**South Carolina General Assembly**

119th Session, 2011-2012

**A239, R300, H4513**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Harrison

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Introduced in the House on January 10, 2012

Introduced in the Senate on March 27, 2012

Last Amended on May 30, 2012

Passed by the General Assembly on June 6, 2012

Governor's Action: June 18, 2012, Signed

Summary: Adult protection coordinating council

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/6/2011 House Prefiled

 12/6/2011 House Referred to Committee on **Judiciary**

 1/10/2012 House Introduced and read first time ([House Journal‑page 67](file:///h%3A%5Chj%20archive%5C2012%5C01-10-12.docx))

 1/10/2012 House Referred to Committee on **Judiciary** ([House Journal‑page 67](file:///h%3A%5Chj%20archive%5C2012%5C01-10-12.docx))

 3/21/2012 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 51](file:///h%3A%5Chj%20archive%5C2012%5C03-21-12.docx))

 3/22/2012 House Amended ([House Journal‑page 43](file:///h%3A%5Chj%20archive%5C2012%5C03-22-12.docx))

 3/22/2012 House Read second time ([House Journal‑page 43](file:///h%3A%5Chj%20archive%5C2012%5C03-22-12.docx))

 3/22/2012 House Roll call Yeas‑110 Nays‑0 ([House Journal‑page 45](file:///h%3A%5Chj%20archive%5C2012%5C03-22-12.docx))

 3/22/2012 House Unanimous consent for third reading on next legislative day ([House Journal‑page 46](file:///h%3A%5Chj%20archive%5C2012%5C03-22-12.docx))

 3/23/2012 House Read third time and sent to Senate ([House Journal‑page 4](file:///h%3A%5Chj%20archive%5C2012%5C03-23-12.docx))

 3/27/2012 Senate Introduced and read first time ([Senate Journal‑page 10](file:///h%3A%5Csj%20archive%5C2012%5C03-27-12.docx))

 3/27/2012 Senate Referred to Committee on **Medical Affairs** ([Senate Journal‑page 10](file:///h%3A%5Csj%20archive%5C2012%5C03-27-12.docx))

 4/19/2012 Senate Committee report: Favorable with amendment **Medical Affairs** ([Senate Journal‑page 10](file:///h%3A%5Csj%20archive%5C2012%5C04-19-12.docx))

 4/20/2012 Scrivener's error corrected

 5/30/2012 Senate Committee Amendment Adopted ([Senate Journal‑page 39](file:///h%3A%5Csj%20archive%5C2012%5C05-30-12.docx))

 5/30/2012 Senate Read second time ([Senate Journal‑page 39](file:///h%3A%5Csj%20archive%5C2012%5C05-30-12.docx))

 5/30/2012 Senate Roll call Ayes‑37 Nays‑0 ([Senate Journal‑page 39](file:///h%3A%5Csj%20archive%5C2012%5C05-30-12.docx))

 5/31/2012 Senate Read third time and returned to House with amendments ([Senate Journal‑page 27](file:///h%3A%5Csj%20archive%5C2012%5C05-31-12.docx))

 6/6/2012 House Concurred in Senate amendment and enrolled ([House Journal‑page 50](file:///h%3A%5Chj%20archive%5C2012%5C06-06-12.docx))

 6/6/2012 House Roll call Yeas‑96 Nays‑0 ([House Journal‑page 50](file:///h%3A%5Chj%20archive%5C2012%5C06-06-12.docx))

 6/12/2012 Ratified R 300

 6/18/2012 Signed By Governor

 6/20/2012 Effective date 06/18/12

 6/26/2012 Act No. 239

**VERSIONS OF THIS BILL**

[12/6/2011](file:///p%3A%5Cpprever%5C2011-12%5C4513_20111206.docx)

[3/21/2012](file:///p%3A%5Cpprever%5C2011-12%5C4513_20120321.docx)

[3/22/2012](file:///p%3A%5Cpprever%5C2011-12%5C4513_20120322.docx)

[4/19/2012](file:///p%3A%5Cpprever%5C2011-12%5C4513_20120419.docx)

[4/20/2012](file:///p%3A%5Cpprever%5C2011-12%5C4513_20120420.docx)

[5/30/2012](file:///p%3A%5Cpprever%5C2011-12%5C4513_20120530.docx)

(A239, R300, H4513)

**AN ACT TO AMEND SECTION 43‑35‑310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE ADULT PROTECTION COORDINATING COUNCIL, SO AS TO REVISE THE MEMBERSHIP AND MAKE TECHNICAL CORRECTIONS; AND TO AMEND SECTION 43‑35‑330, RELATING TO THE DUTIES OF THE ADULT PROTECTION COORDINATING COUNCIL, SO AS TO REVISE THE DUTIES OF THE COUNCIL AND ADD THE REQUIREMENT THAT THE COUNCIL ANNUALLY PREPARE AND DISTRIBUTE TO THE MEMBERSHIP, VARIOUS MEMBERS OF THE GENERAL ASSEMBLY, AND OTHER INTERESTED PARTIES A REPORT OF THE COUNCIL’S ACTIVITIES AND ACCOMPLISHMENTS FOR THE CALENDAR YEAR AND TO REQUIRE THE REPORT TO BE PUBLISHED ON THE DEPARTMENT OF HEALTH AND HUMAN SERVICES’ WEBSITE.**

Be it enacted by the General Assembly of the State of South Carolina:

**Adult Protection Coordinating Council, membership revised**

SECTION 1. Section 43‑35‑310 of the 1976 Code, as added by Act 110 of 1993, is amended to read:

 “Section 43‑35‑310. (A) There is created the Adult Protection Coordinating Council under the auspices of the South Carolina Department of Health and Human Services and is comprised of:

 (1) one member from the institutional care service provision system who is a consumer or a family member of a consumer of that system and one member from the home and community‑based service provision system who is a consumer or a family member of a consumer of that system, both of whom must be appointed by the council for terms of two years; and

 (2) these members who shall serve ex officio:

 (a) Attorney General or a designee;

 (b) Office on Aging, Executive Director, or a designee;

 (c) Criminal Justice Academy, Executive Director, or a designee;

 (d) South Carolina Department of Health and Environmental Control, Commissioner, or a designee;

 (e) State Department of Mental Health, Director, or a designee;

 (f) South Carolina Department of Disabilities and Special Needs, Director, or a designee;

 (g) Adult Protective Services Program, Director, or a designee;

 (h) South Carolina Department of Health and Human Services, Executive Director, or a designee;

 (i) Police Chiefs’ Association, President, or a designee;

 (j) South Carolina Commission on Prosecution Coordination, Executive Director, or a designee;

 (k) Protection and Advocacy for People with Disabilities, Inc., Executive Director, or a designee;

 (l) South Carolina Sheriff’s Association, Executive Director, or a designee;

 (m) South Carolina Law Enforcement Division, Chief, or a designee;

 (n) Long Term Care Ombudsman or a designee;

 (o) South Carolina Medical Association, Executive Director, or a designee;

 (p) South Carolina Health Care Association, Executive Director, or a designee;

 (q) South Carolina Home Care Association, Executive Director, or a designee;

 (r) South Carolina Department of Labor, Licensing and Regulation, Director, or a designee;

 (s) executive director or president of a provider association for home and community‑based services selected by the members of the council for terms of two years, or a designee;

 (t) South Carolina Court Administration, Executive Director, or a designee;

 (u) executive director or president of a residential care facility organization selected by the members of council for terms of two years, or a designee.

 (B) Vacancies on the council must be filled in the same manner as the initial appointment.”

**Adult Protection Coordinating Council, duties revised, report required**

SECTION 2. Section 43‑35‑330 of the 1976 Code, as added by Act 110 of 1993, is amended to read:

 “Section 43‑35‑330. (A) Duties of the council are subject to the appropriation of funding and allocation of personnel sufficient to carry out the functions of the council. Staffing for the council must be provided by the South Carolina Department of Health and Human Services.

 (B) Duties of the council are to:

 (1) provide and promote coordination and communication among groups and associations which may be affected by the council’s actions and recommended changes in the system;

 (2) identify and promote training on critical issues in adult protection, facilitate arrangements for continuing education seminars and credits, when appropriate, and determine and target problem areas for training based on analysis of the data;

 (3) coordinate data collection and conduct analyses including periodic monitoring and evaluation of the incidence and prevalence of adult abuse, neglect, and exploitation;

 (4) assist with problem resolution and facilitate interagency coordination of efforts to address unmet needs and gaps in the system;

 (5) promote and enhance public awareness;

 (6) promote prevention and intervention activities to ensure quality of care for vulnerable adults and their families; and

 (7) annually prepare a report of the council’s activities and accomplishments for the calendar year and distribute the report to council members, the Chairman of the Medical Affairs Committee of the Senate, the Chairman of the Medical, Military and Municipal Affairs Committee of the House of Representatives, directors or chairs of member agencies or entities who have a designee serving on the council, and other interested parties as well as publishing the report on the department’s website.”

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 12th day of June, 2012.

Approved the 18th day of June, 2012.

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