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**Healthcare and Regulatory Subcommittee Meeting
Monday, August 12, 2019, at 1:00 pm
Blatt Building Room 410**

Archived Video Available

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

Attendance

- I. Chair Jay West calls the Healthcare and Regulatory Subcommittee to order on Monday, August 12, 2019, in Room 410 of the Blatt Building. All members of the Subcommittee are present for all or a portion of the meeting, with the exception of Representative Bill Taylor. Representative Micah Caskey is also present for the meeting.

Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.

- II. Representative Ridgeway moves to approve the meeting minutes from the July 23, 2019, meeting. The motion passes.

Representative Ridgeway's motion to approve the meeting minutes from the July 23, 2019, meeting.	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Robert Ridgeway	✓			
Rep. Bill Taylor			✓	
Rep. Chris Wooten	✓			
Rep. Jay West	✓			

Meeting

- I. Chair West explains that this is the Subcommittee's eleventh meeting with the Department of Mental Health, and that the purpose is to hear the agency's requests for recommendations.
- II. Chair West makes a statement regarding the purpose of oversight studies and explains that all testimony given to this subcommittee, which is an investigating committee, must be under oath. He reminds those sworn in during prior meetings that they remain under oath. He swears in DMH staff not previously sworn in.
- III. Jane B. Simpson, mental health advocate from Lexington County, is sworn in and provides testimony about her interactions with DMH staff throughout the years.
- IV. Mark Binkley (Interim Director) provides testimony about the following agency recommendations:
 - a. Amend the Sexually Violent Predator Act
 - b. Amend Title 44, Chapter 23 regarding commitments of defendants for treatment services to restore capacity to stand trial
 - c. Amend Title 44, Chapter 23 regarding defendants found to lack capacity to stand trial and further found to be unlikely to be able to be restored
 - d. Consider coverage in the South Carolina Torts Claims Act for contractors providing services on behalf of a state agency
 - e. Amend Section 44-22-40 to make the list of individuals who may provide substitute consent consistent with recent changes to the list of individuals in the Adult Healthcare Consent Act
 - f. Amend Act No. 65 of 2019, which amended Section 44-53-360(j), to require practitioners to electronically prescribe controlled substances unless exempted from the subsection, to add an exemption for SCDMH practitioners and facilities.
 - g. Transfer of pass-through funds not directly related to the mission of the agency
- V. Subcommittee members ask, and agency staff respond to questions about the following subjects:

- a. Sexually violent predator treatment program improvements;
- b. Forensic evaluations;
- c. Agency inpatient capacity;
- d. Medical services;
- e. Organizational structure;
- f. Opioid prescribing rules; and
- g. Medication bid process.

VI. There being no further business, the meeting is adjourned.