

## Session 117 - (2007-2008)

### H\*3912 (Rat #0417, Act #0411 of 2008) General Bill, By White and Bales

**Similar (S 0693)**

**Summary:** Physicians

AN ACT TO AMEND SECTION 40-47-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT TO BE LICENSED TO PRACTICE MEDICINE AND TO SPECIFY WHAT IS NOT TO BE CONSTRUED AS PRACTICING MEDICINE, SO AS TO CLARIFY THAT A PHYSICIAN MAY DELEGATE CERTAIN TASKS TO AN UNLICENSED PERSON IF THE PHYSICIAN IS IMMEDIATELY AVAILABLE AND TO PROVIDE THAT A PHYSICIAN IS NOT PROHIBITED FROM PRACTICING IN CONSULTATION WITH A SOUTH CAROLINA PHYSICIAN CONCERNING AN OPINION FOR THE SOUTH CAROLINA PHYSICIAN'S CONSIDERATION IN MANAGING THE CASE AND TREATMENT OF A PATIENT IN THIS STATE; TO AMEND SECTION 40-47-32, RELATING TO REQUIREMENTS FOR LICENSURE TO PRACTICE MEDICINE, SO AS TO PROVIDE THAT WHEN PROVIDING DOCUMENTATION OF RESIDENCY TRAINING FOR LICENSURE, A PHYSICIAN WHO GRADUATED FROM A SCHOOL OUTSIDE OF THE UNITED STATES OR CANADA IS ONLY REQUIRED TO HAVE BEEN ACTIVELY LICENSED FOR THE PRECEDING FIVE YEARS, RATHER THAN THE PRECEDING TEN YEARS, AND TO PROVIDE THAT SEVENTY-FIVE PERCENT OF CONTINUING MEDICAL EDUCATION MUST BE IN A BOARD CERTIFIED APPLICANT'S AREA OF SPECIALTY IN ORDER FOR THE APPLICANT TO OBTAIN LICENSURE WITHOUT HAVING TO PASS AN EXAMINATION; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO THE DEFINITION OF TERMS IN THE LICENSURE AND REGULATION OF PHYSICIANS, INCLUDING THE DEFINITION OF THE PRACTICE OF MEDICINE, SO AS TO PROVIDE THAT RENDERING A DETERMINATION OF MEDICAL NECESSITY OR A DECISION AFFECTING THE DIAGNOSIS OR TREATMENT OF A PATIENT IS NOT, UNDER CERTAIN CIRCUMSTANCES, THE PRACTICE OF MEDICINE WHEN SUCH DETERMINATION OR DECISION IS A COVERAGE DECISION DENYING HEALTH CARE SERVICES OR COVERAGE FOR A COVERED BENEFIT OR APPROVING A COVERED BENEFIT; AND BY ADDING SECTION 38-59-25 SO AS TO FURTHER SPECIFY THOSE CIRCUMSTANCES UNDER WHICH RENDERING A DETERMINATION OR MAKING A DECISION DENYING OR APPROVING HEALTH CARE SERVICES OR BENEFITS IS NOT THE PRACTICE OF MEDICINE. - ratified title

04/17/07	House	Introduced and read first time HJ-39
04/17/07	House	Referred to Committee on Medical, Military, Public and Municipal Affairs HJ-40
02/27/08	House	Committee report: Favorable Medical, Military, Public and Municipal Affairs HJ-8
02/28/08		Scrivener's error corrected
03/04/08	House	Requests for debate-Rep(s). White, Skelton, Cobb-Hunter, Hart, Parks, JH Neal, Sellers, Rutherford, Taylor, Whitmire, Sandifer, Gambrell, Thompson, Brady, Hayes, Clyburn, Hosey, Mulvaney, Umphlett, G Brown, R Brown, Anderson, Owens, Limehouse, Bedingfield, Mahaffey, Shoopman, Leach, Breeland, Gullick, Hutson, Lowe, Crawford, Alexander, GR Smith, and Govan HJ-59
03/05/08	House	Member(s) request name added as sponsor: Bales
03/05/08	House	Debate interrupted HJ-33
03/05/08	House	Amended HJ-45
03/05/08	House	Read second time HJ-52
03/05/08	House	Roll call Yeas-65 Nays-43 HJ-52
03/06/08	House	Read third time and sent to Senate HJ-30
03/06/08		Scrivener's error corrected
03/11/08	Senate	Introduced and read first time SJ-6
03/11/08	Senate	Referred to Committee on Judiciary SJ-6
03/12/08	Senate	Recalled from Committee on Judiciary SJ-2
03/12/08	Senate	Committed to Committee on Medical Affairs SJ-2
05/14/08	Senate	Committee report: Favorable with amendment Medical Affairs SJ-8
05/15/08		Scrivener's error corrected
05/28/08	Senate	Special order, set for May 28, 2008 SJ-94
06/03/08	Senate	Debate interrupted SJ-61
06/04/08	Senate	Read second time SJ-311
06/04/08	Senate	Debate interrupted SJ-311
06/05/08	Senate	Committee Amendment Amended and Adopted SJ-97
06/05/08	Senate	Read third time and returned to House with amendments SJ-97

06/05/08 House Concurred in Senate amendment and enrolled HJ-91  
06/10/08 Ratified R 417  
06/16/08 Vetoed by Governor  
06/25/08 House Veto overridden by originating body Yeas-96 Nays-13  
06/25/08 Senate Veto overridden Yeas-34 Nays-5  
08/12/08 Copies available  
08/12/08 Effective date 06/25/08  
08/12/08 Act No. 411