



## **SOUTH CAROLINA ASSOCIATION OF COUNTIES**

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### **REGULATION AND CASE LAW UPDATE**

To: Chief Administrative Officer; County Attorney  
From: John K. DeLoache, SCAC Senior Staff Attorney

Beginning January 2021, SCAC legal staff will be sending a monthly combined update of proposed regulations and appellate court opinions impacting county government operations. CAOs/Attorneys are encouraged to forward this update to impacted county departments.

### **REGULATIONS**

#### **DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) – Emergency**

**Medical Services:** The following DHEC Regulation Update was published Friday December 25, 2020. The Department intends to update several regulations pertaining to *Emergency Medical Services* (EMS). Public comments must be received by Monday January 25, 2021.

Document No. 5030

#### **DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CHAPTER 61**

Statutory Authority: 1976 Code Sections 44-61-10 et seq.

#### **61-7. Emergency Medical Services.**

**Preamble:** The Department of Health and Environmental Control (“Department”) proposes amending R.61-7 to update provisions in accordance with current practices and standards. Proposed amendments incorporate and revise provisions relating to statutory mandates, update definitions to conform to the terminology widely used and understood within the provider community, revise requirements to Emergency Medical Technician (EMT) training programs, ambulance design and equipment to reflect current industry standards, incident reporting, sanitation and infection control, monetary penalties, and other requirements for EMS agency licensure, ambulance permitting, and EMT certification. The Department further proposes revisions for clarity and readability, grammar, references, codification, and overall improvement to the text of the regulation. R.61-7 was last amended in 2016.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments.

**Notice of Public Hearing and Opportunity for Public Comment:** Interested persons may submit comment(s) on the proposed amendments to Healthcare Quality of the S.C. Department of Health and Environmental Control, 2600 Bull Street, Columbia, S.C. 29201; [HQRegs@dhec.sc.gov](mailto:HQRegs@dhec.sc.gov).

To be considered, the Department must receive the comment(s) by 5:00 p.m. on January 25, 2021, the close of the comment period. The S.C. Board of Health and Environmental Control will conduct a public hearing on the proposed amendments during its February 11, 2021, 10:00 a.m. meeting. Interested persons may make oral and/or submit written comments at the public hearing. Persons making oral comments should limit their statements to five (5) minutes or less. The meeting will take place in the Board Room of the DHEC Building, located at 2600 Bull Street, Columbia, S.C. 29201. Due to admittance procedures, all visitors must enter through the main Bull Street entrance and register at the front desk. Because of ongoing COVID-19 concerns, interested persons who do not wish to appear in person may participate in the public hearing by calling in through an assigned conference line. These participants may register in advance by visiting the DHEC Events webpage ([www.scdhec.gov/events](http://www.scdhec.gov/events)) and selecting the appropriate Board meeting date. A link to register will be provided on the accompanying meeting information page. The Department will publish a meeting agenda twenty-four (24) hours in advance indicating the order of its scheduled items at: <http://www.scdhec.gov/Agenda>.

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

## **COURT UPDATE**

### **SOUTH CAROLINA COURT OF APPEALS**

**Fairfield Waverly, LLC v. Dorchester County**, Appellate Case No. 2017-000569  
December 23, 2010

Areas of Law: Property Tax; ATI Exemptions

This case involves two cases pertaining to exemptions to Assessable Transfer of Interest (ATI) found in SC Code of Laws Section 12-37-3135(A) of certain types of real property. The question before the court was whether a property owner must claim the ATI exemption during the first year of eligibility, or whether there is a longer period of time. The Court in this decision held that property owners purchasing property after January must be given until January 31 of the following year to file for the ATI exemption, and where the property is purchased in a reassessment year must claim the ATI exemption before the next five-year reassessment.

A link to the Court of Appeals decision can be found here:

<https://www.sccourts.org/opinions/HTMLFiles/COA/5769.pdf>