**South Carolina General Assembly**

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**S. 377**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Davis

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Introduced in the Senate on February 25, 2025

Currently residing in the Senate Committee on **Labor, Commerce and Industry**

Summary: Telemedicine and telehealth

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/25/2025 Senate Introduced and read first time ([Senate Journal‑page 5](h:\sj\20250225.docx))

2/25/2025 Senate Referred to Committee on **Labor, Commerce and Industry** ([Senate Journal‑page 5](h:\sj\20250225.docx))

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**VERSIONS OF THIS BILL**

[02/25/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/377_20250225.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40‑42‑40 SO AS TO ENABLE CERTAIN HEALTHCARE PROVIDERS TO PROVIDE HEALTHCARE SERVICES USING TELEHEALTH TO CLIENTS IN THIS STATE, TO PROVIDE REGISTRATION REQUIREMENTS FOR SUCH PROVIDERS, TO PROVIDE A NECESSARY DEFINITION, AND TO PROVIDE RELATED DUTIES ON LICENSING BOARDS; AND BY AMENDING SECTION 40‑47‑37, RELATING TO ENABLING CERTAIN PHYSICIANS TO PROVIDE HEALTHCARE SERVICES USING TELEHEALTH TO CLIENTS IN THIS STATE, TO PROVIDE REGISTRATION REQUIREMENTS FOR SUCH PHYSICIANS, TO PROVIDE NECESSARY DEFINITIONS, AND TO PROVIDE RELATED DUTIES OF THE STATE BOARD OF MEDICAL EXAMINERS.

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

SECTION 1. Chapter 42, Title 40 of the S.C. Code is amended by adding:

Section 40‑42‑40. (A) For purposes of this section:

(1) “Provider” means a professional licensed by a licensing board and authorized to practice healthcare pursuant to this title, or someone who holds a certificate to practice healthcare and meets the requirements pursuant to Section 40‑47‑40(C)(2).

(2) “Telehealth” means the use of electronic communication as defined in Section 40‑42‑10 between a provider located outside this State and a client located in this State with or without an intervening practitioner.

(B) A provider who holds an active license or certificate to provide healthcare services in another state or jurisdiction may provide healthcare services using telehealth to a client located in this State if the individual is registered with the licensing board and provides the services within the applicable scope of practice established by this State. Such a provider has the duty to practice in a manner consistent with his scope of practice and the prevailing standard of care to clients in this State.

(C) To be registered, the individual must:

(1) complete an application in the format prescribed by the licensing board;

(2) be licensed with an active, unencumbered license or certificate that is issued by another state, the District of Columbia, or a possession or territory of the United States and that is substantially similar to a license issued by South Carolina;

(3) have not been the subject of disciplinary action relating to his license during the five‑year period immediately prior to the submission of the application; and

(4) pay a ten dollar fee.

(D) The website of a telehealth provider must prominently display a hyperlink to the licensing board’s website containing information required under subsection (F).

(E) The individual may not register under this section if his license to provide healthcare services is subject to a pending disciplinary investigation or action or has been revoked in any state or jurisdiction. A provider registered under this section must notify the licensing board of restrictions placed on his license to practice, or any disciplinary action taken or pending against him, in any state or jurisdiction. The notification must be provided within five business days after the restriction is placed or disciplinary action is initiated or taken.

(F) The licensing board shall publish on its website a list of all registrants and include, to the extent applicable, each registrant’s:

(1) name;

(2) address;

(3) out‑of‑state license type with the license number; and

(4) South Carolina telehealth registration number.

(G) The licensing board may take disciplinary action against an out‑of‑state registrant registered under this section if the individual:

(1) fails to notify the licensing board of any adverse actions taken against his license as required under subsection (E);

(2) has restrictions placed on or disciplinary action taken against his license in any state or jurisdiction;

(3) violates any of the requirements of this section; or

(4) commits any act that constitutes grounds for disciplinary action under the licensing board’s statutes or regulations.

(H) For the purposes of this section, the delivery of telehealth services by a registrant licensed by another state or jurisdiction to a client residing in this State is deemed to occur in this State, and the registrant consents, as a condition of registration, to the personal and subject matter jurisdiction and disciplinary authority of the licensing board.

(I) Nothing in this section requires or authorizes an individual licensed by this State pursuant to this chapter to obtain a telehealth registration in order to provide telehealth services to a client residing in this State.

SECTION 2. Section 40‑47‑37 of the S.C. Code is amended by adding:

(F)(1) For purposes of this subsection, “telemedicine” means the use of electronic communication as defined in Section 40‑47‑20 between a physician located outside this State and a client located in this State with or without an intervening practitioner.

(2) A physician who holds an active license to provide healthcare services in another state or jurisdiction may provide healthcare services using telemedicine to a client located in this State if the individual is registered with the State Boad of Medical Examiners and provides the services within the applicable scope of practice established by this State. Such a physician has the duty to practice in a manner consistent with his scope of practice and the prevailing standard of care to clients in this State.

(3) To be registered, the individual must:

(a) complete an application in the format prescribed by the board;

(b) be licensed with an active, unencumbered license that is issued by another state, the District of Columbia, or a possession or territory of the United States and that is substantially similar to a license issued by South Carolina;

(c) have not been the subject of disciplinary action relating to his license during the five‑year period immediately prior to the submission of the application; and

(d) pay a ten dollar fee.

(4) The website of a telemedicine physician must prominently display a hyperlink to the board’s website containing information required under item (6).

(5) The individual may not register under this section if his license to provide healthcare services is subject to a pending disciplinary investigation or action or has been revoked in any state or jurisdiction. A physician registered under this section must notify the board of restrictions placed on his license to practice, or any disciplinary action taken or pending against him, in any state or jurisdiction. The notification must be provided within five business days after the restriction is placed or disciplinary action is initiated or taken.

(6) The board shall publish on its website a list of all registrants and include, to the extent applicable, each registrant’s:

(a) name;

(b) address;

(c) out‑of‑state license type with the license number; and

(d) South Carolina telemedicine registration number.

(7) The board may take disciplinary action against an out‑of‑state registrant registered under this section if the individual:

(a) fails to notify the board of any adverse actions taken against his license as required under item (5);

(b) has restrictions placed on or disciplinary action taken against his license in any state or jurisdiction;

(c) violates any of the requirements of this section; or

(d) commits any act that constitutes grounds for disciplinary action under the board’s statutes or regulations.

(8) For the purposes of this section, the delivery of telemedicine services by a registrant licensed by another state or jurisdiction to a client residing in this State is deemed to occur in this State, and the registrant consents, as a condition of registration, to the personal and subject matter jurisdiction and disciplinary authority of the board.

(9) Nothing in this section requires or authorizes an individual licensed by this State pursuant to this chapter to obtain a telemedicine registration in order to provide telemedicine services to a client residing in this State.

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

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