. Gov & Speaker 05/21/2016

H 01/26/2016 Referred to Committee

S 01/26/2016 Referred to Committee

H 03/23/2016 Resolution Introduced to Approve 5157

- 05/21/2016 Approved by: Expiration Date

- 06/24/2016 Effective Date unless otherwise

 provided for in the Regulation

Document No. 4607

**DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

CHAPTER 61

Statutory Authority: 1976 Code Section 44-1-180

61-89. Charges for Family Planning Services

**Synopsis:**

The Department has conducted a review of its family planning regulations and, in the interest of good government and efficiency, repeals R.61-89 because it is no longer needed. See detailed information in the Statement of Need and Reasonableness and Statement of Rationale herein.

A Notice of Drafting for this repeal was published in the *State Register* on April 24, 2015.

**Instructions:** Repeal R.61-89, Charges for Family Planning Services, in its entirety.

**Text:**

61-89. [Repealed]

**Fiscal Impact Statement:**

This repeal of R.61-89 will have no substantial fiscal or economic impact on the State and its political subdivisions.

**Statement of Need and Reasonableness:**

This Statement of Need and Reasonableness was determined by staff analysis pursuant to S.C. Code Section 1-23-115(C)(1)-(3) and (9)-(11).

DESCRIPTION OF REGULATION: Purpose: Repeal of R.61-89, Charges for Family Planning Services.

Legal Authority: Section 44-1-180, S.C. Code of Laws, 1976, as amended.

Plan for Implementation: Upon final approval of the S.C. General Assembly and publication in the State Register as a final regulation repeal, this regulation will be repealed. It will be shown as repealed in Chapter 61 of the S.C. Code of Regulations and in the Department’s Regulation Development Update..

DETERMINATION OF NEED AND REASONABLENESS OF THE REGULATION REPEAL BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

Regulation 61-89 was promulgated pursuant to Title 44, Chapter 1, “Department may establish charges for health care.” Regulation 61-89 is not necessary because the items it regulates are currently addressed in federal law. The Department, as a condition of receiving funds under Title X of the Public Service Act, must follow federal regulations with respect to the subject matter covered by R.61-89. Therefore, in the interest of good government and efficiency, the Department has repealed this regulation because it is no longer needed.

DETERMINATION OF COSTS AND BENEFITS:

This repeal of Regulation 61-89 will have no substantial fiscal or economic impact on the State and its political subdivisions or the regulated community.

UNCERTAINTIES OF ESTIMATES:

No known uncertainties.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

There will be no environmental or public health effect.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

There will not be a detrimental effect on the environment or public health. However, repeal of this regulation is necessary to clarify it is no longer valid.

**Statement of Rationale:**

Upon review of Department regulations and the status of Regulation 61-89 pursuant to Sections 44-1-180, S.C. Code of Laws, 1976, it was determined that this regulation should be repealed because it is no longer necessary.