

1976 S.C. Op. Atty. Gen. 192 (S.C.A.G.), 1976 S.C. Op. Atty. Gen. No. 4359, 1976 WL 22978

Office of the Attorney General

State of South Carolina

Opinion No. 4359

May 31, 1976

*1 By virtue of the provisions of Section 32–818, 1962 Code of Laws of South Carolina, as amended, all duly licensed doctors of podiatric medicine are entitled to use the facilities of all county, township, or municipal hospitals, clinics and tuberculosis camps.

TO: Dr. James D. Hill
State Board of Podiatry Examiners

QUESTION PRESENTED:

Whether a duly licensed doctor of podiatric medicine is entitled to the use of public hospital facilities.

AUTHORITIES:

Section 32–818; 56–1543 through 56–1543, 1962, Code of Laws of South Carolina, as amended.

[Suber v. South Carolina State Board of Health](#), 259 S.C. 558, 193 S.E.2d 520, 1972.

DISCUSSION:

Section 32–818, 1962 Code of Laws of South Carolina, as amended, deals with county, township or municipal hospitals, clinics and tuberculosis camps and provides:

In the management of such hospital or tuberculosis camp, no discrimination shall be made against any practitioner of any school of medicine recognized by the laws of this State, and all such legal practitioners shall have the privilege of treating patients in such hospital or tuberculosis camp.

Podiatry is recognized as a school of medicine by the laws of this State, and as such, all duly licensed doctors of podiatric medicine are entitled to the use of the types of hospital facilities to which Section 32–817 is applicable. Section 56–1543 through 56–1543.25, 1962 Code of Laws of South Carolina, as amended; [Suber v. South Carolina State Board of Health](#) 259 S.C. 558, 193 S.E.2d 520, 1972.

Furthermore, by virtue of Section 56–1543.25, the recipients or beneficiaries of the aid or services of ‘any agency of the State, county or municipality, . . . (or) any commission or clinic, . . . (or) any board administering relief, social security, health insurance or health service under the laws of the State of South Carolina,’ are guaranteed the right to request and receive treatment by a duly licensed podiatrist. Unlike Section 32–818, this provision deals with the rights of the patient rather than the rights of the doctor, and will expand a podiatrist's access to public hospital facilities only by necessary implication, if it expands the access at all.

CONCLUSION:

Therefore, the opinion of this Office is that by virtue of the provisions of Section 32–818, 1962 Code of Laws of South Carolina, as amended, all duly licensed doctors of podiatric medicine are entitled to use the facilities of all county, township, or municipal hospitals, clinics and tuberculosis camps.

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