Agency Name: Department of Health and Environmental Control

Statutory Authority: 44-56-10 et seq.

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Proposed in State Register Volume and Issue: 35/1

House Committee: Medical, Military, Public and Municipal Affairs Committee

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Status: Final

Subject: Minimum Standards for Licensing Chiropractic Facilities

History: 4180

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

- 01/28/2011 Proposed Reg Published in SR

- 03/17/2011 Received by Lt. Gov & Speaker 02/21/2012

S 03/22/2011 Referred to Committee

H 03/29/2011 Referred to Committee

H 04/26/2011 Resolution Introduced to Approve 4125

- 02/21/2012 Approved by: Expiration Date

- 03/23/2012 Effective Date unless otherwise

 provided for in the Regulation

Document No. 4180

**DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

CHAPTER 61

Statutory Authority: 1976 Code Sections 44-56-10 et seq.

61-90. Minimum Standards for Licensing Chiropractic Facilities

**Synopsis:**

R.61-90 was promulgated and published as a final regulation in the *State Register* on April 27, 1984. Only a single facility was licensed under the regulation at any time. The facility’s last license expired July 31, 2000. That facility subsequently closed. No other application to license an inpatient chiropractic facility has been received since that date.

South Carolina Act No. 278, July 1, 2010, amended the State Certification of Need and Health Facility Licensure Act, Section 44-7-110 et seq., SC Code of Laws, 1976, as amended. The amended Act at Section 44-7-260(A), deleted Chiropractic Inpatient Facilities from the list of facilities the Department is authorized to license, thus making R.61-90 null and void. In the interest of good government and efficiency, the Department has repealed R.61-90.

A Notice of Drafting for the proposed repeal was published in the *State Register* on October 22, 2010.

**Instructions:** Repeal R.61-90,Minimum Standards for Licensing Chiropractic Facilities.

**Text:**

61-90. [Repealed]

**Fiscal Impact Statement:**

The repeal of R.61-90 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 complies with Section 1-23-115(c)(1)-(3) and (9)-(11), S.C. Code of Laws, 1976, as amended.

DESCRIPTION OF REGULATION: Repeal of Regulation 61-90, Minimum Standards for Licensing Chiropractic Facilities.

Purpose: Repeal of R.61-90, Minimum Standards for Licensing Chiropractic Facilities.

Legal Authority: Sections 44-7-10 et seq., S.C. Code of Laws, 1976, as amended.

Plan for Implementation: Upon final approval by the Board of Health and Environmental Control, the S.C. General Assembly, and publication in the S.C. State Registeras final, this regulation will be repealed.

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

R.61-90 was promulgated and published as a final regulation in State Register on April 27, 1984. Only a single facility was licensed under the regulation at any time. The facility’s last license expired July 31, 2000. That facility subsequently closed. No other application to license an inpatient chiropractic facility has been received since that date. Act No. 278 of 2010, effective July 1, 2010, amended the State Certification of Need and Health Facility Licensure Act at Section 44-7-110 et seq., and at Section 44-7-260(A) deleted chiropractic inpatient facilities from the list of facilities the Department is authorized to license, thus making R.61-90 null and void. In the interest of good government and efficiency, the Department has repealed this regulation.

DETERMINATION OF COSTS AND BENEFITS:

The repeal of R.61-90 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 and public health. However, repeal of this regulation was necessary to clarify that it is no longer valid and enforceable.

**Statement of Rationale:**

Upon review of Department regulations and the status of this regulation pursuant to Act 278 of 2010, it was determined that R.61-90 should be repealed because it is obsolete and no longer enforceable.