**South Carolina General Assembly**

119th Session, 2011-2012

**S. 1011**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Senator Verdin

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Companion/Similar bill(s): 4193

Introduced in the Senate on January 10, 2012

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

Summary: Constitutional amendment to guarantee right of the people to be secure in personal health information

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/28/2011 Senate Prefiled

11/28/2011 Senate Referred to Committee on **Judiciary**

1/10/2012 Senate Introduced and read first time ([Senate Journal‑page 11](file:///h:\sj%20archive\2012\01-10-12.docx))

1/10/2012 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 11](file:///h:\sj%20archive\2012\01-10-12.docx))

1/11/2012 Senate Referred to Subcommittee: L.Martin (ch), Rankin, Hutto, Bright, Davis

**VERSIONS OF THIS BILL**

[11/28/2011](file:///p:\pprever\2011-12\1011_20111128.docx)

**A** **JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO SECTION 10, ARTICLE I OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO SEARCHES AND SEIZURES AND INVASIONS OF PRIVACY, TO GUARANTEE THE RIGHT OF THE PEOPLE TO BE SECURE IN THEIR PERSONAL HEALTH INFORMATION FROM INVASIONS OF PRIVACY BY HEALTH CARE PROVIDERS, MEDICAL INSURERS, AND GOVERNMENTAL ENTITIES.

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

SECTION 1. It is proposed that Section 10, Article I of the Constitution of this State be amended by adding the following new paragraph at the end:

“The right of the people to be secure in their personal health information from invasions of privacy by health care providers, medical insurers, and governmental entities must not be violated. Personal health information must be considered the sole property of the individual and only must be used, shared, or stored by certain entities with the written consent of the individual. The General Assembly may enact enabling legislation authorizing the use, sharing, or storage of personal health information only after a majority of the qualified electors of this State have approved the use, sharing, or storage of personal health information in a referendum authorized by law.”

SECTION 2. The proposed amendment in Section 1 must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 10, Article I of the Constitution of this State, relating to searches and seizures and invasions of privacy, be amended so as to provide that the right of the people to be secure in their personal health information from invasions of privacy by health care providers, medical insurers, and governmental entities must not be violated. Personal health information must be considered the sole property of the individual and only shall be used, shared, or stored by certain entities with the written consent of the individual. The General Assembly may enact enabling legislation authorizing the use, sharing, or storage of personal health information only after a majority of the qualified electors of this State have approved the use, sharing, or storage of personal health information in a referendum authorized by law?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

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