

**STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT**

Attachment 7.2-A

State South Carolina

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NONDISCRIMINATION

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South Carolina Department of Health and Human Services' policies and procedures for compliance with the Civil Rights Act of 1964, Title V Section 504 of the Rehabilitation Act of 1973 (29 U.S.C 70b), Title II Section 202 of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975 and the regulations at Title 45 Code of Federal Regulations Parts 80, 84 and 91 are on file in the Regional Office.

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EFFECTIVE DATE: 07/01/15  
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SUPERSEDES: 1973

SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
POST OFFICE BOX 8206  
COLUMBIA, SOUTH CAROLINA 29202

METHODS OF ADMINISTRATION REGARDING COMPLIANCE WITH  
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 FOR THE STATE OF SOUTH CAROLINA

I. Assignment of Responsibility

The ADA and Civil Rights Official with the South Carolina Department of Health and Human Services' (SCDHHS) Civil Rights Division is the person assigned the responsibility of determining compliance with

Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et. seq.), Title V Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 70b), Title II Section 202 of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975 and the regulations at Title 45 Code of Federal Regulations Parts 80, 84, and 91. Additionally, appropriate SCDHHS staff will receive training on SCDHHS' Civil Rights policies. Forms have been devised to report any discriminatory practices or compliance problems noted.

II. Dissemination of Information

1. All beneficiaries/applicants requesting assistance or services from SCDHHS are provided with a brochure describing their rights and responsibilities under Title VI.
2. Training materials and policy information are available to educate SCDHHS staff about their responsibility regarding protected classes and to disseminate information to beneficiaries/applicants.
3. Information is available on SCDHHS' website, to both the general public and applicants/beneficiaries, about the provisions of Title VI of the Civil Rights

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4. There is a section on the SCDHHS application which advises the applicant/beneficiary of his or her rights under these regulations.
5. All SCDHHS providers sign an agreement assuring compliance with these regulations.

III. Maintaining and Assuring Compliance

The Civil Rights Division has developed a form for use in reviewing county offices, nursing homes, hospitals, and physicians' offices. The Civil Rights Division has developed a system whereby providers may be reviewed periodically.

All compliance information and reports will be reviewed as received. If additional information is needed, the ADA and Civil Rights Official will initiate appropriate requests. If the information received indicates non-compliance, corrective action will be initiated.

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IV. Handling Complaints

Complainants must file written complaints within 180 days after any alleged act of discrimination based on race, color, national origin, age or disability. Complaints may be filed with the SCDHHS Director, the SCDHHS Civil Rights Division or designee or the United States Department of Health and Human Services' Regional Office for Civil Rights in Atlanta, Georgia. Any registered complaint will require an investigation by a representative from the Civil Rights Division.

In accordance with SCDHHS policy, the initial complaint investigation will be conducted within fourteen days of its receipt. Whenever possible, complaints will be resolved within 30 days after the initial complaint investigation. If complainants provide complete contact information, they will receive a written response to their complaint and/or a report of the completed investigation.

If a complaint is alleged or a breach is found and a provider is non-compliant with resolving identified issues, such action is grounds for termination. Providers will be given the opportunity to cure breaches, except in certain circumstances of non-compliance. If they do not cure, SCDHHS will terminate their services.

Electronic records of all compliance reports, compliance data and complaints and subsequent investigations shall be maintained by the Civil Rights Division.

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