**A** **BILL**

TO AMEND SECTION 38‑79‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAL MALPRACTICE INSURANCE SO AS TO PROVIDE THAT A LICENSED HEALTH CARE PROVIDER WHO RENDERS MEDICAL SERVICES VOLUNTARILY AND WITHOUT COMPENSATION, AND SEEKS NO REIMBURSEMENT FROM CHARITABLE AND GOVERNMENTAL SOURCES, AND PROVIDES NOTICE TO THE PATIENT OR PATIENT’S PROVIDER IN A NON‑EMERGENCY, IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ANY ACT OR OMISSION UNLESS THE ACT OR OMISSION WAS THE RESULT OF THE HEALTH CARE PROVIDER’S GROSS NEGLIGENCE OR WILLFUL MISCONDUCT.

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

SECTION 1. Section 38‑79‑30 of the 1976 Code is amended to read:

“Section 38‑79‑30. No licensed health care provider, as defined in Section 38‑79‑410, who renders medical services voluntarily and without compensation or the expectation or promise of compensation and seeks no reimbursement from charitable and governmental sources is liable for any civil damages for any act or omission resulting from the rendering of the services unless the act or omission was the result of the licensed health care provider’s gross negligence or willful misconduct. The agreement to provide a voluntary, noncompensated service must be made before ~~the~~ rendering ~~of the~~ service ~~by the licensed health care provider~~ in the case of a non‑emergency and may be evidenced by the provider’s giving notice to the patient or to the person responsible for the patient’s care and acting for the patient that the service being rendered is voluntary and without compensation.”

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

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