**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-115-35 SO AS TO REQUIRE A PHYSICIAN, UPON REQUEST OF A PATIENT, TO TRANSMIT THE PATIENT’S MEDICAL RECORD TO THE HOSPITAL AT WHICH THE PATIENT HAS BEEN OR IS SCHEDULED TO BY HOSPITALIZED WHEN THE PHYSICIAN IS NOT THE PATIENT’S ATTENDING PHYSICIAN AT THE HOSPITAL; TO REQUIRE THE PHYSICIAN TO ALSO TRANSMIT A SUMMARY OF THE MEDICAL RECORD ON A FORM DEVELOPED AND PUBLISHED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; AND TO REQUIRE TRANSMISSION OF THE RECORD TO BE CONDUCTED SO AS TO MAINTAIN CONFIDENTIALITY.

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

SECTION 1. Chapter 115, Title 44 of the 1976 Code is amended by adding:

“Section 44‑115‑35. A physician, upon the written request of a patient or a patient’s representative, must transmit the patient’s medical record to a hospital where the patient has been, or is scheduled to be, hospitalized and the physician is not or will not be the patient’s attending physician while the patient is hospitalized. The physician also must transmit with the medical record a summary of the treatment the physician rendered. This summary must be on a form developed and published by the Department of Health and Environmental Control. The physician shall transmit the medical record and summary in a manner so as to maintain confidentiality.”

SECTION 2. This act takes effect July 1, 2011.

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