

16 DRAFTING NOTICES

DEPARTMENT OF ENVIRONMENTAL SERVICES

CHAPTER 61

Statutory Authority: 1976 Code Sections 13-7-40, 48-6-10 et seq., and
2023 Act No. 60, effective July 1, 2024

Notice of Drafting:

The Department of Environmental Services (Department) proposes amending R.61-64, X-Rays (Title B) (R.61-64). Interested persons may submit written comments on the proposed amendments to Ms. Chrissy Chavis of the Bureau of Land and Waste Management, South Carolina Department of Environmental Services, 2600 Bull Street, Columbia, South Carolina 29201; or via email at Chrissy.Chavis@des.sc.gov. To be considered, the Department must receive comments no later than 5:00 p.m. on Monday, November 24, 2025, the close of the Notice of Drafting comment period.

Synopsis:

Pursuant to S.C. Code Ann. Section 13-7-40 et seq., the Department has the authority to regulate radiation sources and to formulate, adopt, promulgate, and repeal rules and regulations relating to the control of ionizing radiation.

The Department proposes amending R.61-64, X-Rays (Title B), to incorporate the U.S. Food and Drug Administration's (FDA) amendments to the federal Mammography Quality Standards Act (MQSA) published on March 10, 2023, 88 FR 15126, and effective September 10, 2024.

The updates issued by the FDA, which became effective September 10, 2024, were to modernize the regulations by incorporating current science and mammography best practices. The Department's intent of its proposal to amend R.61-64, X-Rays (Title B), is to mirror the amendments of the federal MQSA by doing the following: improving the delivery of mammography services by strengthening the communication of healthcare information; allowing for more informed decision making by patients and providers (by requiring facilities to provide them with additional health information); helping to ensure the availability of qualified mammography personnel; bolstering the medical outcomes audit to provide feedback to improve mammography interpretations; modernizing technological aspects of the standards; and adding additional tools to deal with noncompliant facilities.

The Administrative Procedures Act, S.C. Code Ann. Section 1-23-120(H)(1), exempts these amendments from General Assembly review, as the Department proposes these amendments for compliance with federal law.

DEPARTMENT OF INSURANCE

CHAPTER 69

Statutory Authority: 1976 Code Section 38-3-110

Notice of Drafting:

The Department of Insurance proposes to repeal Regulation 69-62, Closeout and Termination of the SCAAIP. This regulation is no longer needed. The purpose of this regulation was to provide for the termination and orderly transition of business from the SCAAIP to the AAIP of SC. The SCAAIP was in effect from March 1, 1999, to February 28, 2003. It was terminated as a legal entity in 2007. Interested persons may submit written comments to Gwendolyn McGriff, General Counsel, South Carolina Department of Insurance, 1201 Main Street, Suite 1000, Post Office Box 100105, Columbia, SC 29202-3105. For questions, call 803-737-6200 or email gmcgriff@doi.sc.gov. To be considered, all comments must be received no later than 5:00 p.m. November 10, 2025, the close of the drafting comment period.