**South Carolina General Assembly**

119th Session, 2011-2012

**S. 89**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Ford

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Introduced in the Senate on January 11, 2011

Currently residing in the Senate Committee on **Judiciary**

Summary: Unfair trade practices

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/1/2010 Senate Prefiled

12/1/2010 Senate Referred to Committee on **Judiciary**

1/11/2011 Senate Introduced and read first time ([Senate Journal‑page 42](file:///h:\sj%20archive\2011\01-11-11.docx))

1/11/2011 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 42](file:///h:\sj%20archive\2011\01-11-11.docx))

1/9/2012 Senate Referred to Subcommittee: Campbell (ch), Cleary, Williams, Nicholson, Gregory

**VERSIONS OF THIS BILL**

[12/1/2010](file:///p:\pprever\2011-12\89_20101201.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39‑5‑31 SO AS TO PROVIDE THAT IT IS AN UNFAIR TRADE PRACTICE FOR A LARGE MEDICAL PRACTICE TO ACQUIRE A SMALL MEDICAL PRACTICE BY COERCION.

Whereas, the doctor/patient relationship is one of the most important relationships one may maintain over the course of one’s lifetime; and

Whereas, at a small medical practice, the patient is better able to develop a relationship with his doctor, which ultimately leads to better, more personalized care; and

Whereas, the South Carolina General Assembly recognizes the importance of the vitality of small medical practices to our State and to its citizenry and seeks to protect them from undue influence. Now, therefore,

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

SECTION 1. Article 1, Chapter 5, Title 39 of the 1976 Code is amended by adding:

“Section 39‑5‑31. (A) It is an unfair trade practice, pursuant to Section 39‑5‑20, for a large medical practice to acquire a small medical practice by coercion.

(B) For purposes of this section:

(1) ‘Large medical practice’ means a medical practice comprised of twenty or more physicians organized to provide patient care services, regardless of its legal form or ownership.

(2) ‘Small medical practice’ means a medical practice comprised of nineteen or fewer physicians organized to provide patient care services, regardless of its legal form or ownership.

(3) ‘Acquire’ means to gain possession of, whether through purchase or merger.

(4) ‘By coercion’ means by pressure, threat, or intimidation.”

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

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