

# SOUTH CAROLINA CHAPTER OF THE AMERICAN ACADEMY OF PEDIATRICS

## DECEMBER NEWSLETTER 2021

### **President's Message – Robert Saul, MD, FAAP**

Well, it's been another eventful year. COVID-19 has rightfully dominated the conversation and our lives. (Isn't that what pandemics do?) Yet we have continued to fight hard for children and families – in terms of direct care, education, and advocacy. We have fought hard for our pediatric colleagues in terms of support, advocacy and shouting from the rooftops the trusted experience and dedication of pediatricians. That's what the SCAAP does and will continue to do. We will use our resources to improve the lives of children and families in our role as pediatricians and citizens of our local communities and state. We will use our resources to help and nurture our colleagues in our local communities and state. This dual role will never change and defines our unique stance as a professional medical organization. We seek to have a dual purpose and share in the passion of the national AAP in that regard. We will be undeterred in our purpose as pediatricians.

A reminder—the SCAAP has numerous opportunities for your involvement –

- Educational activities – The CATCH Meeting in January and the Annual Meeting in the summer (in Myrtle Beach in 2022) offer fantastic material and continuing education credits. Please note that we will be having a pre-CATCH meeting to address how the SCAAP can address the mental health crisis in the state.
- QTIP – The projects offer tremendous opportunities to engage in QI projects, improving care and office processes.
- Advocacy – We work with the Institute for Child Success (ICS) to put on a legislative advocacy day in the spring and are engaged year-round in numerous efforts on behalf of children and families and our members. One example is the success working with the ACLU (national and state) to argue effectively with a subsequent injunction against the ban mask proviso.
- Grants – Numerous grants have been awarded this year and we are looking to continue that success in 2022.  
Project Firstline Grant which will be led by Dr. Leigh Bragg and will involve educational webinars on infection control and prevention.  
SC TEAMS Grant to increase children's Covid vaccination rates in SC and Social Media Grant to do same.  
Telehealth ECHO Project Grant.  
Fostering Development Grant.  
E-Cig Grant.
- Numerous subcommittees, liaisons and ad hoc groups of the Board are always looking for help. Feel free to reach out with your interest.
- Take a look at the upcoming legislative agenda (below) for the SC Statehouse and see how we will all need to get involved in 2022!

On behalf of the officers, the Executive Director and the Board of the SCAAP, let me wish you and your families a healthy and happy holiday season and a Happy New Year!

## **SC Children’s Hospital Collaborative Legislative Update – 2022 Pre-Filed Bills**



### **Legislative Update: 2022 Pre-filed Bills** December 15, 2021

The 2022 state legislative session will begin Tuesday, January 11<sup>th</sup>. 2022 is an election year for the governor, statewide officers, and the SC House of Representatives. In addition to redistricting and numerous bills relating to COVID, the legislature will be considering legislation to repeal the certificate of need program, telehealth post pandemic, medical marijuana, education reform, and tax reform. Budget wise, the state has considerable additional recurring and non-recurring funding to appropriate in addition to federal relief and Savannah River site settlement funds.

The SC Children’s Hospital Collaborative will continue working to advance legislation to allow emergency medical services personnel to honor pediatric DNR orders in community settings and legislation to define child torture as a form of child abuse in statute. We will also be working to request additional infrastructure funding – with some of those funds being directed to address the pediatric mental health crisis.

The following bills were pre-filed and introduced in anticipation of the 2022 legislative session:

#### **I. COVID & Vaccine Related Bills**

Bill #	Lead Sponsor	Description
<a href="#">H 3126</a>	Stewart Jones, R-Laurens	<b>Amended and passed by the House.</b> This bill was written in response to the federal vaccine mandate, a mandate that is not in effect at this time due to a federal court injunction. The version of the bill adopted by the House on December 10 <sup>th</sup> and sent to the Senate: <ul style="list-style-type: none"><li>• Prohibits the state or any political subdivision, including a school district, from enacting a COVID vaccine mandate for employees or students</li><li>• Prohibits the state from terminating first responders for failing to get Covid vaccine (police, firefighter, EMS)</li></ul>

		<ul style="list-style-type: none"> <li>• Grants unemployment benefits for employees terminated due to failure to get COVID vaccine.</li> <li>• If a private employer believes that they are subject to forfeiture of federal funds without enforcing the vaccine mandate, the employer may require weekly COVID testing of employee</li> <li>• DHEC shall partner with MUSC to provide COVID testing for private employers. \$10 million allocated for the testing</li> <li>• Requires religious and medical exemptions to be honored. Medical exemptions can include the presence of antibodies, a prior positive Covid test, or pregnancy.</li> </ul>
Bill #	Lead Sponsor	Description
<a href="#">H 4507</a>	Stewart Jones, R-Laurens	No state agency, department, commission, including school district can require masks . Schools cannot require masks on buses.
<a href="#">H 4508</a>	Stewart Jones, R-Laurens	No state agency, department, commission, school district may require that individuals receive a COVID vaccine
<a href="#">H 4509</a>	Stewart Jones, R-Laurens	SC DHEC may not expend funds on mandatory enforcement of Covid testing, vaccine, or guidance of face masks.
<a href="#">H 4516</a>	Joe Bustos R-Mt Pleasant	Employers cannot terminate employee for failing to get Covid vaccine if employee furnishes proof of monoclonal antibody treatment or previously diagnosed with COVID. If employer violates, employee entitled to be re-hired within 30 days after documentation provided. Employee may bring civil cause of action for enforcement.
<a href="#">H 4545</a>	Mike Burns, R-Taylors	Establishes civil liability for entities requiring persons to have COVID vaccine – includes students, employees, individuals seeking admission to premises if the person has adverse health consequences from vaccine
<a href="#">H 4552</a>	Joe Bustos, R-Mt Pleasant	Prohibits public institutions of higher learning from requiring students and employees to receive Covid vaccine or requirement to provide proof of vaccination.
<a href="#">H 4556</a>	Brian White, R-Anderson	Prohibits DHEC from adding COVID vaccine to list of vaccines required for school attendance. Students allowed to attend public schools regardless of their COVID vaccination status.
<a href="#">H 4560</a>	David Hiott, R-Pickens	<i>South Carolina Vaccination Rights Act of 2022.</i> A person does not need to provide proof of vaccination status for employment, access to services, or other opportunities. Healthcare facilities can ask employees to volunteer vaccination status for the purposes of determining whether the facility should implement reasonable accommodations to protect employees, patients, and visitors. Prohibits any mandate of vaccination with vaccines authorized under emergency use authorization. <i>Senate companion bills S889, S899</i>

<a href="#">H 4561</a>	Chris Wooten, R-Lexington	State cannot require first responders to get COVID vaccine. First responders aggrieved by an employer can bring a private cause of action against the employer.
<a href="#">H 4565</a>	Jonathan Hill, R-Townville	SC Medical Privacy Act. Prohibits the disclosure of personal medical information as a condition of employment or to accessing a public facility, benefit, or service. <b>Prohibits schools from promoting and administering (all) vaccinations to students.</b>
Bill #	Lead Sponsor	Description
<a href="#">H 4567</a>	Melissa Oremus, R-Aiken	Authorizes the use of investigational drugs and treatments for certain patients who contract an infection, illness, or other health condition caused by an epidemic or pandemic.
<a href="#">S 902</a>	Gerald Malloy, D- Hartsville	All adverse health conditions or death arising as a result of receiving a COVID vaccine mandated by an employer or government are compensable. Similar bill <a href="#">S 891</a>
<a href="#">S 922</a>	Shane Martin, R-Pauline	An employee who separated from his employer due to refusal to get Covid vaccine is eligible for unemployment benefits.

## Introductions of Interest

Bill #	Lead Sponsor	TOPIC	Description
<a href="#">H 4555</a> & <a href="#">S 900</a>	RJ May, R-Lexington	Age for healthcare consent	Parental Bill of Rights: Seeks to preserve parental rights in general, particularly with respect to healthcare and education. Prohibits healthcare providers from providing, soliciting, or arranging to provide to child under age 18 any healthcare services, medicine, or biologics without obtaining parental consent.
<a href="#">H 4541</a>	Patrick Haddon, R-Greenville	Pregnancy/Inmates	Requires pregnancy/postpartum care for pregnant inmates within 7 days of arriving at the correctional facility and throughout the pregnancy. Allows pregnant inmates to have a support person during labor and requires that pregnant inmates in labor be transported to a hospital or birthing center.
<a href="#">H 4522</a>	Bill Taylor, R-Aiken	Tenure	Prohibits public institutions of higher learning from awarding tenure for employees hired after 12/31/22.
<a href="#">H 4553</a>	RJ May, R-Lexington	IEPs /Deaf	Establishes specific IEP requirements for students who are deaf or hard of hearing, namely that the IEP team must consider the student's preferred communication mode.
<a href="#">H 4558</a>	Dennis Moss, R-Gaffney	Workplace violence	Creates the offense of aggravated assault and battery against healthcare workers and first responders.
<a href="#">H 4549</a>	Mark Smith, R-Charleston	Hospital Care at Home/CON	Creates a statutory definition for "acute hospital care at home", gives hospitals the ability to provide "acute hospital care at home", and exempts hospital care at home programs from CON requirements. Requires DHEC to promulgate regs.

<a href="#">H 4546</a>	S. Davis, R-Moncks Corner	CON	Exempts home health agencies from CON requirements and regulations.
<a href="#">H 4608</a>	Ashley Trantham, R- Pelzer	Transgender	<i>Save Women's Sports Act:</i> Requires gender-based or co-educational designation of public secondary or postsecondary institutions . Allows females to participate in teams designated for males but does not allow males to participate in teams designated for females. Statement of biological sex on birth certificate is deemed to correctly state biological sex. Creates a cause for injunctive relief if a student is harmed .

**Register for the CATCH Meeting ASAP!! 2022 SC Chapter of the AAP CATCH Meeting January 21-22 at the Hotel Emeline, Charleston, SC**

The SCAAP CATCH Meeting is for South Carolina Chapter members and their staff. CME will be offered and there is no registration fee.



**THE CATCH MEETING WILL ALSO BE VIRTUAL;  
HOWEVER, YOU WILL STILL NEED TO  
REGISTER.**

**WE STILL HAVE A FEW HOTEL ROOMS AVAILABLE FOR  
THOSE WHO ARE FROM OUT OF TOWN AND PREFER TO  
ATTEND ONSITE.**

***CONFIDENTIALITY NOTICE:** This electronic message and any attachments may be confidential, protected from disclosure, and/or intended only for the use of the individual or entity to whom it was addressed. Any interception, copying, accessing, distribution, disclosure or any action taken in reliance on the information contained in this message is strictly prohibited. If you have received this message in error, please purge the email and destroy any printed copies immediately.*

