

R.61-15, Certification of Need for Health Facilities and Services – Proposed Amendment

State Register Document No. 5136

General Assembly review required

Link to Notice of Final Regulation (“NFR”) for legislative review: www.scstatehouse.gov/regs/5136.docx

Status |

House Regulations and Administrative Procedures Committee requested a withdrawal on May 1, 2023. The regulation is tolled, and will resume when resubmitted at a later time.

Contact Information |

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Summary |

Pursuant to S.C. Code Sections 44-7-110 et seq., the Department is required to adopt substantive and procedural regulations considered necessary by the Department and approved by the S.C. Board of Health and Environmental Control (“Board”) to carry out the Department’s Certificate of Need duties. The Department amends R.61-15 for consistency with statutory requirements, to establish an electronic application process, to revise the application format and additional information required for the application process, and update exemption and non-applicability determination processes. The Department’s amendments also include adding, removing, and modifying definitions contained within the regulation. The Department updated language and processes related to public hearings on Certificate of Need applications, the application and review process and related notifications, voidance and extension procedures, and periodic and final reporting requirements regarding issued Certificates of Need. Additionally, the amendments revise the project review criteria and the monetary thresholds that trigger a Certificate of Need review. The amendments also include corrections for clarity and readability, grammar, punctuation, codification, and other such regulatory text improvements.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments.

History |

NOD published; comment period started:	June 24, 2022
NOD comment period closed:	July 25, 2022
Board approval to publish NPR:	September 8, 2022
NPR published; comment period started:	September 23, 2022
NPR comment period closed:	October 24, 2022
Public hearing:	December 8, 2022
Withdrawal notification received:	May 1, 2023