



C. Earl Hunter, Commissioner

Promoting and protecting the health of the public and the environment.

September 12, 2011

MEMORANDUM

TO: Administrators of Nursing Homes
Administrators of Community Residential Care Facilities

FROM: Dennis L. Gibbs, Chief
Bureau of Health Facilities Regulation

SUBJECT: License Renewal Requirement - Criminal Records Checks on Owners

Section 44-7-264 of the South Carolina Code of Laws was added in 2010 and requires the owner (or individuals authorized to sign the license application) of a nursing home and/or community residential care facility to undergo a criminal records check.

A Federal and State criminal records check will be accomplished by electronic fingerprint scanning through L-1 Identity Solutions. The results are sent to our Department electronically within 24 hours from the Federal Bureau of Investigation via the South Carolina State Law Enforcement Division. The procedures for conducting the checks are located on our website at <http://www.scdhec.gov/health/licen/crc.htm>.

Effective for licenses that will expire on or after December 31, 2011, the Department must be in receipt of the background check results. The results must not reflect any adverse information (per Section 44-7-264) that would prohibit the Department from renewing the license. The Department must also be in receipt of a letter from the owner(s) attesting to the names of the individual(s) that are authorized to sign the license application. Additional information regarding persons authorized to sign is included in the renewal application on the signature page.

Administrators are to make the owner(s) of the facility or service aware of this new law and the requirement for a license renewal.

Should you have any questions, please contact the Bureau of Health Facilities Regulation by phone at (803) 545-4370 or by e-mail at FORDSR@dhec.sc.gov.

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