

S. 975 – Amendment #1

SECTION 9. Section 44-4-510 of the S.C. Code is amended to read:

Section 44-4-510. (A)(1) During a state of public health emergency, ~~DHEC~~the department may perform voluntary physical examinations or tests as necessary for the diagnosis or treatment of individuals.

(2) ~~DHEC~~The department may isolate or quarantine, pursuant to the sections of this act and its existing powers under Section 44-1-140, any symptomatic person whose refusal of physical examination or testing results in uncertainty regarding whether he or she ~~has been exposed to or is~~ infected with ~~a~~the contagious disease for which the public health emergency has been declared~~or possibly contagious disease or otherwise poses a danger to public health.~~

(B)(1) Physical examinations or tests may be performed by any qualified person authorized to do so by ~~DHEC~~the department.

(2) Physical examinations or tests must not be reasonably likely to result in serious harm to the affected individual.

~~(3) Tests must be FDA approved for accurate detection of the biological agent.~~

S. 975 – Amendment #2

SECTION 10. Section 44-4-520 of the S.C. Code is amended to read:

Section 44-4-520. (A) During a state of public health emergency, ~~DHEC~~the department may exercise the following emergency powers, in addition to its existing powers, over persons as necessary to address the public health emergency:

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

(2) to treat persons exposed to or infected with disease; and

(3) to prevent the spread of contagious ~~or possibly contagious~~ disease, ~~DHEC~~the department may isolate or quarantine, pursuant to the applicable sections of this act, persons 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.

(B) Vaccinations or treatment, or both, must be provided only to those individuals who ~~agree~~provide informed consent to the vaccinations or treatment, or both.

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

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

~~— (3) To be administered pursuant to this section, a vaccine must not be a gene therapy.~~

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

~~(2)~~(4) Treatment must not be such as is reasonably likely to lead to serious harm to the affected individual.