**South Carolina General Assembly**

124th Session, 2021-2022

**S. 349**

**STATUS INFORMATION**

General Bill

Sponsors: Senators McLeod, Jackson, Shealy, Matthews and Senn

Document Path: l:\council\bills\sm\20134sa21.docx

Introduced in the Senate on January 12, 2021

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

Summary: State Health Care Plan and PEBA

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 Senate Prefiled

12/9/2020 Senate Referred to Committee on **Finance**

1/12/2021 Senate Introduced and read first time ([Senate Journal‑page 279](file:///h:\sj\20210112.docx))

1/12/2021 Senate Referred to Committee on **Finance** ([Senate Journal‑page 279](file:///h:\sj\20210112.docx))

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\349_20201209.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑11‑790 SO AS TO REQUIRE THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY TO CONSULT WITH TREATING PHYSICIANS AND MEDICAL PROFESSIONALS WHEN PROPOSING CHANGES TO A CURRENT STATE HEALTH CARE PLAN; AND TO AMEND SECTION 9‑4‑10, AS AMENDED, RELATING TO THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY BOARD, SO AS TO CHANGE CERTAIN QUALIFICATIONS, AND TO PROVIDE THAT AT LEAST FOUR MEMBERS APPOINTED TO THE BOARD MUST BE LICENSED PHYSICIANS AND AT LEAST THREE MEMBERS APPOINTED TO THE BOARD MUST BE FEMALE.

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

SECTION 1. Article 5, Chapter 11, Title 1 of the 1976 Code is amended by adding:

“Section 1‑11‑790. The board shall consult with treating physicians and medical professionals of an insured patient when determining changes or modifications to a current health care plan and shall provide medical reasons for any proposed plan changes. The Public Employee Benefit Authority may not deny or modify a patient’s coverage before or during a medical procedure or treatment or while prescribing medication if the patient’s treating physician determines that the prescribed procedure, treatment, or medication is the best medical option for the patient.”

SECTION 2. A. Section 9‑4‑10(C)(1)(b) of the 1976 Code is amended to read:

“(b) at least twelve years ~~academic~~ medical experience as a licensed physician ~~and holds a bachelor’s or higher degree from a college or university as classified by the Carnegie Foundation~~;”

B. Section 9‑4‑10(C) of the 1976 Code is amended by adding an appropriately numbered item to read:

“( ) At least four members appointed to the board must be licensed physicians and at least three members appointed to the board must be female.”

C. This SECTION takes effect on July 1, 2021, and the board shall consist of members appointed pursuant to Section 9‑4‑10, as amended by this SECTION. The individuals making the new appointments shall indicate which of their other appointments are being removed by July 1, 2021. New members beginning service on July 1, 2021, as a result of the amendments made to Section 9‑4‑10, shall serve the remaining terms of the previous appointees.

SECTION 3. This act takes effect upon approval by the Governor.

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