

## Session 117 - (2007-2008)

**H\*3912 (Rat #0417, Act #0411 of 2008) General Bill, By White and Bales**

**Similar (S 0693)**

**Summary:** Physicians

AN ACT TO AMEND SECTION 40-47-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT TO BE LICENSED TO PRACTICE MEDICINE AND TO SPECIFY WHAT IS NOT TO BE CONSTRUED AS PRACTICING MEDICINE, SO AS TO CLARIFY THAT A PHYSICIAN MAY DELEGATE CERTAIN TASKS TO AN UNLICENSED PERSON IF THE PHYSICIAN IS IMMEDIATELY AVAILABLE AND TO PROVIDE THAT A PHYSICIAN IS NOT PROHIBITED FROM PRACTICING IN CONSULTATION WITH A SOUTH CAROLINA PHYSICIAN CONCERNING AN OPINION FOR THE SOUTH CAROLINA PHYSICIAN'S CONSIDERATION IN MANAGING THE CASE AND TREATMENT OF A PATIENT IN THIS STATE; TO AMEND SECTION 40-47-32, RELATING TO REQUIREMENTS FOR LICENSURE TO PRACTICE MEDICINE, SO AS TO PROVIDE THAT WHEN PROVIDING DOCUMENTATION OF RESIDENCY TRAINING FOR LICENSURE, A PHYSICIAN WHO GRADUATED FROM A SCHOOL OUTSIDE OF THE UNITED STATES OR CANADA IS ONLY REQUIRED TO HAVE BEEN ACTIVELY LICENSED FOR THE PRECEDING FIVE YEARS, RATHER THAN THE PRECEDING TEN YEARS, AND TO PROVIDE THAT SEVENTY-FIVE PERCENT OF CONTINUING MEDICAL EDUCATION MUST BE IN A BOARD CERTIFIED APPLICANT'S AREA OF SPECIALTY IN ORDER FOR THE APPLICANT TO OBTAIN LICENSURE WITHOUT HAVING TO PASS AN EXAMINATION; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO THE DEFINITION OF TERMS IN THE LICENSURE AND REGULATION OF PHYSICIANS, INCLUDING THE DEFINITION OF THE PRACTICE OF MEDICINE, SO AS TO PROVIDE THAT RENDERING A DETERMINATION OF MEDICAL NECESSITY OR A DECISION AFFECTING THE DIAGNOSIS OR TREATMENT OF A PATIENT IS NOT, UNDER CERTAIN CIRCUMSTANCES, THE PRACTICE OF MEDICINE WHEN SUCH DETERMINATION OR DECISION IS A COVERAGE DECISION DENYING HEALTH CARE SERVICES OR COVERAGE FOR A COVERED BENEFIT OR APPROVING A COVERED BENEFIT; AND BY ADDING SECTION 38-59-25 SO AS TO FURTHER SPECIFY THOSE CIRCUMSTANCES UNDER WHICH RENDERING A DETERMINATION OR MAKING A DECISION DENYING OR APPROVING HEALTH CARE SERVICES OR BENEFITS IS NOT THE PRACTICE OF MEDICINE. - ratified title

<b>04/17/07</b>	<b>House</b>	<b>Introduced and read first time HJ-39</b>
<b>04/17/07</b>	<b>House</b>	<b>Referred to Committee on Medical, Military, Public and Municipal Affairs HJ-40</b>
<b>02/27/08</b>	<b>House</b>	<b>Committee report: Favorable Medical, Military, Public and Municipal Affairs HJ-8</b>
<b>02/28/08</b>		<b>Scrivener's error corrected</b>
<b>03/04/08</b>	<b>House</b>	<b>Requests for debate-Rep(s). White, Skelton, Cobb-Hunter, Hart, Parks, JH Neal, Sellers, Rutherford, Taylor, Whitmire, Sandifer, Gambrell, Thompson, Brady, Hayes, Clyburn, Hosey, Mulvaney, Umphlett, G Brown, R Brown, Anderson, Owens, Limehouse, Bedingfield, Mahaffey, Shoopman, Leach, Breeland, Gullick, Hutson, Lowe, Crawford, Alexander, GR Smith, and Govan HJ-59</b>
<b>03/05/08</b>	<b>House</b>	<b>Member(s) request name added as sponsor: Bales</b>
<b>03/05/08</b>	<b>House</b>	<b>Debate interrupted HJ-33</b>
<b>03/05/08</b>	<b>House</b>	<b>Amended HJ-45</b>
<b>03/05/08</b>	<b>House</b>	<b>Read second time HJ-52</b>
<b>03/05/08</b>	<b>House</b>	<b>Roll call Yeas-65 Nays-43 HJ-52</b>
<b>03/06/08</b>	<b>House</b>	<b>Read third time and sent to Senate HJ-30</b>
<b>03/06/08</b>		<b>Scrivener's error corrected</b>
<b>03/11/08</b>	<b>Senate</b>	<b>Introduced and read first time SJ-6</b>
<b>03/11/08</b>	<b>Senate</b>	<b>Referred to Committee on Judiciary SJ-6</b>
<b>03/12/08</b>	<b>Senate</b>	<b>Recalled from Committee on Judiciary SJ-2</b>
<b>03/12/08</b>	<b>Senate</b>	<b>Committed to Committee on Medical Affairs SJ-2</b>
<b>05/14/08</b>	<b>Senate</b>	<b>Committee report: Favorable with amendment Medical Affairs SJ-8</b>
<b>05/15/08</b>		<b>Scrivener's error corrected</b>
<b>05/28/08</b>	<b>Senate</b>	<b>Special order, set for May 28, 2008 SJ-94</b>
<b>06/03/08</b>	<b>Senate</b>	<b>Debate interrupted SJ-61</b>
<b>06/04/08</b>	<b>Senate</b>	<b>Read second time SJ-311</b>
<b>06/04/08</b>	<b>Senate</b>	<b>Debate interrupted SJ-311</b>
<b>06/05/08</b>	<b>Senate</b>	<b>Committee Amendment Amended and Adopted SJ-97</b>
<b>06/05/08</b>	<b>Senate</b>	<b>Read third time and returned to House with amendments SJ-97</b>

06/05/08	House	Concurred in Senate amendment and enrolled HJ-91
06/10/08		Ratified R 417
06/16/08		Vetoed by Governor
06/25/08	House	Veto overridden by originating body Yeas-96 Nays-13
06/25/08	Senate	Veto overridden Yeas-34 Nays-5
08/12/08		Copies available
08/12/08		Effective date 06/25/08
08/12/08		Act No. 411