RECALLED

May 19, 2010

**S. 1120**

Introduced by Senators Lourie, Pinckney, Williams, Leventis, Anderson, Land and Sheheen

S. Printed 5/19/10--H.

Read the first time April 20, 2010.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑3‑1360 SO AS TO PROHIBIT HEALTH CARE PROVIDERS FROM ENGAGING IN DEBT COLLECTION ACTIVITIES RELATING TO MEDICAL TREATMENT RECEIVED IN CONNECTION WITH A CLAIM FOR COMPENSATION OF A VICTIM OF CRIME UNTIL AN AWARD IS MADE OR A CLAIM IS DENIED AND TO STAY THE STATUTE OF LIMITATIONS FOR THE COLLECTION OF THIS DEBT UNDER CERTAIN CIRCUMSTANCES.

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

SECTION 1. Article 13, Chapter 3, Title 16 of the 1976 Code is amended by adding:

“Section 16‑3‑1360. (A) When a person files a claim pursuant to this article, a health care provider that has received written notice of a pending claim is prohibited from all debt collection activities relating to medical and psychological treatment received by the person in connection with the claim until an award is made on the claim or the claim is determined to be non-compensable and is denied. The statute of limitations for collection of the debt is suspended during the period in which the applicable health care provider is required to refrain from debt collection activities.

(B) For purposes of this section, ‘debt collection activities’ means repeatedly calling or writing to the claimant and threatening to turn the matter over to a debt collection agency or to an attorney for collection, enforcement, or filing of other process. The term does not include routine billing or inquiries about the status of the claim.”

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

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