COMMITTEE REPORT

March 20, 2019

**H. 3602**

Introduced by Reps. Rose and Caskey

S. Printed 3/20/19--H.

Read the first time January 15, 2019.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3602) to amend Section 44‑66‑30, Code of Laws of South Carolina, 1976, relating to persons who may make health care decisions for a patient who is unable, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 44‑66‑30(A) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( ) a person who has an established relationship with the patient, who is acting in good faith on behalf of the patient, and who can reliably convey the patient’s wishes but who is not a paid caregiver or a provider of health care services to the patient. For purposes of this item, a person with an established relationship is an adult who has exhibited special care and concern for the patient, who is generally familiar with the patient’s health care views and desires, and who is willing and able to become involved in the patient’s health care decisions and to act in the patient’s best interest. The person with an established relationship shall sign and date a notarized acknowledgement form, provided by the hospital or other health care facility in which the patient is located, for placement in the patient’s records, setting forth the nature and length of the relationship and certifying that the patient meets such criteria.”

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

Renumber sections to conform.

Amend title to conform.

PETER M. MCCOY, JR. for Committee.

**A** **BILL**

TO AMEND SECTION 44‑66‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.

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

SECTION 1. Section 44‑66‑30(A) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( ) a person who has an established relationship with the patient, who is acting in good faith on behalf of the patient, and who can reliably convey the patient’s wishes.”

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

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