

**A Bill**  
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- Purpose:** To legalize Medical Assistance in Dying in the state of South Carolina
- Whereas,** Every person has the right to make autonomous decisions regarding their medical care, including end-of-life choices;
- Whereas,** Terminally ill patients may experience unbearable suffering despite the best efforts of palliative and hospice care;
- Whereas,** it is the responsibility of the State to balance the protection of life with the recognition of personal autonomy and individual liberty;
- Whereas,** this Act ensures that physician-assisted dying is strictly voluntary, with safeguards to prevent coercion and misuse, and protects the rights of healthcare providers who choose not to participate.
- Therefore,** Be it enacted by the South Carolina Student Legislature in regular session assembled the following:

**Section I:** To amend Title 44, Chapter 77 of the South Carolina Code of Laws by removing Section 44-77-130 which shall read:

~~**SECTION 44-77-130.** Chapter not to be construed to authorize or approve mercy killing.~~

~~Nothing in this chapter may be construed to authorize or approve mercy killing, or to permit any affirmative or deliberate act or omission to end life other than to permit the natural process of dying.~~

~~HISTORY: 1986 Act No. 341, Section 11; 1988 Act No. 586.~~

**Section II:** To amend Title 44 by adding Chapter 141 to the South Carolina Code of Laws to read:

*“SECTION 44-141-1. Title and Purpose*

*(A) This Act shall be known as the "South Carolina Death with Dignity Act."*

*(B) The purpose of this Act is to allow terminally ill, competent adults to request and receive medication to voluntarily end their lives in a humane and dignified manner, while ensuring appropriate safeguards to prevent abuse and coercion.*

***SECTION 44-141-10. Definitions***

*For the purposes of this Act: (1) "Adult" means an individual 18 years of age or older.*

*(2) "Attending physician" means the physician who has primary responsibility for the care of the patient and treatment of the terminal illness.*

*(3) "Consulting physician" means a physician qualified by specialty or experience to confirm the diagnosis and prognosis of the attending physician.*

*(4) "Capable" means having the ability to make and communicate informed health care decisions.*

*(5) "Informed decision" means a decision based on an understanding of the relevant facts, alternatives, and consequences.*

*(6) "Terminal illness" means an incurable and irreversible disease that has been medically confirmed and will, within reasonable medical judgment, result in death within six months.*

***SECTION 44-141-20. Eligibility Criteria***

*A patient may request medication to end their life if they: (A) Are an adult capable of making medical decisions.*

*(B) Have been diagnosed with a terminal illness by an attending physician and confirmed by a consulting physician.*

*(C) Have voluntarily expressed their wish to receive life-ending medication without coercion.*

*(D) Are a resident of South Carolina for at least six months.*

***SECTION 44-141-30. Procedure for Requesting Life-Ending Medication***

*(A) The patient must make two oral requests, separated by at least 15 days, and one written request to their attending physician.*

*(B) The written request must be signed by the patient and two witnesses, one of whom is not a relative, beneficiary, or associated with the health care facility providing treatment.*

*(C) The attending physician must: (1) Confirm the diagnosis, prognosis, and competency of the patient.*

*(2) Ensure the patient is making an informed decision.*

*(3) Refer the patient to a consulting physician for confirmation.*

*(4) Refer the patient to counseling if there are concerns about mental health impairing judgment.*

*(5) Offer alternatives, including palliative and hospice care.*

*(6) Verify all procedures have been followed before prescribing medication.*

***SECTION 44-141-40. Safeguards and Protections***

*(A) No physician, pharmacist, or health care provider shall be required to participate in providing life-ending medication.*

*(B) A patient may rescind their request at any time.*

*(C) Life insurance policies shall not be affected by the decision to use life-ending medication.*

*(D) Any coercion or undue influence in obtaining medication under this Act is a felony offense.*

*(E) Physicians and health care providers acting in good faith under this Act shall be immune from civil and criminal liability.*

*(F) A mental health evaluation by a licensed psychiatrist or psychologist shall be required to assess whether the patient is suffering from treatable depression or mental illness impairing judgment.*

*(G) If there is any indication of coercion or undue influence, the request for medication shall be denied, and the case shall be reported for investigation.*

*(H) Strict reporting and oversight mechanisms shall be implemented to monitor the use of life-ending medication, ensuring compliance with all provisions.*

*(I) Additional training shall be provided for healthcare providers to improve palliative and hospice care, ensuring all patients are fully informed of their end-of-life care options.*

***SECTION 44-141-50. Reporting and Oversight***

*(A) The South Carolina Department of Health shall collect and review reports of prescriptions under this Act.*

*(B) An annual report shall be published summarizing non-identifiable data regarding the implementation of this Act.*

*(C) A state oversight committee shall be established to review compliance, prevent potential abuses, and recommend improvements to safeguard vulnerable populations.”*

**Section III:** This bill will go into effect January 1, 2026 upon passage by the General Assembly and the signature of the Governor.