**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 29 TO CHAPTER 7, TITLE 44 SO AS TO PROVIDE THAT A HEALTH CARE PROVIDER MUST NOT INQUIRE OF A PATIENT ABOUT THE PATIENT’S FIREARM OWNERSHIP OR FIREARM POSSESSION AND TO PROVIDE EXCEPTIONS WHEN TREATING A PATIENT WITH A GUNSHOT WOUND, AN INJURY RELATED TO FIREARM USE, TREATING A PATIENT FOR A MENTAL HEALTH OR PSYCHIATRIC DISORDER, OR IF REQUIRED TO REPORT ADULT ABUSE AND NEGLECT OR CHILD ABUSE AND NEGLECT AND FIREARM OWNERSHIP OR POSSESSION IS INTEGRAL TO THE INFORMATION TO BE REPORTED.

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

SECTION 1. Chapter 7, Title 44 of the 1976 Code is amended by adding:

“Article 29

Firearms

Section 44‑7‑3610. (A) A health care provider must not ask a patient about firearm ownership or possession of a firearm or the presence of firearms in the patient’s home.

(B) However, subsection (A) does not apply if the health care provider is:

(1) treating a patient with a gunshot wound or an injury related to the use or discharge of a firearm;

(2) treating a patient for a mental health or psychiatric disorder;

(3) required by law to report adult abuse and neglect or child abuse and neglect pursuant, respectively, to Section 43‑35‑25 or Section 63‑7‑310, or required to report pursuant any other provision of law, and information concerning firearms in the home or in possession of the patient is integral to the report.

(C) For purposes of this section, ‘health care provider’ means a licensed physician, physician assistant, nurse practitioner, registered nurse, and any other licensed or certified nurse.”

SECTION 2. This act takes effect upon approval by the Governor.

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