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Roland Franklin, Counsel

Jimmy Hinson, Counsel

March 3, 2016

Senator Raymond E. Cleary, III, Chairman
Senate Invitations Committee
404 Gressette Senate Office Building
Columbia, SC 29202

Dear Senator Cleary:

Thank you for your letter dated March 1, 2016 (copy enclosed). I appreciate you bringing S. 357 to my attention and offering justification for its passage. I am now aware of your interest in the bill and rational for seeing it become law. I assure you, I will consider both.

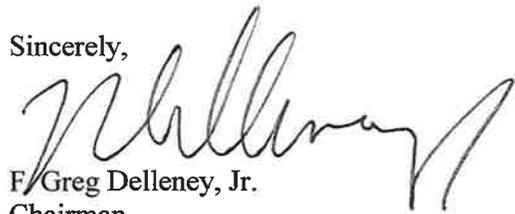
Please consider this letter as the response you requested. I, too, am "stymied. In fact, much of my Committee is "stymied" by the fifty (50) pieces of legislation that were reported out of the House Judiciary Committee and then subsequently passed by the entire House of Representatives which have yet to receive final consideration by the Senate (list enclosed). In our Body, each bill was debated and vetted through the subcommittee process and then deemed important enough to be recommended by the full Judiciary Committee before passage on the House floor. Like S.357, all of these bills have a similar explanation as to why they should become law; yet none of these bills have been given significant attention in the Senate. I may also be mistaken in my thinking, but I believe this issue is worthy of your attention prior to suggesting that I prioritize a particular bill that attorneys and non-attorneys of the Senate agree is a "win-win."

While I appreciate your advocacy on behalf of your legislation and am sure that the intent behind your efforts are noble, I would like to take the opportunity to advocate for all of the legislation that seems to be failing to gain traction in your Body. I am "stymied" by the idea that a single bill could be so essential to you that you are willing to turn a blind eye to the diligent work my Committee has done over the past year by suggesting a single bill take precedence over fifty other pieces of legislation that have failed to receive the courtesy they deserve.

I am so "stymied" that I have copied the Speaker of the House and each of the standing committee chairs in the House on this reply, so that they might choose to investigate how many pieces of legislation considered, developed and passed through their respective committees that also might be failing to gain adequate attention in the Senate. I encourage each of them to make you aware of their own list so that you might weigh those pieces of legislation against S. 357 and potentially reconsider what level of priority your legislation deserves.

Again, I thank you for your communication and invite you to let me know any time you feel the House Judiciary Committee has not adequately considered a piece of legislation you have sponsored.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Delleney, Jr.", written in a cursive style.

F/Greg Delleney, Jr.
Chairman

Cc: House Speaker Jay Lucas
House Committee Chairs
Members of the House Judiciary Committee

RAYMOND E. CLEARY III

SENATOR, GEORGETOWN, CHARLESTON,
AND HORRY COUNTIES
SENATORIAL DISTRICT NO. 34



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March 1, 2016

Representative F. Gregory "Greg" Delleney, Jr. Chairman
House Judiciary Committee
512 Blatt Building
Columbia, SC 29201

Dear Chairman Delleney:

With regard to S.357, I am a little stymied at the progress of the bill, which the Senate sent to you March of last year. I do not know why the House is somewhat reluctant to move forward or if I have not pushed or inquired enough. Please allow me to explain my position on the bill, because I sincerely want you to understand S.357, which provides immunity for liability for pre-health care services done freely. This concern has been brought forward to me by physicians that work in the free clinics that sometime have to refer patients to a specialist who is not involved in free clinics. This is, also, a concern to the Technical Colleges as they are going into the medical professional community for instructors, who are more than willing to provide care, but not necessarily wanting to pay for mal practice insurance for providing the free care.

The bill has gone through the Senate Subcommittee, and there are two things worthy of mention---one is that gross negligence throws this liability away, and the other is that patients have to agree and sign off, because they are receiving free care. It appears that members of the Senate that are Attorneys and non- Attorneys are in agreement, as this is a win- win for everyone. I could be wrong in my thinking, but I cannot fathom that the legal profession, inside or outside of the Legislature, would be so concerned about the potential of a doctor not being sued that they would keep this bill from being passed. Now that I have explained the bill to you, I would love for you or someone on your staff to respond. Please help me and let's not deny the public free care especially with these safe guards in the bill. Please advise me what it is that I am missing, which makes this a difficult bill. I look forward to hearing from you. With kind regards, I am

Sincerely,

Senator Raymond E. Cleary, III

Also, Oran Smith and Family Council see the advantage of this legislation

REC/dc

cc: House Judiciary Members