**South Carolina General Assembly**

118th Session, 2009-2010

**S. 990**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Rose

Document Path: l:\s-res\mtr\045nurs.ebd.mtr.docx

Introduced in the Senate on January 12, 2010

Currently residing in the Senate Committee on **Medical Affairs**

Summary: Nursing homes

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2009 Senate Prefiled

12/9/2009 Senate Referred to Committee on **Medical Affairs**

1/12/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\01-12-10.docx)‑48

1/12/2010 Senate Referred to Committee on **Medical Affairs** [SJ](file:///h:\SJ%20Archive\2010\01-12-10.docx)‑48

**VERSIONS OF THIS BILL**

[12/9/2009](file:///p:\pprever\2009-10\990_20091209.docx)

**A** **BILL**

TO AMEND SECTION 44‑7‑260 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR LICENSURE, TO PROVIDE THAT NURSING HOMES MUST CARRY AT LEAST ONE MILLION DOLLARS IN COMPREHENSIVE GENERAL LIABILITY INSURANCE TO OBTAIN A LICENSE, TO PROVIDE THAT A NURSING HOME MUST NOTIFY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL UPON CANCELLATION OF A GENERAL LIABILITY POLICY, AND TO PROVIDE THAT A NURSING HOME LICENSE SHALL BE REVOKED UPON FAILURE TO MAINTAIN GENERAL LIABILITY INSURANCE.

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

SECTION 1. Section 44‑7‑260 of the 1976 Code is amended by adding an appropriately lettered subsection to read:

“( )(1) A license may not be issued to a nursing home unless the applicant files with the department evidence of a policy of comprehensive general liability insurance providing the minimum coverage of one million dollars due to bodily injury, death, or destruction of property as the result of the negligent act or acts of the principal insured. The policy must be purchased from an insurer licensed by the Department of Insurance to do business in this State.

(2) A licensee shall notify the department upon the cancellation by a licensee of its policy of liability insurance or the cancellation by the insurance carrier of the licensee’s policy of insurance within ten days of the cancellation date. The cancellation does not affect any liability on the policy that accrued before cancellation. The license must be revoked if the licensee fails to obtain a new policy within sixty days of cancellation.

(3) Upon failure of the licensee to notify the department of cancellation of his liability insurance, the license may be revoked and may not be reinstated until a proper insurance certificate has been submitted to the department for approval. If a new liability insurance policy is not obtained within sixty days of the cancellation, the person seeking licensure shall submit an initial application.”

SECTION 2. This act takes effect upon approval by the Governor.

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