

Outline of [SC INFORMED CONSENT ACT \(S 54\)](#)  
WITH SUBCOMMITTEE AMENDMENTS

**WHAT THE BILL DOES**

- 1) Outlaws and provides **penalties for mandating certain pharmaceutical products including** novel vaccines (less than 10 years old), gene therapies (which would include the mRNA platform for COVID-19), and any indemnified (liability-free) product by the **State or a SC businesses, organizations, colleges, schools** for employment, education, participation, etc.
- 2) Prohibits **discrimination** against prospective employees or current employees who have not received certain vaccines or gene therapies.
- 3) **Protects businesses from lawsuits** for not complying with CDC or SC DPH (Department of Public Health) **recommendations or guidance** (NOT Regulations) that vaccines be mandated.
- 4) Prevents **pharmacists** from denying Right-to-Try prescriptions during public health emergencies and requires them to contact the prescriber with a reason for refusal to fill a medication.
- 5) Removes authority given to DPH director to command the **assistance of sheriffs, constables** and the **SC National Guard to enforce quarantine measures** during a public health emergency. This type of authority should come only from the governor. Director may still **request** assistance from sheriffs and constables.
- 6) **Provides definitions** for:
  - “**gene therapy**” distinguishable from a vaccine (definition comes from the FDA’s own website)
  - “vaccine” (verbiage taken directly from Dorland’s Medical Dictionary 25<sup>th</sup> Edition)
  - Also redefines “public health emergency,” “qualifying health condition,” so that the governor cannot declare a state of emergency over a flu-like illness.
- 7) Requires **informed consent** (changed from just “consent”- clear definition is provided) from individuals receiving vaccines or treatments.
- 8) Codifies that a person who is unwilling or unable to undergo a vaccination or treatment during a public health emergency may **only** be quarantined or isolated if they are exposed to or symptomatic of the disease. As the law now stands, **a person may be quarantined solely for refusal to accept a vaccine or test.**
- 9) **Puts limits on the isolation and quarantine** of individuals of:

- Twenty-one days for asymptomatic individuals
  - Ten days for symptomatic individuals
  - **Only allow separation** from family members who have **not** already been exposed to the infectious disease.
- 10) Reduces charge for noncompliance with quarantine or isolation orders (think about whether you're likely to comply with another shutdown scenario) from a **felony offense to a misdemeanor** and;
- 11) Adjusts the penalty from one thousand to two-hundred dollars. **This language matches that found in section 44-1-150.**
- 12) Requires that law enforcement officers produce a written order or warrant in order to arrest or forcefully isolate or quarantine an individual.
- 13) Protects healthcare providers from the current law that **threatens suspension or revocation of their license to practice medicine** should they not perform vaccination, treatment, testing and examination in compliance with the Department of Public Health.

### WHAT THE BILL DOES NOT DO

- Stop anyone from recommending or voluntarily accepting vaccines and gene therapies.
- Stop any individual from participating in any public health recommendation.
- Prevent the Department of Public Health from addressing real health threats.
- Override federal or out-of-state employer mandates. A federal law is required to do so.

Please read [this article](#) about the battle in Columbia for freedom from mandates.

South Carolina citizens want this bill to succeed! Tell [Senate Majority Leader Shane Massey](#) to make the bill a SPECIAL ORDER for February!