

May 1, 2015

2015-2016 Legislative Session

Legislative News is a publication prepared and distributed by the South Carolina Department of Mental Health (DMH) Office of Public Affairs to keep you informed of bills introduced in the General Assembly that may affect the DMH, mental health, health care issues, or employee issues. In addition, we will provide budget information and general news from the General Assembly. You can also access the complete bills online by clicking the link at the end of each description, OR visiting <http://www.scstatehouse.gov>.

This publication is also available on the DMH Internet and Intranet sites. However, if you do not have access to the site and wish to receive a copy of the update, call us, and we will send you one in the mail. If at any time you have questions or need more information about bills or other legislative issues, contact the Office of Public Affairs at (803) 898-8581 or TLL06@scdmh.org.

Budget Update

The following table shows DMH's Budget request side-by-side with recommendations for increased funding for the Department from the Governor, House of Representatives, and Senate Finance Committee.

SCDMH FY 2016 Budget Comparison				
	DMH Req.	Governor's Rec.	House Rec.	Senate Fin. Rec.
OPERATING REQUEST				
Sustainability of Mental Health Services	\$6,400,000	\$3,400,000	\$6,400,000	\$6,400,000
Forensics Inpatient Services	\$3,200,000	\$3,200,000	\$3,200,000	\$3,200,000
School-based Services	\$1,000,000	\$500,000	\$500,000	\$500,000
Emergency Department Telepsych. Prog. Sustainability	\$500,000	\$500,000	\$500,000	\$500,000
Information Network Security Required Improvements	\$750,000	\$250,000	-	-
Increase in Community Supportive Housing	\$400,000	\$400,000	\$400,000	\$400,000
OPERATING REQUEST TOTAL	\$12,250,000	\$8,250,000	\$11,000,000	\$11,000,000
CAPITAL REQUEST				
Santee-Wateree MHC Construction	\$3,347,048	-	-	-
Anderson-Oconee-Pickens MHC Construction	\$9,592,000	-	-	-
Catawba MHC Construction	\$10,580,000	-	-	-
Community Buildings Deferred Maintenance	\$3,385,000	-	-	-
Inpatient and Support Buildings Deferred Maintenance	\$5,237,057	-	-	-
Columbia Area MHC Construction (Relocation from Bull St.)	\$3,500,000	-	-	\$500,000*
Campbell VA Nursing Home Renovations	\$962,500	-	-	-
CAPITAL REQUEST TOTAL	\$36,603,605	-	-	\$500,000*
ONE-TIME FUNDING REQUEST				
Physical Plant Replacement of Vehicles	\$349,127	\$349,127	\$349,127*	\$349,127*
Inpatient Electronic Medical Record	\$2,743,451	-	\$2,743,451*	\$2,743,451*
Information Network Security Improvements	\$1,045,000	\$350,000	\$250,000*	\$250,000*
Facility Deferred Maintenance	-	\$2,000,000	-	-
Waccamaw MHC - Youth in Transition Program	-	-	-	\$167,000*
ONE-TIME FUNDING REQUEST TOTAL	\$4,137,578	\$2,699,127	\$3,342,578	\$3,509,578*
GRAND TOTAL REQUEST	\$52,991,183	\$10,949,127	\$14,342,578	\$15,009,578
**NAMI-Law Enforcement MHC	-	-	\$250,000	\$250,000
**Increase in Community Supportive Housing (MHA/Pee Dee)	-	-	-	\$1,800,000

Source: Summary Control Document - Senate Finance Committee Recommendations 4/23/15.

* Statewide Revenue Section 118.14, funding is subject to availability and based on priority.

** Non-recurring Pass Through Funding

Legislative Oversight Update

Last year, the Legislature passed a law providing for the House and the Senate to each, separately, perform a periodic review of all State agencies. Starting in 2015, the House and the Senate will each select 5-10 agencies to study. This year SC DMH has been chosen for review by the Senate.

The purpose of these reviews is to inform the Legislature in detail about an agency's programs and operations and to ensure the agency is operating as the State intended. Stewart Cooner, Director of the Office of Special Programs, has been appointed as the DMH liaison to the Senate staff conducting the review. During the review process, Mr. Cooner will be asking DMH staff to provide information being sought by the legislative staff.

DMH is working with the Senate and its staff to educate them about the many critical health care services the Department provides to the citizens of South Carolina, through its competent, caring, and outstanding workforce.

In order to streamline *Legislative News*, we have removed from the summary any bills that did not cross chambers by May 1, 2015.

Senate Bills – click the bill number for full text.

[11](#) **Notice of Meetings for Public Bodies (L. Martin, Malloy, Peeler, Courson, Campsen and Johnson)**

This bill requires each public body to provide an agenda for all regularly scheduled meetings and requires that items not be added to agendas less than 24 hours prior a meeting without a 2/3 vote of the body.

S 11 House read third time and returned to Senate with amendments, 4/29/15.

[426](#) **Mental Health Court Program Act (Sheheen)**

This bill establishes a Mental Health Court Program to divert mentally ill offenders to appropriate treatment programs rather than incarceration, set parameters for eligibility to participate in mental health court, to provide that each solicitor must establish a program, and requires that solicitors who accept state funding for the program establish it within 180 days.

S 426 Sent to House, 3/31/15. House introduced, read first time, and referred to Committee on Judiciary, 4/14/15.

[250](#) **Release of a Child's Medical Records (Shealy, Lourie and Young)**

This bill provides for the release of a child's medical records without parental consent to a South Carolina Children's Advocacy Medical Response System (CAMRS) child abuse health care provider for evaluating the child for suspected abuse or neglect; allows a access to records of indicated cases of child abuse or neglect; allows for a CAMRS to receive a summary of referrals and outcomes of cases of suspected abuse or neglect sent to a contracted service agency or program; requires that DSS share information relating to an indicated investigation of child abuse or neglect with a child's primary or specialty health care provider; and allows DSS to release a summary of allegations and the investigation outcome of unfounded cases to a CAMRS

S 250 Read second time, roll call Ayes-44; Nays-1, 4/29/15.

[474](#) **Patient's Rights (O'Dell)**

This bill adds and defines the term "Authorized Health Care Provider," allows an Authorized Health Care Provider to perform required initial examinations, and allows an Authorized Health Care Provider to authorize medications and treatment given or administered to patients in DMH facilities.

Sent to House, 4/28/15. Introduced, read first time, and referred to Committee on Medical, Military, Public and Municipal Affairs, 4/28/15.

House Bills – click the bill number for full text.

[3191](#) **Office of Freedom of Information Act Review (Newton, Cole, Anderson, Bales, G.A. Brown, R.L. Brown, Finlay, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Norman, Norrell, Pope, and others.)**

This legislation creates the Office of Freedom of Information Act Review within the Administrative Law Court.

Sent to Senate, 2/19/15. Senate referred to Subcommittee: Campsen (ch), Bright, Scott, Allen, Young, 4/24/15.

3250 Certificate of Need Program (G.M. Smith, Clyburn, Merrill and Anthony)

This bill provides comprehensive revisions for the Department of Health and Environmental Control's Certificate of Need Program which requires providers of health care services, such as hospitals and nursing homes, to obtain department approval for additions to, or significant expansions of, their facilities and services. The legislation includes: new provisions governing new and emerging technology for diagnosis or treatment that has not yet received approval by the federal Food and Drug Administration; elimination of State Health Plan provisions; and revisions to certificate of need review procedures.

House read third time and sent to Senate, 4/30/15.

3374 State Aid to Subdivisions Act (Merrill and White)

This bill revises the State Aid to Subdivisions Act by: changing the name of the Local Government Fund to the Local Government Revenue Sharing Fund; eliminating the requirement that the fund receive not less than four and one half percent of the general fund revenues of the latest completed fiscal year; eliminating a provision regarding midyear cuts, to provide that the fund must be increased by two percent if revenues are projected to increase by at least four percent; providing that the two percent increase, if applicable, be included in all stages of the budget process; revising the distribution percentage of the fund; and, eliminating a provision requiring amendments to the State Aid to Subdivisions Act be included in separate legislation.

Sent to Senate 3/05/15; Senate read first time and referred to Committee on Finance, 3/10/15.

3768 SC Able Savings Program (G.M. Smith and Johnson)

This bill enacts the "South Carolina ABLE Savings Program" to establish savings accounts as a means of empowering individuals with a disability and their families to save private funds to support the individual with a disability. The legislation establishes the Savings Program Trust Fund and Savings Expense Trust Fund and provides guidelines to the State Treasurer for the maintenance of these accounts.

Read third time and sent to Senate, 4/30/15.

Resolutions

690 Mental Health Month 2015 (Alexander and Hayes)

A concurrent resolution to designate the month of May 2015 as "Mental Health Month" in South Carolina and to raise awareness and understanding of mental illness and the need for appropriate and accessible services for all people with mental illness.

Adopted with concurrence, 4/28/15.

3712 DMH Telepsychiatry Bright Ideas (Rep. G. M. Smith)

This concurrent resolution congratulates the South Carolina Department Of Mental Health's Emergency Department Telepsychiatry Consultation Program on being named as part of the 2015 bright ideas program by the Harvard University Ash Center For Democratic Governance And Innovation at the John F. Kennedy School Of Government.

Adopted by both House and Senate, 2/24/15.

3957 Mental Health Month (Reps. G.M. Smith, Alexander, and others)

A House resolution to designate the month of May 2015 as "Mental Health Month" in South Carolina and to raise community awareness and understanding of mental illness and the need for appropriate and accessible services for all people with mental illnesses.

Adopted 4/14/15.