

## SOUTH CAROLINA

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>Criteria</b>	<b>Qual. Conds.</b>	<b>ANH (Def.)</b>	<b>Standard of Decision-making</b>	<b>Specific Authorization Required (ANH)</b>	<b>ANH Required for Comfort Care</b>	<b>ANH included as Life-Sustaining TX</b>	<b>Other Provisions</b>
<b>Statutes</b>							
SC Death with Dignity Act	Terminal or Perm. Unconsc.	<b>No</b>	<b>SJ/BI</b>	<b>Yes</b>	<b>See below</b>	<b>Yes</b>	<b>See below</b>
SC Powers of Attorney Act	Physical disability or Incomp.	<b>No</b>	<b>SJ/BI</b>	<b>Yes</b>	<b>See below</b>	<b>See below</b>	<b>See below</b>
<b>Regulations</b>							
<ul style="list-style-type: none"> <li>No ANH provisions found in this policy.</li> </ul>							
<b>Case Law</b>							
<ul style="list-style-type: none"> <li>No ANH provisions found in SC case law.</li> </ul>							
<b>Other</b>							
<ul style="list-style-type: none"> <li>Artificial nutrition and hydration is not listed under “life-sustaining procedure.” However, the statute states in the definition section: “The principal shall indicate in the health care power of attorney whether the provision of nutrition and hydration through medically or surgically implanted tubes is desired.” (§62-5-504)(§ 44-77-30)(1998)</li> </ul>							

### **Notes:**

- If the principal fails to indicate either of the statements in § 7 (Power of Attorney) concerning provision of artificial nutrition and hydration, the agent does not have authority to direct that nutrition and hydration necessary for comfort care or alleviation of pain be withheld or withdrawn. (§ 62-5-504(C)(2))(1998)
- All patients with life-sustaining conditions that are diagnosed as terminal or in a state of permanent unconsciousness must be administered active treatment for at least six hours following the diagnosis before the physician may give effect to a declaration. (§ 44-77-30)(1998)
- SC Death with Dignity Act states: “A declarant whose declaration is executed in accordance with earlier versions of this chapter or in accordance with the law of another state may supplement that declaration by executing a document containing the provisions for “Instructions Concerning Artificial Nutrition and Hydration” as provided for in § 44-77-50 which must be signed by the declarant and witnessed in accordance with this chapter.” (§ 44-77-65)(1998)