



## **UPDATE: South Carolina's Hospice Rule Changes Anticipated**

H. Carol Saul and Alexander B. Foster

South Carolina's proposed hospice licensure rule changes are expected to be approved in the next month, as the expiration date for the 120-day review period for automatic approval by the South Carolina General Assembly is March 27, 2016.<sup>1</sup> If approved, the new regulations will go into effect on April 22, 2016. As AGG previously discussed in an earlier posting, the South Carolina Department of Health & Environmental Control (DHEC) has proposed changes to the state's hospice regulations in an effort to "incorporate updates and clarification relating to hospice licensure requirements, accident and/or incident reports, patient and medical record maintenance, emergency procedures and disaster preparedness, patient care, treatment, and services, design and construction, and fire and life safety." As of April 21, 2015, the pending rules had been referred to the South Carolina House Regulations and Administrative Procedures Committee and the Senate Medical Affairs Committee. Some of the more significant changes include:

- Deleting the definition of "Facility," which was "Any entity licensed by the Department," and expanding the definition of "Hospice Facility" to clarify that "Hospice Facility" refers only to inpatient hospices, which must be separately licensed and are subject to certificate of need requirements. This new definition has implications throughout the proposed regulations.
- Removing the availability of "Consultations" provided by DHEC that are meant to provide information to the licensee in order to facilitate compliance with the regulations.
- Modifying the "License Requirements" section of the rules. The current rules have "License Requirements" in Section 103. The proposed rules provide "License Requirements" in Sections 201-213 and include revised provisions.

For more information regarding the changes made to update the rules, see *South Carolina Proposes Extensive Hospice Rule Changes*, or click [here](#).<sup>2</sup> Hospice providers should be mindful of the upcoming approval date and the impact the new rules have on day-to-day operations. These changes will trigger a need to review and update written policies and staff training. Providers should be aware that the Medicare Conditions of Participation also govern the delivery of hospice services to Medicare beneficiaries and must be complied with as well.

<sup>1</sup> To see the proposed text of the rules, go to <http://www.scstatehouse.gov/regs/4553.docx>. Upon approval by the General Assembly and publication, a copy of the amended rules will be available at <http://scdhec.gov/Agency/RegulationsAndUpdates/LawsAndRegulations>

<sup>2</sup> <http://www.agg.com/South-Carolina-Proposes-Extensive-Hospice-Rule-Changes-05-11-2015/>

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