**South Carolina General Assembly**

119th Session, 2011-2012

**A34, R60, S445**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Hutto, Fair, Jackson and Ford

Document Path: l:\council\bills\nbd\11167ac11.docx

Companion/Similar bill(s): 3496

Introduced in the Senate on January 26, 2011

Introduced in the House on March 29, 2011

Last Amended on May 18, 2011

Passed by the General Assembly on May 24, 2011

Governor's Action: June 7, 2011, Signed

Summary: Confidentiality of STD records

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/26/2011 Senate Introduced and read first time ([Senate Journal‑page 11](file:///h:\sj%20archive\2011\01-26-11.docx))

1/26/2011 Senate Referred to Committee on **Medical Affairs** ([Senate Journal‑page 11](file:///h:\sj%20archive\2011\01-26-11.docx))

3/3/2011 Senate Committee report: Favorable **Medical Affairs** ([Senate Journal‑page 17](file:///h:\sj%20archive\2011\03-03-11.docx))

3/8/2011 Scrivener's error corrected

3/9/2011 Senate Read second time ([Senate Journal‑page 23](file:///h:\sj%20archive\2011\03-09-11.docx))

3/9/2011 Senate Roll call Ayes‑25 Nays‑15 ([Senate Journal‑page 23](file:///h:\sj%20archive\2011\03-09-11.docx))

3/17/2011 Senate Read third time and sent to House ([Senate Journal‑page 11](file:///h:\sj%20archive\2011\03-17-11.docx))

3/29/2011 House Introduced and read first time ([House Journal‑page 20](file:///h:\hj%20archive\2011\03-29-11.docx))

3/29/2011 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 20](file:///h:\hj%20archive\2011\03-29-11.docx))

4/26/2011 House Committee report: Favorable **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 70](file:///h:\hj%20archive\2011\04-26-11.docx))

4/28/2011 House Debate adjourned until Tuesday, May 3, 2011 ([House Journal‑page 17](file:///h:\hj%20archive\2011\04-28-11.docx))

5/3/2011 House Debate adjourned until Wednesday, May 4, 2011 ([House Journal‑page 21](file:///h:\hj%20archive\2011\05-03-11.docx))

5/4/2011 House Rejected ([House Journal‑page 16](file:///h:\hj%20archive\2011\05-04-11.docx))

5/4/2011 House Roll call Yeas‑35 Nays‑49 ([House Journal‑page 16](file:///h:\hj%20archive\2011\05-04-11.docx))

5/4/2011 House Reconsidered ([House Journal‑page 57](file:///h:\hj%20archive\2011\05-04-11.docx))

5/5/2011 House Debate adjourned until Wednesday, May 11, 2011 ([House Journal‑page 14](file:///h:\hj%20archive\2011\05-05-11.docx))

5/11/2011 House Amended ([House Journal‑page 11](file:///h:\hj%20archive\2011\05-11-11.docx))

5/11/2011 House Read second time ([House Journal‑page 11](file:///h:\hj%20archive\2011\05-11-11.docx))

5/11/2011 House Roll call Yeas‑71 Nays‑34 ([House Journal‑page 11](file:///h:\hj%20archive\2011\05-11-11.docx))

5/12/2011 House Read third time and returned to Senate with amendments ([House Journal‑page 12](file:///h:\hj%20archive\2011\05-12-11.docx))

5/18/2011 Senate House amendment amended ([Senate Journal‑page 22](file:///h:\sj%20archive\2011\05-18-11.docx))

5/18/2011 Senate Read third time and returned to House with amendments ([Senate Journal‑page 22](file:///h:\sj%20archive\2011\05-18-11.docx))

5/24/2011 House Concurred in Senate amendment and enrolled ([House Journal‑page 78](file:///h:\hj%20archive\2011\05-24-11.docx))

5/24/2011 House Roll call Yeas‑97 Nays‑10 ([House Journal‑page 78](file:///h:\hj%20archive\2011\05-24-11.docx))

6/1/2011 Ratified R 60

6/7/2011 Signed By Governor

6/14/2011 Effective date 06/07/11

6/20/2011 Act No. 34

**VERSIONS OF THIS BILL**

[1/26/2011](file:///p:\pprever\2011-12\445_20110126.docx)

[3/3/2011](file:///p:\pprever\2011-12\445_20110303.docx)

[3/8/2011](file:///p:\pprever\2011-12\445_20110308.docx)

[4/26/2011](file:///p:\pprever\2011-12\445_20110426.docx)

[5/11/2011](file:///p:\pprever\2011-12\445_20110511.docx)

[5/18/2011](file:///p:\pprever\2011-12\445_20110518.docx)

(A34, R60, S445)

**AN ACT TO AMEND SECTION 44‑29‑135, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONFIDENTIALITY OF SEXUALLY TRANSMITTED DISEASE RECORDS HELD BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO CLARIFY THAT THE DEPARTMENT SHALL RELEASE CERTAIN INFORMATION ON A MINOR IF A REPORT OF CHILD ABUSE OR NEGLECT IS REQUIRED BY LAW AND TO PROVIDE THAT IN NOTIFYING A SCHOOL DISTRICT OF A CHILD IN THE DISTRICT WHO HAS AIDS OR IS INFECTED BY HIV, THE DEPARTMENT ONLY SHALL REPORT THIS INFORMATION ON STUDENTS IN GRADES KINDERGARTEN THROUGH FIFTH GRADE AND TO REQUIRE THIS INFORMATION BE PURGED FROM THE STUDENT’S PERMANENT RECORD BEFORE THE STUDENT ENTERS SIXTH GRADE; AND BY ADDING SECTION 59‑10‑220 SO AS TO REQUIRE EACH SCHOOL DISTRICT TO ADOPT THE CENTERS FOR DISEASE CONTROL AND PREVENTION RECOMMENDATIONS ON UNIVERSAL PRECAUTIONS FOR BLOODBORNE DISEASE EXPOSURE.**

Be it enacted by the General Assembly of the State of South Carolina:

**Confidentiality of sexually transmitted disease records**

SECTION 1. Section 44‑29‑135 of the 1976 Code is amended to read:

“Section 44‑29‑135. All information and records held by the Department of Health and Environmental Control and its agents relating to a known or suspected case of a sexually transmitted disease are strictly confidential except as provided in this section. The information must not be released or made public, upon subpoena or otherwise, except under the following circumstances:

(a) release is made of medical or epidemiological information for statistical purposes in a manner that no individual person can be identified;

(b) release is made of medical or epidemiological information with the consent of all persons identified in the information released;

(c) release is made of medical or epidemiological information to the extent necessary to enforce the provisions of this chapter and related regulations concerning the control and treatment of a sexually transmitted disease;

(d) release is made of medical or epidemiological information to medical personnel to the extent necessary to protect the health or life of any person;

(e) in cases involving a minor, the name of the minor and medical information concerning the minor must be reported to appropriate agents if a report of abuse or neglect is required by Section 63‑7‑310; or

(f) if a minor has Acquired Immunodeficiency Syndrome (AIDS) or is infected with Human Immunodeficiency Virus (HIV), the virus that causes AIDS, and is attending a public school in kindergarten through fifth grade, the department shall notify the superintendent of the school district and the nurse or other health professional assigned to the school the minor attends. This notification and information contained in the notification must not be recorded in the child’s permanent record. However, if this information is in the child’s permanent school record, the information must be purged from the child’s record before the child enters the sixth grade.”

**Universal precautions for bloodborne disease exposure**

SECTION 2. Article 2, Chapter 10, Title 59 of the 1976 Code is amended by adding:

“Section 59‑10‑220. By January 1, 2012, each school district shall adopt the Centers for Disease Control and Prevention (CDC) recommendations on universal precautions for bloodborne disease exposure and shall communicate written notice of these procedures to each school within the district. The notice must provide information regarding education and training in the areas of infection control, universal precautions, and disinfection and sterilization techniques.”

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 1st day of June, 2011.

Approved the 7th day of June, 2011.

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