**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3022**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. M.M. Smith, Guest and Kirby

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Prefiled in the House on December 5, 2024

Currently residing in the House Committee on **Medical, Military, Public and Municipal Affairs**

Summary: Long Term Care Council

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/5/2024 House Prefiled

 12/5/2024 House Referred to Committee on **Medical, Military, Public and Municipal Affairs**

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**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3022_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 43‑21‑130, RELATING TO THE LONG‑TERM CARE COUNCIL, SO AS TO CORRECT REFERENCES TO CERTAIN AGENCIES WITH MEMBERSHIP ON THE COUNCIL; BY AMENDING SECTION 43‑21‑140, RELATING TO THE PURPOSE AND DUTIES OF COUNCIL, SO AS TO PROVIDE FOR THE SHARING OF DATA WITH MEMBER AGENCIES; AND FOR OTHER PURPOSES.

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

SECTION 1. Sections 43‑21‑130 through 43‑21‑140 of the S.C. Code are amended to read:

 Section 43‑21‑130. (A) There is created the Long TermLong‑Term Care Council (council) composed of the following voting members:

 (1) the Governor or his designee;

 (2) the Director of the Department of Social Services;

 (3) the Director of the Department of Public Health and Environmental Control;

 (4) the Director of the Department of Mental Health;

 (5) the Director of the Department of Disabilities and Special Needs;

 (6) the Director of the DivisionDepartment on Aging;

 (7) the Director of the Department of Health and Human Services;

 (8) the Chairman of the Joint Legislative Health Care Planning and Oversight Committee, or his designeethe Director of the Department of Veterans’ Affairs;

 (9) the Chairman of the Joint Legislative Committee on Aging, or his designee;

 (10) one representative of each of the following groups appointed by the Lieutenant Governor annually:

 (a) long termlong‑term care providers;

 (b) long termlong‑term care consumers;

 (c) persons in the insurance industry developing or marketing a long termlong‑term care product.

 (B) Each director serving as a council member may authorize in writing a designee to vote on his behalf at two meetings a year. Members appointed by the Lieutenant Governor to represent private groups serve without compensation.

 (C) The council shall meet at least quarterly, provide for its own officers, and make an annual report to the General Assembly before January second each year. This report must include new council recommendations.

 Section 43‑21‑140. The council has no authority to direct or require any implementing action from any member agency. The council shall identify future policy issues in long termlong‑term care and may conduct research and demonstration activities related to these issues. Through close coordination of each member agency’s planning efforts, including sharing necessary data and information, the council shall develop recommendations for a statewide service delivery system for all health‑impaired elderly or disabled persons, regardless of the persons’ resources or source of payment. These recommendations must be updated annually as needed. The service delivery system must provide for:

 (1) charges based on ability to pay for persons not eligible for Medicaid;

 (2) coordination of community services;

 (3) access to and receipt of an appropriate mix of long termlong‑term care services for all health‑impaired elderly or disabled persons;

 (4) case management; and

 (5) discharge planning and services.

 The council, through its member agencies, shall study and make recommendations concerning the costs and benefits of: adult day care centers, in‑home and institutional respite care, adult foster homes, incentives for families to provide in‑home care, such as cash assistance, tax credits or deductions, and home‑delivered services to aid families caring for chronically impaired elderly relatives. The council shall work to establish and maintain a statewide access system for consumers to access long‑term supports and services.

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

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