Agency Name: Board of Medical Examiners - Labor, Licensing and Regulation

Statutory Authority: 40-1-70, 40‑47‑10, and 40‑47‑110

Document Number: 5090

Proposed in State Register Volume and Issue: 45/10

House Committee: Regulations and Administrative Procedures Committee

Senate Committee: Medical Affairs Committee

120 Day Review Expiration Date for Automatic Approval: 05/11/2022

Final in State Register Volume and Issue: 46/5

Status: Final

Subject: Emergency Licensure

History: 5090

By Date Action Description Jt. Res. No. Expiration Date

- 10/22/2021 Proposed Reg Published in SR

- 01/11/2022 Received by Lt. Gov & Speaker 05/11/2022

H 01/11/2022 Referred to Committee

S 01/11/2022 Referred to Committee

S 04/12/2022 Resolution Introduced to Approve 1254

- 05/11/2022 Approved by: Expiration Date

- 05/27/2022 Effective Date unless otherwise

provided for in the Regulation

Document No. 5090

**DEPARTMENT OF LABOR, LICENSING AND REGULATION**

**BOARD OF MEDICAL EXAMINERS**

CHAPTER 81

Statutory Authority: 1976 Code Sections 40‑1‑70, 40‑47‑10, and 40‑47‑110

81‑75. Emergency Temporary Licenses. (New)

**Synopsis:**

The South Carolina Board of Medical Examiners proposes to promulgate a regulation regarding emergency licensure and the requirements for the same.

A Notice of Drafting was published in the *State Register* on July 23, 2021.

**Instructions:**

Replace regulation as shown below. All other items and sections remain unchanged.

**Text:**

Article 7.5

Emergency Temporary Licenses

81‑75. Emergency Temporary Licenses.

A. Upon the declaration of a state of emergency by the Governor, the Board may authorize the issuance of emergency temporary licenses to physicians, physician assistants, and respiratory care practitioners actively licensed to practice in another state.

B. The board may not issue an emergency temporary license to an individual:

(1) whose license in any other state is currently revoked, suspended, restricted in any way, or on probationary status in that state; or

(2) who currently has disciplinary action pending in any state.

C. An emergency temporary license issued under this section is valid only for the duration of the declared state of emergency and shall immediately expire upon the expiration of the declared state of emergency.

**Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

**Statement of Rationale:**

The South Carolina Board of Medical Examiners proposes to promulgate a regulation regarding emergency licensure and the requirements for the same. The regulation will state when and to whom the Board may issue emergency temporary licenses, to whom a license may not be issued, and when the license expires.