

1983 WL 181845 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 13, 1983

\*1 Edgar A. Vaughn, Jr., CPA  
State Auditor  
Post Office Box 11333  
Columbia, South Carolina 29211

Dear Ed:

This will reply to your recent letter and attached copy of a letter from Mr. John A. Crosscope, Jr., Interim Commissioner of the Department of Social Services requesting an interpretation of a proviso in the 1982-83 Appropriations Act. The proviso states: Provided, Further, That Medicaid reimbursements for Medicaid Institutional Providers automotive travel pertaining to patient care shall be limited to in-state, and the reimbursement rate shall be based on the Budget and Control Board reimbursement policy for state employees. The reimbursements shall not be based on a depreciation schedule.'

In our opinion the proviso prohibits reimbursements for any out-of-state travel. There is no ambiguity in the language, therefore there is no room for statutory interpretation, unless we are provided with a conflicting provision from some other statute or regulation. In brief, out-of-state travel by medicaid providers would be at their own expense and not subject to reimbursement by DSS.

While out-of-state travel might be important and beneficial to the provider, that does not qualify it for reimbursement. The controlling rule of statutory construction is that matters not included are intended to be excluded, otherwise the limitation contained in the proviso would have no practical effect.

Sincerely,

Frank K. Sloan  
Chief Deputy Attorney General

1983 WL 181845 (S.C.A.G.)

---

End of Document

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