

Session 110 - (1993-1994)

H 3194 General Bill, By J.J. Snow, G.A. Brown, A.W. Byrd, C.D. Chamblee, J.L. Harris, Kelley, M. McLeod, R. Smith and C.H. Stone

A Bill to amend Section 16-3-654, Code of Laws of South Carolina, 1976, relating to criminal sexual conduct in the third degree, so as to provide that a person is guilty of this offense if he is a psychiatrist, psychologist, licensed counselor or therapist, or a member of the clergy and engages in sexual contact with another person who is a patient or client of his for mental health therapy, and to amend Title 40, relating to professions and occupations by adding Chapter 76 so as to enact the Action for Sexual Exploitation by Psychotherapists Act which defines the term psychotherapists, provides civil penalties for psychotherapists who have sexual contact with their patients during a therapy session, or outside of a session if they are told it is part of the treatment or if the patient is emotionally dependent upon the psychotherapist, and provides that employers or former employers of psychotherapists may also be liable if they fail to take reasonable action when they have reason to know that a psychotherapist engaged in sexual contact with clients or if they fail to make inquiries of former employers concerning sexual contact with clients.

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