**South Carolina General Assembly**

118th Session, 2009-2010

**S. 629**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Reese, Lourie and S. Martin

Document Path: l:\council\bills\nbd\11315ac09.docx

Introduced in the Senate on March 26, 2009

Currently residing in the Senate Committee on **Medical Affairs**

Summary: Patient MRSA Infection Protection Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/26/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\03-26-09.docx)‑3

3/26/2009 Senate Referred to Committee on **Medical Affairs** [SJ](file:///h:\SJ%20Archive\2009\03-26-09.docx)‑3

**VERSIONS OF THIS BILL**

[3/26/2009](file:///p:\pprever\2009-10\629_20090326.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 29, CHAPTER 7, TITLE 44 SO AS TO ENACT THE “PATIENT MRSA INFECTION PROTECTION ACT” BY REQUIRING HOSPITALS TO TEST PATIENTS FOR MRSA (METHICILLIN‑RESISTANT STAPHYLOCOCCUS AUREUS) UPON ADMISSION TO AND IMMEDIATELY PRIOR TO DISCHARGE FROM A HOSPITAL, TO REQUIRE MORE FREQUENT TESTING OF HIGH RISK PATIENTS WHO ARE HOSPITALIZED FOR MORE THAN SEVEN DAYS, TO REQUIRE THE TEST RESULTS TO BE GIVEN TO THE PATIENT AS SOON AS PRACTICALLY POSSIBLE, TO REQUIRE ISOLATION OF A MRSA‑INFECTED PATIENT IF POSSIBLE, AND TO REQUIRE THAT INSTRUCTION ON AFTERCARE AND PREVENTION PRECAUTIONS BE PROVIDED TO A MRSA‑INFECTED PATIENT PRIOR TO DISCHARGE.

Whereas, the South Carolina General Assembly finds that Methicillin‑resistant Staphylococcus aureus (MRSA) is a common staph infection which is resistant to many antibiotics and which is increasingly prevalent in health care settings; and

Whereas, the Centers for Disease Control, in a 2007 MRSA surveillance summary, reports that the proportion of health care associated staph infections that are due to MRSA has been increasing: in 1974, two percent of the staph infections in hospital intensive care units in this country were MRSA, twenty‑two percent in 1995, and sixty‑four percent in 2004; and

Whereas, a study published in the 2007 issue of the *Journal of the American Medical Association* found that MRSA infections occur in approximately 94,000 persons each year and are associated with approximately 19,000 deaths; of these infections approximately eighty‑six percent are health care associated; and

Whereas, it is of tantamount importance to the South Carolina General Assembly to protect the citizens of this State by addressing the ever increasing incidence of MRSA in our hospitals and the rise of disability and deaths attributable to MRSA infections. Now, therefore,

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

Patient MRSA Infection Protection

Section 44‑7‑3710. This article may be cited as the ‘South Carolina Patient MRSA Infection Protection Act’.

Section 44‑7‑3720. For purposes of this article ‘MRSA’ means Methicillin‑resistant Staphylococcus aureus, a type of bacteria that is resistant to antibiotics.

Section 44‑7‑3730. (A)(1) A hospital patient must be tested for MRSA upon admission to the hospital and immediately prior to discharge from the hospital.

(2)(a) If a person is a high risk patient and hospitalized more than seven days, the patient must be tested for MRSA upon admission, every seven days, and immediately prior to discharge.

(b) A person is a high risk patient if the person:

(i) is scheduled for inpatient surgery and the patient has a documented medical condition making the patient susceptible to infection pursuant to Centers for Disease Control guidelines;

(ii) was previously discharged from a hospital within thirty days prior to the current hospitalization;

(iii) will be admitted to an intensive care unit or a burn unit of the hospital;

(iv) receives inpatient dialysis treatment;

(v) is being transferred from a skilled care facility;

(vi) is pregnant;

(vii) is a newborn;

(viii) has a draining wound.

(B) The attending physician shall inform a MRSA‑infected patient, or the patient’s representative, of the MRSA test results immediately or as soon as practically possible.

(C) A patient who tests positive for MRSA must be isolated if possible.

Section 44‑7‑3740. A patient who tests positive for MRSA infection shall, prior to discharge, receive oral and written instructions regarding aftercare and precautions to prevent the spread of the infection.”

SECTION 2. This act takes effect sixty days after approval by the Governor.

‑‑‑‑XX‑‑‑‑