

South Carolina General Assembly
122nd Session, 2017-2018

A212, R250, H4117

STATUS INFORMATION

General Bill

Sponsors: Reps. Henderson, Bedingfield and Fry

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Introduced in the House on April 6, 2017

Introduced in the Senate on March 21, 2018

Last Amended on May 9, 2018

Passed by the General Assembly on May 9, 2018

Governor's Action: May 18, 2018, Signed

Summary: Prescription Monitoring Program

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
4/6/2017	House	Introduced and read first time (House Journal-page 54)
4/6/2017	House	Referred to Committee on Medical, Military, Public and Municipal Affairs (House Journal-page 54)
3/8/2018	House	Committee report: Favorable with amendment Medical, Military, Public and Municipal Affairs (House Journal-page 4)
3/20/2018	House	Amended (House Journal-page 19)
3/20/2018	House	Read second time (House Journal-page 19)
3/20/2018	House	Roll call Yeas-102 Nays-0 (House Journal-page 20)
3/21/2018	House	Read third time and sent to Senate (House Journal-page 8)
3/21/2018	Senate	Introduced and read first time (Senate Journal-page 4)
3/21/2018	Senate	Referred to Committee on Medical Affairs (Senate Journal-page 4)
4/19/2018	Senate	Committee report: Favorable with amendment Medical Affairs (Senate Journal-page 6)
4/25/2018	Senate	Committee Amendment Adopted (Senate Journal-page 24)
4/25/2018	Senate	Read second time (Senate Journal-page 24)
4/25/2018	Senate	Roll call Ayes-43 Nays-0 (Senate Journal-page 24)
4/26/2018	Senate	Read third time and returned to House with amendments (Senate Journal-page 20)
5/3/2018	House	Non-concurrence in Senate amendment (House Journal-page 30)
5/3/2018	House	Roll call Yeas-0 Nays-88 (House Journal-page 30)
5/8/2018	Senate	Senate insists upon amendment and conference committee appointed Hutto, Davis, Corbin (Senate Journal-page 25)
5/8/2018	House	Conference committee appointed Fry, Henderson, Ridgeway (House Journal-page 7)
5/9/2018	Senate	Conference report adopted (Senate Journal-page 21)
5/9/2018	Senate	Roll call Ayes-41 Nays-0 (Senate Journal-page 21)
5/9/2018	House	Conference report adopted (House Journal-page 18)
5/9/2018	House	Roll call Yeas-110 Nays-0 (House Journal-page 20)
5/9/2018	House	Ordered enrolled for ratification (House Journal-page 129)
5/14/2018		Ratified R 250
5/18/2018		Signed By Governor
5/25/2018		Effective date 05/18/18
5/31/2018		Act No. 212

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VERSIONS OF THIS BILL

[4/6/2017](#)

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(A212, R250, H4117)

AN ACT TO AMEND SECTION 44-53-1650, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCEPTIONS TO CONFIDENTIALITY OF DATA IN THE PRESCRIPTION MONITORING PROGRAM, SO AS TO ADD AN EXCEPTION FOR THE PROVISION OF DATA TO DRUG COURTS.

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

Prescription monitoring program, confidentiality exceptions

SECTION 1. Section 44-53-1650(D) of the 1976 Code is amended to read:

“(D) Drug control may provide data in the prescription monitoring program to the following persons:

(1) a practitioner or pharmacist or authorized delegate who requests information and certifies that the requested information is for the purpose of providing medical or pharmaceutical treatment to a bona fide patient;

(2) an individual who requests the individual’s own prescription monitoring information in accordance with procedures established pursuant to state law;

(3) a designated representative of the South Carolina Department of Labor, Licensing and Regulation responsible for the licensure, regulation, or discipline of practitioners, pharmacists, or other persons authorized to prescribe, administer, or dispense controlled substances and who is involved in a bona fide specific investigation involving a designated person;

(4) a local, state, or federal law enforcement or prosecutorial official engaged in the administration, investigation, or enforcement of the laws governing licit drugs and who is involved in a bona fide specific drug-related investigation involving a designated person;

(5) the South Carolina Department of Health and Human Services regarding Medicaid program recipients;

(6) a properly convened grand jury pursuant to a subpoena properly issued for the records;

(7) personnel of drug control for purposes of administration and enforcement of this article;

(8) qualified personnel for the purpose of bona fide research or education; however, data elements that would reasonably identify a specific recipient, prescriber, or dispenser must be deleted or redacted

from such information prior to disclosure. Further, release of the information only may be made pursuant to a written agreement between qualified personnel and the department in order to ensure compliance with this subsection; and

(9) the presiding judge of a drug court pertaining to a specific case involving a designated person.”

Time effective

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

Ratified the 14th day of May, 2018.

Approved the 18th day of May, 2018.
