**A** **BILL**

TO AMEND SECTION 1‑11‑140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INSURANCE RESERVE FUND, SO AS TO EXTEND TORT LIABILITY COVERAGE PROVIDED BY THE FUND TO PHYSICIANS AND DENTISTS FOR SERVICES PROVIDED IN CLINICS OFFERING MEDICAL SERVICES FOR NO PAYMENT OTHER THAN MEDICAID REIMBURSEMENT.

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

SECTION 1. Section 1‑11‑140(A) of the 1976 Code, as last amended by Act 121 of 2014, is further amended to read:

“(A) The State Fiscal Accountability Authority, through the Insurance Reserve Fund, is authorized to provide insurance for the State, its departments, agencies, institutions, commissions, boards, and the personnel employed by the State in its departments, agencies, institutions, commissions, and boards so as to protect the State against tort liability and to protect these personnel against tort liability arising in the course of their employment. The insurance also must be provided for physicians or dentists against any tort liability arising out of the rendering of any professional services as a physician through a clinic or other similar facility for no payment other than recovery under Medicaid. The insurance also may be provided for physicians or dentists employed by the State, its departments, agencies, institutions, commissions, or boards against any tort liability arising out of the rendering of any professional services as a physician or dentist for which no fee is charged or professional services rendered of any type whatsoever so long as any fees received are directly payable to the employer of a covered physician or dentist, or to any practice plan authorized by the employer whether or not the practice plan is incorporated and registered with the Secretary of State; provided, any insurance coverage provided by the authority may be on the basis of claims made or upon occurrences. The insurance also may be provided for students of high schools, South Carolina Technical Schools, or state‑supported colleges and universities while these students are engaged in work study, distributive education, or apprentice programs on the premises of private companies. Premiums for the insurance must be paid from appropriations to or funds collected by the various entities, except that in the case of the above‑referenced students in which case the premiums must be paid from fees paid by students participating in these training programs. The authority has the exclusive control over the investigation, settlement, and defense of claims against the various entities and personnel for whom it provided insurance coverage and may promulgate regulations in connection therewith.”

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

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