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PS-R093-20100701

July 10, 2010

**MEMORANDUM**

**TO:** Administrators of Narcotic Treatment Programs that Treat Individuals for Psychoactive Substance Abuse or Dependence

**FROM:** Nancy E. Maertens, Director  
Division of Health Licensing

**SUBJECT:** Proposed Narcotic Treatment Programs Changes to Initial Licensure Requirements

Section 2618D of Regulation 61-93, Standards for Licensing Facilities That Treat Individuals for Psychoactive Substance Abuse or Dependence states,

"NTP facilities shall not operate within 500 feet of:

1. A church;
2. A public or private elementary or secondary school;
3. A boundary of any residential district;
4. A public park adjacent to any residential district;
5. The property line of a lot devoted to residential use".

As of July 1, 2010, Act No. 278 amended the Certificate of Need (CON) Section of the S.C. Code of Laws. Methadone treatment facilities no longer require a CON. As a result, the licensee of a proposed narcotic treatment program (NTP), including methadone treatment, must submit the following documentation to the Division of Health Licensing (DHL) as written verification of compliance with Section 2618D of R61-93 as partial fulfillment of the pre-requisites for initial licensure:

1. Written Attestation - reflects the licensee's written attestation that the proposed NTP is not located within 500' of a church, public or private elementary or secondary school, boundary of any residential district, public park adjacent to any residential district, or property line of a lot devoted to residential use. The written attestation must:
  - A. state the name and address of the proposed NTP;
  - B. be signed and dated by the licensee in a similar manner as required for licensing applications if the proposed licensee is a sole proprietorship, LLC, partnership, corporation, etc.;
  - C. be notarized.
2. Survey - conducted by a professional engineer or surveyor registered with the South Carolina Board of Registration for Professional Engineers and Surveyors, that verifies the proposed NTP location is not within 500' of a church, public or private elementary or secondary school, boundary of any residential district, public park adjacent to any residential district, or property line of a lot devoted to residential use. The survey provided from the licensee must be verifiable as being performed by a S.C. registered professional engineer or surveyor.

The Department reserves the right to confirm distances as related to the requirements of Section 2618D of R61-93.

NEM/rms