**South Carolina General Assembly**

125th Session, 2023-2024

**S. 882**

**STATUS INFORMATION**

General Bill

Sponsors: Senators M. Johnson, Kimbrell, Gustafson, Climer, Garrett, Loftis, Adams and Cash

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Introduced in the Senate on January 9, 2024

Introduced in the House on January 24, 2024

Last Amended on January 17, 2024

Currently residing in the House Committee on **Medical, Military, Public and Municipal Affairs**

Summary: Prescriptions for Minors

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/30/2023 Senate Prefiled

11/30/2023 Senate Referred to Committee on **Family and Veterans' Services**

1/9/2024 Senate Introduced and read first time ([Senate Journal‑page 70](h:\sj\20240109.docx))

1/9/2024 Senate Referred to Committee on **Family and Veterans' Services** ([Senate Journal‑page 70](h:\sj\20240109.docx))

1/10/2024 Senate Committee report: Favorable with amendment **Family and Veterans' Services** ([Senate Journal‑page 8](h:\sj\20240110.docx))

1/11/2024 Scrivener's error corrected

1/16/2024 Senate Special order, set for January 16, 2024 ([Senate Journal‑page 12](h:\sj\20240116.docx))

1/17/2024 Senate Committee Amendment Adopted

1/17/2024 Senate Amended ([Senate Journal‑page 18](h:\sj\20240117.docx))

1/17/2024 Senate Read second time ([Senate Journal‑page 18](h:\sj\20240117.docx))

1/17/2024 Senate Roll call Ayes-45 Nays-0 ([Senate Journal‑page 18](h:\sj\20240117.docx))

1/18/2024 Senate Read third time and sent to House ([Senate Journal‑page 16](h:\sj\20240118.docx))

1/24/2024 House Introduced and read first time ([House Journal‑page 19](h:\hj\20240124.docx))

1/24/2024 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 19](h:\hj\20240124.docx))

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**VERSIONS OF THIS BILL**

[11/30/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/882_20231130.docx)

[01/10/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/882_20240110.docx)

[01/11/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/882_20240111.docx)

[01/17/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/882_20240117.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Amendment Adopted and Amended

January 17, 2024

S. 882

Introduced by Senators M. Johnson, Kimbrell, Gustafson, Climer, Garrett, Loftis, Adams and Cash

S. Printed 01/17/24--S.

Read the first time January 09, 2024

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-380 SO AS TO PROVIDE THAT A PARENT OR THE LEGAL GUARDIAN OF A MINOR MUST BE NOTIFIED WHEN A HEALTHCARE PROFESSIONAL PRESCRIBES MEDICATION TO THE MINOR, TO PROVIDE THAT A PHARMACIST CANNOT FILL A PRESCRIPTION FOR A MINOR WITHOUT THE MINOR'S PARENT OR LEGAL GUARDIAN CONSENTING, TO PROVIDE THAT A PARENT OR LEGAL GUARDIAN CANNOT BE PROHIBITED FROM VIEWING HIS MINOR'S PRESCRIPTION HISTORY, AND TO PROVIDE THAT THESE PROVISIONS DO NOT APPLY TO AN EMANCIPATED MINOR OR A MARRIED MINOR.

Amend Title To Conform

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

SECTION 1. Article 3, Chapter 5, Title 63 of the S.C. Code is amended by adding:

Section 63-5-380. (A) A person responsible for the welfare of a minor who has not reached the age of sixteen years must provide prior consent to a medical professional for the medical professional to prescribe medication to the minor.

(B) The person responsible for the welfare of a minor to whom medication is prescribed may not be prohibited from reviewing the minor’s prescription records regardless of whether those records are maintained with the parent or legal guardian’s prescription records or are maintained separately in the minor’s name.

(C) The provisions of this section do not apply:

(1) to an emancipated minor, a married minor, or a minor who has borne a child;

(2) to a minor who has not reached the age of sixteen, is homeless pursuant to federal or state law, and who does not have a person responsible for the welfare of the minor;

(3) when the prescribing medical professional reports suspected child abuse or neglect pursuant to Section 63-7-310, the prescription is necessary to treat a condition arising from the suspected child abuse or neglect, and the suspected child abuse or neglect results from acts or omissions committed by the person responsible for the welfare of the minor;

(4) when the prescribing medical professional refills a prior prescription for a minor who has not reached the age of sixteen years and the previous prescription complied with or was exempt from the provisions of this section; or

(5) when they conflict with federal law.

(D) For the purposes of this section, “person responsible for the welfare of the minor” or “person responsible for the welfare of a minor” means a parent, the legal guardian, or a person identified on the authorization to consent to treat maintained by the medical professional of a minor who has not reached the age of sixteen years.

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

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