

## Session 119 - (2011-2012)

### S\*0687 (Rat #0064, Act #0047 of 2011) General Bill, By Scott, Knotts and Ford

**Similar (S 0695, H 3920, H 3989, H 4058)**

**Summary:** Definition of terms used in the State Certificate of Need and Health Care Facility Licensure Act

AN ACT TO AMEND SECTION 43-7-460, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RECOVERY OF FUNDS FROM ESTATES OF PERSONS WHO RECEIVED MEDICAID, SO AS TO SUBSTITUTE "PERSONS WITH INTELLECTUAL DISABILITY" FOR "THE MENTALLY RETARDED"; TO AMEND SECTION 44-7-130, AS AMENDED, RELATING TO THE DEFINITION OF TERMS USED IN THE STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT, SO AS TO SUBSTITUTE, IN RELEVANT DEFINITIONS, "PERSONS WITH INTELLECTUAL DISABILITY" FOR "THE MENTALLY RETARDED"; TO AMEND SECTION 44-7-260, AS AMENDED, RELATING TO HEALTH FACILITY LICENSURE REQUIREMENTS, SO AS TO SUBSTITUTE "PERSONS WITH INTELLECTUAL DISABILITY" FOR "MENTALLY RETARDED"; TO AMEND SECTION 44-7-315, AS AMENDED, RELATING TO DISCLOSURE OF INFORMATION OBTAINED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL REGARDING HEALTH CARE FACILITIES, SO AS TO SUBSTITUTE "PERSONS WITH INTELLECTUAL DISABILITY" FOR "THE MENTALLY RETARDED"; TO AMEND SECTION 44-7-320, AS AMENDED, RELATING TO THE DENIAL, REVOCATION, OR SUSPENSION OF A HEALTH FACILITY LICENSE, SO AS TO SUBSTITUTE "PERSONS WITH INTELLECTUAL DISABILITY" FOR "THE MENTALLY RETARDED"; TO AMEND CHAPTER 20, TITLE 44, RELATING TO THE SOUTH CAROLINA MENTAL RETARDATION, RELATED DISABILITIES, HEAD INJURIES, AND SPINAL CORD INJURIES ACT, INCLUDING THE CREATION, GOVERNANCE, AND OPERATION OF THE SOUTH CAROLINA DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, CHAPTER 21, TITLE 44, RELATING TO THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS FAMILY SUPPORT SERVICES, SECTION 44-23-10, AS AMENDED, AND ARTICLES 3 AND 5 OF CHAPTER 23, TITLE 44, RELATING TO PROVISIONS APPLICABLE TO BOTH MENTALLY ILL AND MENTALLY RETARDED PERSONS, CHAPTER 26, TITLE 44, RELATING TO THE RIGHTS OF MENTAL RETARDATION CLIENTS, ALL SO AS TO CHANGE THE TERM "MENTAL RETARDATION" TO "INTELLECTUAL DISABILITY" AND THE TERM "MENTALLY RETARDED" TO "PERSON WITH INTELLECTUAL DISABILITY"; TO PROVIDE THAT THE TERMS "INTELLECTUAL DISABILITY" AND "PERSON WITH INTELLECTUAL DISABILITY" HAVE REPLACED, AND HAVE THE SAME MEANINGS AS, THE FORMER TERMS "MENTAL RETARDATION" AND "MENTALLY RETARDED"; AND TO DIRECT STATE AGENCIES, BOARDS, COMMITTEES, AND COMMISSIONS AND POLITICAL SUBDIVISIONS OF THE STATE AND THE CODE COMMISSIONER TO SUBSTITUTE THE TERM "INTELLECTUAL DISABILITY" FOR "MENTAL RETARDATION" AND THE TERM "PERSON WITH INTELLECTUAL DISABILITY" FOR "MENTALLY RETARDED" IN RULES, REGULATIONS, POLICIES, PROCEDURES, STATUTES, ORDINANCES, AND PUBLICATIONS WHEN THESE RULES, REGULATIONS, POLICIES, PROCEDURES, STATUTES, ORDINANCES, OR PUBLICATIONS ARE AMENDED, REVISED, OR REPUBLISHED. - ratified title

03/10/11	Senate	Introduced and read first time (Senate Journal-page 4)
03/10/11	Senate	Referred to Committee on Medical Affairs (Senate Journal-page 4)
04/20/11	Senate	Committee report: Favorable with amendment Medical Affairs (Senate Journal-page 7)
04/26/11	Senate	Committee Amendment Adopted (Senate Journal-page 24)
04/26/11	Senate	Read second time (Senate Journal-page 24)
04/26/11	Senate	Roll call Ayes-44 Nays-0 (Senate Journal-page 24)
04/27/11	Senate	Read third time and sent to House (Senate Journal-page 11)
04/27/11	House	Introduced and read first time (House Journal-page 51)
04/27/11	House	Referred to Committee on Medical, Military, Public and Municipal Affairs (House Journal-page 51)
05/18/11	House	Committee report: Favorable Medical, Military, Public and Municipal Affairs (House Journal-page 3)
05/24/11	House	Read second time (House Journal-page 19)
05/24/11	House	Roll call Yeas-110 Nays-0 (House Journal-page 19)
05/25/11	House	Read third time and enrolled (House Journal-page 11)
06/01/11		Ratified R 64
06/07/11		Signed By Governor
06/20/11		Effective date 06/07/11
06/20/11		Act No. 47