**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑7‑267 SO AS TO ESTABLISH REQUIREMENTS ADDRESSING PHYSICAL EXAMINATIONS PERFORMED BEFORE ADMISSION TO A NURSING HOME.

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

SECTION 1. Article 3, Chapter 7, Title 44 of the 1976 Code is amended by adding:

“Section 44‑7‑267. (A) Any physical examination that is required for admission to a nursing home must be performed no sooner than five days before admission to the facility and no later than seven business days after admission to the facility and must address the physical condition and diagnosis of the resident. The physical examination must be performed by the resident’s personal attending physician or, with the permission of the resident or the resident’s representative, by a legally authorized health care provider.

(B) A physical examination that meets the requirements of subsection (A) that is conducted by a physician licensed in a state other than South Carolina is permitted for new admissions under the condition that the resident chooses a personal attending physician licensed in South Carolina within thirty days of admission to the nursing home, at which time the physical examination information must be updated by the new physician to include new medical information if the resident’s condition has changed since the last physical examination was completed.

(C) If a resident has transferred to a nursing home from another health care facility licensed by the department, an additional admission physical examination is not required, provided the resident transferring has had a physical examination conducted not earlier than three months before admission of the resident to the nursing home that addresses the physical condition and diagnosis of the resident, unless the nursing home has an indication that the health status of the resident has changed significantly. A discharge summary from a health care facility, which includes a physical examination, may be acceptable as the admission physical examination, provided the summary addresses the physical condition and diagnosis of the resident, and the resident’s personal attending physician attests to its accuracy by countersigning it.

(D) Notwithstanding the provisions of subsections (A), (B), and (C), a resident must undergo a tuberculosis screening at the time of admission to a nursing home, as determined by the facility risk assessment in the manner designated by guidelines established by the department.”

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

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