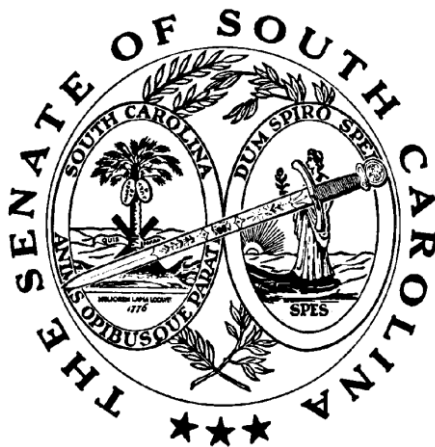


NO. 13

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025

FRIDAY, JANUARY 31, 2025

Friday, January 31, 2025
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator MASSEY.

ADDENDUM TO THE JOURNAL

The following remarks by Senator KIMBRELL were ordered printed in the Journal of Thursday, January 16, 2025.

Remarks by Senator KIMBRELL

Thank you, Mr. PRESIDENT. Good afternoon members. I know I'm standing between you and getting out of here so I will try not to take the entire five minutes. I want to briefly bring to the attention of everyone here, regardless of where you came down in prior debate -- some of you weren't here for the Fetal Heartbeat Bill. There are some things happening in the Upstate right now that are playing out in the press a little bit that I'm concerned about and wanted to make sure you knew about it.

There are a number of stories running these last couple of weeks -- last week particularly in the Spartanburg and Greenville area -- and probably happening in your neck of the woods, too. A number of doctors are refusing care for women -- on grounds of, when they have a miscarriage doing a DNC procedure. Now, I know I can't read a letter here, but this is a letter I have written to the South Carolina Medical Association CEO. They are not the problem, but I want to be sure they help us correct the problem because of what's occurring.

We passed the Heartbeat Bill, whether you voted for or against it. Let's be clear what it doesn't do. It doesn't prevent any kind of care for a woman who had a miscarriage. It doesn't preclude any kind of care an OB/GYN doing a DNC procedure -- in event of miscarriage -- and a woman needs that. One of the stories I saw in the Upstate, that a number of you got calls about and I interviewed for because it kind of caught me off guard, is regarding a young woman who went on television and said she had a miscarriage -- a tragic situation for anybody who has experienced that. A lot of us in the room have been through that. But she went to the doctor because she was unable to fully pass the pregnancy,

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and she needed care. The doctor said, "I can't perform a DNC procedure on you because South Carolina law prohibits that." Well, in the abortion law we passed and after it was signed by the Governor, in Section 44-41-10 the portion I underlined talks about what is not an abortion. It reads, "Such use, prescription, or means is not an abortion if done with the intent to save the life or preserve the health of the unborn child or to remove a dead, unborn child." It also goes on to talk about fetal tissue that is left over from a miscarriage and if the fetal tissue is dead, it can be removed. I don't know the exact motivation or intent of the doctor here. I'm not going to try to say what it is -- one way or the other. One of two things has happened though and there are only two choices: some of these folks aren't reading the Bill or they are making "firing from the hip" decisions -- trying to basically say they can't provide this care. In the case that was run on WYFF, the woman that was denied care by her doctor said she couldn't get care anywhere in South Carolina, so she drove to Virginia and spent \$3,000 out-of-pocket. That's insane. There is no circumstance where this woman should have had to go to Virginia and spend \$3,000 out-of-pocket. The law does not preclude this. So, either the doctor didn't read the Bill, didn't read the law, didn't get legal counsel -- which I think is a problem obviously -- or they were intentionally denying this care to somehow impugn this law and make it look like it is something that it isn't. I have a real problem with that. Because I was one of the folks that fought really hard for the Heartbeat Bill; a lot of you in this room did. It is not designed to punish a woman or a family who has gone through a miscarriage and to try to make it look like that is draconian and is wrong. So, I'm asking the Medical Association for help on this to clarify it. I would encourage you to talk to folks in your district to make sure they understand. If you don't know how to read it, we will read it for you. If you are going to make these kinds of "fire from the hip" decisions, get some council before you do. But if people are intentionally exploiting a tragedy in the life of any family to try to make this Bill look like it is something that it isn't -- that is absolutely wrong and that needs to be called out.

I will work on this issue and I'm going to push back. I encourage you to talk to folks in your district, to your doctors and the Medical Association because this is not the first time I have heard about it. The news story has kind of gone viral in the Upstate. I think we are up to three cases as of today where I have been told this has occurred. If I know about three in my neck of the woods, chances are it's happening in yours. And there is no excuse for that. It is either ignorance on the part of people

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who are denying this care or it's an intentional effort to deny care to create a situation that looks terrible -- to try to make the law look like it is doing something that it is never intended to do, it doesn't do, and it doesn't say. Thank you, Mr. PRESIDENT.

CO-SPONSOR ADDED

The following co-sponsors were added to the respective Bills:

S. 28 Sen. Sutton
S. 125 Sen. Sutton
S. 153 Sen. Elliott
S. 190 Sen. Sutton

ADJOURNMENT

At 11:04 A.M., on motion of Senator OTT, the Senate adjourned to meet next Tuesday, February 4, 2025, at 12:00 P.M.

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