~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

May 27, 2015

**H. 3772**

Introduced by Reps. Merrill and Delleney

S. Printed 5/27/15--S.

Read the first time March 25, 2015.

**THE COMMITTEE ON BANKING AND INSURANCE**

To whom was referred a Bill (H. 3772) to amend Section 38‑79‑260, Code of Laws of South Carolina, 1976, relating to appointment of directors to the Board of the South Carolina Medical Malpractice, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

ROBERT W. HAYES, JR. for Committee.

**A** **BILL**

TO AMEND SECTION 38‑79‑260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPOINTMENT OF DIRECTORS TO THE BOARD OF THE SOUTH CAROLINA MEDICAL MALPRACTICE INSURANCE JOINT UNDERWRITING ASSOCIATION, SO AS TO PROVIDE FOR THE REAPPOINTMENT OF DIRECTORS TO SUCCESSIVE TERMS BY DELETING A RELATED PROHIBITION.

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

SECTION 1. Section 38‑79‑260 of the 1976 Code is amended to read:

“Section 38‑79‑260. The association is governed by a board of thirteen directors, all of whom must be appointed by the Governor. The Governor shall appoint five health care providers after consultation with the South Carolina Medical Association, the South Carolina Dental Association, and the South Carolina Health Alliance; four insurance representatives after consultation with the insurance industry; one consumer representative who is unaffiliated with the insurance or health care industries or the medical or legal professions; and two licensed insurance agents or brokers. The professional associations listed and the insurance industry may nominate qualified individuals to the Governor for his consideration. The Governor may also receive nominations for appointments to the board from any other individual, group, or association. Notices of vacancies on the board must be published in newspapers of general statewide circulation. The director or his designee shall serve as an ex officio member of the board. The board shall develop a plan of operation which is subject to the approval of the director or his designee as provided in this article. The plan of operation shall provide for staggered terms of the members of the board. The approved plan of operation of the association may make provision for combining insurers under common ownership or management into groups for voting, assessment, and all other purposes and may provide that not more than one of the officers or employees of a group may serve as a director at any one time. The board shall elect a chairman and other necessary officers for two‑year terms. ~~No member of the board is eligible for reappointment for a period of four years following the completion of his term.~~ A vacancy must be filled for the unexpired portion of the term only. The Governor may receive recommendations from any individual, group, or association for any vacancy on the board. The board must meet at the call of the chairman or a majority of the members of the board but in any event it must meet at least once a year.”

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

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