

1980 WL 120868 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 12, 1980

*1 Gerald M. Finkel, Esquire
Chester County Hospital Attorney
1811 Bull Street
Columbia, South Carolina 29201

Dear Mr. Finkel:

Regarding the Chester County Hospital Board (Board) and its status with respect to the Chester County Council's appointment power under [Section 4-9-170, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, I think that the Board may constitute the governing body of a political subdivision and, accordingly, remain outside the scope of the Council's appointment power. The 1947 legislation which created the Board specifies that the 'County Hospital be . . . removed from politics insofar as is possible, . . .' [45 STAT. 954 (1947)]. Its original members are specifically named in the 1947 legislation and their successors are to be selected by the membership itself. Furthermore, my understanding is that the Council does not control the budget or other fiscal aspects of the Chester County Hospital, e.g., it does not approve the annual budget and the Chester County Hospital does not receive any Chester County general funds with the exception of an annual two mills for indigent care. The Council also has a contract with the hospital for ambulance services and has in the past approved grants for specific hospital equipment, presumably paid with county funds. Nevertheless, the hospital does not appear to me to function as an agency of the County but, instead, appears to operate as a fairly autonomous and independent body.

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

1980 WL 120868 (S.C.A.G.)

End of Document

© 2015 Thomson Reuters. No claim to original U.S. Government Works.