



2600 Bull Street
Columbia, SC 29201-1708

July 27, 1998

MEMORANDUM

TO: Administrators, Residential Treatment Facilities for
Children and Adolescents

FROM: Jerry L. Paul, Director
Health Licensing Section

Dennis L. Gibbs for

SUBJECT: Amendment to SC Code Affecting DHEC Standards

Regulation 61-103, Standards For Licensing Residential Treatment Facilities for Children and Adolescents, Section A(1)(d) defines "child/adolescent." Section 44-7-130 has been amended to expand the age maximum in the definition for certain individuals.

Attached is a copy of the law which became effective on June 8, 1998. Compliance with this law in lieu of the current standard is necessary.

Should you have any questions regarding this change, please call Dennis Gibbs at (803) 737-7370.

JLP./JML

Enclosure

AN ACT TO AMEND SECTION 44-7-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT, SO AS TO REVISE THE DEFINITION OF CHILDREN AND ADOLESCENTS IN NEED OF MENTAL HEALTH TREATMENT TO INCLUDE CHILDREN OR ADOLESCENTS UNDER AGE TWENTY-ONE WHO ARE CLIENTS OF OR COMMITTED TO THE CUSTODY OF AN AGENCY OF THE STATE.

Be it enacted by the General Assembly of the State of South Carolina:

Definition revised

SECTION 1. Section 44-7-130(18) of the 1976 Code, as last amended by Act 670 of 1988, is further amended to read:

"(18) 'Children and adolescents in need of mental health treatment' in a residential treatment facility means a child or adolescent under age eighteen or a child or adolescent under age twenty-one who is a client of, committed to the custody of, or in the legal custody of an agency of the State of South Carolina who manifests a substantial disorder of cognitive or emotional process, which lessens or impairs to a marked degree that child's or adolescent's capacity either to develop or to exercise age-appropriate or age-adequate behavior. The behavior includes, but is not limited to, marked disorders of mood or thought processes, severe difficulties with self-control and judgment including behavior dangerous to self or others, and serious disturbances in the ability to care for and relate to others."

Time effective

SECTION 2. This act takes effect upon approval by the Governor.

Approved the 8th day of June, 1998.