~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

May 5, 2022

**H. 3998**

Introduced by Reps. Fry, Dillard, Erickson, Davis, Wooten, Trantham and Hewitt

S. Printed 5/5/22--S.

Read the first time April 27, 2021.

**THE COMMITTEE ON MEDICAL AFFAIRS**

To whom was referred a Bill (H. 3998) to amend Sections 44‑53‑1630 and 44‑53‑1640, as amended, Code of Laws of South Carolina, 1976, both relating to the prescription monitoring, 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 adding an appropriately numbered SECTION to read:

/ SECTION \_\_\_. Section 44‑53‑1650(A) of the 1976 Code is amended to read:

“(A) Prescription information submitted to drug control is confidential and not subject to public disclosure under the Freedom of Information Act or any other provision of law, except as provided in subsections (C) and (D). No data in the prescription monitoring program is subject to a discovery request or subpoena issued to the department pursuant to a civil or criminal action.” /

Renumber sections to conform.

Amend title to conform.

DANIEL B. VERDIN III for Committee.

**A** **BILL**

TO AMEND SECTIONS 44‑53‑1630 AND 44‑53‑1640, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO ADD SCHEDULE V CONTROLLED SUBSTANCES TO THE PRESCRIBED AND DISPENSED CONTROLLED SUBSTANCES MONITORED UNDER THE PROGRAM.

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

SECTION 1. Section 44‑53‑1630(2) and (3) of the 1976 Code is amended to read:

“(2) ‘Controlled substances’ means those substances listed in Schedules II, III, ~~and~~ IV, and V of the schedules provided for in Sections 44‑53‑210, 44‑53‑230, 44‑53‑250, and 44‑53‑270.

(3) ‘Dispenser’ means a person who delivers a Schedule II‑~~IV~~V controlled substance to the ultimate user, but does not include:

(a) a licensed hospital pharmacy that distributes controlled substances for the purpose of inpatient hospital care or dispenses prescriptions for controlled substances at the time of discharge from the hospital;

(b) a practitioner or other authorized person who administers these controlled substances; or

(c) a wholesale distributor of a Schedule II‑~~IV~~V controlled substance.”

SECTION 2. Section 44‑53‑1640(A) of the 1976 Code, as last amended by Act 65 of 2019, is further amended to read:

“(A) The Department of Health and Environmental Control, Bureau of Drug Control shall establish and maintain a program to monitor the prescribing and dispensing of all Schedule II, III, ~~and~~ IV, and V controlled substances by professionals licensed to prescribe or dispense these substances in this State and the administering of opioid antidotes pursuant to Sections 44‑130‑60 and 44‑130‑80.”

SECTION 3. This act takes effect upon approval by the Governor.

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