

SOUTH CAROLINA
SENATE AMENDMENT

AMENDMENT NO. 4

Ken Moffitt
March 13, 2024

| ADOPTED | TABLED | CARRIED OVER | FAILED | RECONSIDERED |
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Clerk of the Senate

ADOPTION NO. _____

BILL NO: S. 975

(Reference is to the original version)

Senator Cash proposes the following amendment (SR-975.KM0016S):

Amend the bill, as and if amended, SECTION 10, by striking Section 44-4-520(A)(1) and inserting:

(1) to vaccinate persons as protection against infectious disease and to prevent the spread of contagious ~~or possibly contagious~~ disease;

Amend the bill further, SECTION 10, by striking Section 44-4-520(A)(3) and inserting:

(3) to ~~prevent the spread of contagious or possibly contagious disease~~, DHEC may isolate or quarantine, pursuant to the applicable sections of this act, symptomatic persons or persons exposed to the disease who are unable or unwilling for any reason (including, but not limited to,

health, religion, or conscience) to undergo vaccination or treatment pursuant to this section.

Amend the bill further, SECTION 10, by striking Section 44-4-520(C)(1), (2), and (3) and inserting:

(C)(1) ~~Vaccination~~ Vaccinations -may be performed by any qualified person authorized by ~~DHEC~~the department.

(2) To be administered pursuant to this section, a vaccine must not be such as is reasonably likely to lead to serious harm to the affected individual.

(D)(1) Treatment must be administered by any qualified person authorized to do so by ~~DHEC~~ the department.

(2)

Amend the bill further, SECTION 10, by striking Section 44-4-520(D) and inserting:

(D)(1) Treatment must be administered by any qualified person authorized to do so by ~~DHEC~~ the department.

(2) Treatment must not be such as is reasonably likely to lead to serious harm to the affected individual.

(E) For purposes of this section, “informed consent” means a written document that is signed and dated by an individual; or if the individual is a minor, by a parent or legal guardian; or if the individual is incapacitated or without sufficient mental capacity, by a designated health care agent pursuant to a health care power of attorney, that at a minimum includes:

(1) an explanation of the vaccine or treatment that is written in language that understandable to the average lay person;

(2) a description of the potentially best and worst outcomes resulting from vaccine or treatment, along with a realistic description of the most likely outcome. ~~The description shall be~~

~~based on the treating physician's actual knowledge of the vaccine or treatment; and~~

(3) contain language that clearly indicates that the individual agrees to the administration of the vaccine or treatment, that the individual has had time to thoughtfully consider whether to provide consent, and that the individual is providing consent free from coercion.

Renumber sections to conform.

Amend title to conform.