**South Carolina General Assembly**

121st Session, 2015-2016

**H. 3648**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Weeks

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Companion/Similar bill(s): 250, 3514

Introduced in the House on February 12, 2015

Currently residing in the House Committee on **Judiciary**

Summary: Child's medical records

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/12/2015 House Introduced and read first time ([House Journal‑page 22](file:///h:\HJ%20Archive\2015\02-12-15.docx))

2/12/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 22](file:///h:\HJ%20Archive\2015\02-12-15.docx))

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**VERSIONS OF THIS BILL**

[2/12/2015](file:///p:\pprever\2015-16\3648_20150212.docx)

**A** **BILL**

TO AMEND SECTION 63‑7‑380, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE RIGHT OF MANDATED REPORTERS OF CHILD ABUSE AND NEGLECT TO OBTAIN CERTAIN PHOTOGRAPHS AND X‑RAYS TAKEN WITHOUT PARENTAL CONSENT, SO AS TO PROVIDE FOR THE RELEASE OF THESE AND OTHER RECORDS TO SOUTH CAROLINA CHILDREN’S ADVOCACY MEDICAL RESPONSE SYSTEM CHILD ABUSE HEALTH CARE PROVIDERS WITHOUT PARENTAL CONSENT; TO AMEND SECTION 63‑7‑1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE AND NEGLECT RECORDS MAINTAINED BY THE DEPARTMENT OF SOCIAL SERVICES, SO AS TO ALLOW SOUTH CAROLINA CHILDREN’S ADVOCACY MEDICAL RESPONSE SYSTEM CHILD ABUSE HEALTH CARE PROVIDERS TO HAVE ACCESS TO INFORMATION ABOUT INDICATED CASES, TO AUTHORIZE THE DEPARTMENT TO PROVIDE THESE PROVIDERS SUMMARIES OF REFERRALS MADE TO CONTRACTED AGENCIES FOR SERVICES AND RELATED REFERRAL OUTCOMES, AND TO REQUIRE THE DEPARTMENT TO SHARE INFORMATION RELATING TO AN INDICATED CASE WITH A CHILD’S PRIMARY OR SPECIALTY HEALTH CARE PROVIDER; AND TO AMEND SECTION 63‑7‑2000, RELATING TO RETENTION OF RECORDS ON UNFOUNDED CASES OF REPORTED CHILD ABUSE OR NEGLECT, SO AS TO AUTHORIZE THE DEPARTMENT TO RELEASE A SUMMARY OF THE ALLEGATIONS AND INVESTIGATION OUTCOME TO SOUTH CAROLINA CHILDREN’S ADVOCACY MEDICAL RESPONSE SYSTEM CHILD ABUSE HEALTH CARE PROVIDERS.

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

SECTION 1. Section 63‑7‑380 of the 1976 Code is amended to read:

“Section 63‑7‑380. A person required to report under Section 63‑7‑310 may take, or cause to be taken, color photographs of the areas of trauma visible on a child who is the subject of a report and, if medically indicated, a physician may cause to be performed a radiological examination or other medical examinations or tests of the child without the consent of the child’s parents or guardians. Upon request and without consent of the child’s parent or legal guardian, the primary care physician, consulting care physician, and the hospital facility shall release the medical records, radiological imaging, photos, and all other health information to a South Carolina Children’s Advocacy Medical Response System child abuse health care provider or his designee for evaluation of the child for suspected abuse or neglect. Copies of all photographs, negatives, radiological, and other medical reports must be sent to the department at the time a report pursuant to Section 63‑7‑310 is made, or as soon as reasonably possible after the report is made.”

SECTION 2. Section 63‑7‑1990(B) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( ) A South Carolina Children’s Advocacy Medical Response System child abuse health care provider or his designee for the evaluation of a child for suspected abuse or neglect.”

SECTION 3. Section 63‑7‑1990 of the 1976 Code, as last amended by Act 291 of 2014, is further amended by adding appropriately lettered subsections at the end to read:

“( ) The department is authorized to provide a summary of referrals and the outcome of the referrals made to a contracted service agency or program addressing identified risks affecting the stability of the family to a South Carolina Children’s Advocacy Medical Response System child abuse health care provider or his designee.

( ) The department shall notify and share information relating to the outcome of an investigation for an indicated case and services provided by a contracted agency and program addressing identified risks affecting the stability of the family with the physicians involved in the ongoing primary or specialty health care of the child.”

SECTION 4. Section 63‑7‑2000 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) The department is authorized to release a summary of the allegations and outcome of an investigation for an unfounded case regarding a child and family to a South Carolina Children’s Advocacy Medical Response System child abuse health care provider or his designee for evaluation of the child for suspected abuse or neglect.”

SECTION 5. This act takes effect upon approval by the Governor.

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