



JOINT ADVISORY OPINION ISSUED BY THE SOUTH CAROLINA
STATE BOARDS OF MEDICAL EXAMINERS AND NURSING REGARDING
THE WAIVER OF LICENSURE REQUIREMENTS FOR CERTAIN
PROFESSIONALS PURSUANT TO DESIGNATION OF AN EMERGENCY

The South Carolina State Boards of Medical Examiners and Nursing convened a joint emergency meeting on October 12, 2015, to consider a request presented by United Health Group (UHG) that both boards waive state licensure requirements for nurses and physician assistants wishing to volunteer their services to communities in need following the unprecedented flooding. A quorum of each board participated:

Representatives for UHG testified that six in-network professionals, including four registered nurses and two physician assistants, who are currently licensed and in good standing in other states, have volunteered to offer their medical services as part of two mobile units to be dispatched in remote areas of Richland and Clarendon Counties, specifically, in the Gadsden, Eastover and Manning communities. UHG's volunteers propose to provide assessment, advanced first aid, wound care, minor laceration care, splinting of acute injuries to the extremities and referral, basic evaluation and triage, and basic sanitation and hydration education to residents. UHG's volunteers will not provide continuing care or treatment of chronic illnesses. The proposed services are intended to supplement, but not overlap, medical services currently provided by the South Carolina Department of Health and Environmental Control (DHEC) in these communities. UHG intends for its volunteers to transition patients in need of more urgent care to DHEC representatives for either treatment or referral.

The Medical Practice Act, S.C. Code Ann. § 40-47-10, et seq., regulates the conduct of physicians and physician assistants. Section 40-47-30 (A)(1) provides, "A person may not practice medicine in this State unless the person is twenty-one years of age and has been authorized to do so pursuant to the provisions of this article. Nothing in this article may be construed to prohibit service in cases of emergency or the domestic administration of family remedies."

The Nurse Practice Act, S.C. Code Ann. §40-33-10, et seq., regulates the conduct of nurses. Section 40-33-30 (D) (3) states, "A provision of this chapter may not be construed to prohibit nursing assistance in case of an emergency."

Governor Haley declared a State of Emergency by Executive Order 2015-21 on October 1, 2015. No public health emergency has been declared. Both Boards

of Medical Examiners and Nursing find that the testimony provided regarding the specific communities of need establishes an “emergency” as referenced in their respective practice acts.

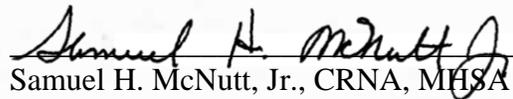
The Board of Nursing finds that the four (4) registered nurses identified by UHG should be authorized to practice in South Carolina, provided: (1) they practice under the supervision of a physician who is licensed and in good standing in South Carolina ; (2) do not exceed the scope of the practice of registered nursing as defined by the South Carolina Nurse Practice Act; (3) provide verification of their licensure and other information requested on the Multi-State Licensure Privilege Notification Form; and (4) practice in South Carolina no longer than fourteen (14) days from the date of initial authorization pursuant to this document.

The Board of Medical Examiners finds that the two (2) physician assistants identified by UHG should be authorized to practice in South Carolina provided: (1) they identify a supervising physician who is licensed and in good standing in South Carolina and willing to serve as the supervising physician; (2) provide verification of current licensure status; (3) provide proposed written scope of practice guidelines for review by the Board’s President; (4) adhere to the scope of practice as defined by the South Carolina Physician Assistants Practice Act; and (5) practice in South Carolina no longer than fourteen (14) days from the date of initial authorization pursuant to this document.

Each of the six (6) designated volunteers identified by UHG must satisfy the stated requirements in order to gain authorization to practice in South Carolina during the State of Emergency in the designated communities of need. No blanket authorization is provided to UHG for substitution of volunteers.



Stephen R. Gardner, MD
President, S.C. State Board of Medical Examiners



Samuel H. McNutt, Jr., CRNA, MHSA
Vice President, S.C. State Board of Nursing

October 12, 2015.