

1975 WL 29772 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 30, 1975

*1 Mr. A. S. Bahnmuller
Assistant County Attorney
Bryan, Bahnmuller, King and Goldman
Attorneys at Law
17 E. Calhoun Street
P. O. Box 2038
Sumter, South Carolina 29150

Dear Mr. Bahnmuller:

You have inquired as to whether doctors, hospital personnel, etc., are required to report drug overdoses or attempted suicide by overdose to law enforcement officials.

My research indicates no authority that would compel these persons to report such a situation. I have also contacted the Board of Health and Environmental Control, Commission on Alcohol and Drug Abuse, and the Narcotics and Controlled Substance Division of SLED and they know of no statutory or administrative pronouncement on the subject. The only provision that touches on the subject is Section 32-1510.25 which provides for certain privileged communications. This is the 1973 Act of which you referred. The statute does not specifically prohibit a 'confidant' from disclosing information about an overdose to the authorities but would make the information privileged in any proceeding upon the election of the person with the drug problem.

In any event, there is no statutory authority for requiring such reporting and such being the case there is no affirmative duty to report these overdoses under State law.

Yours truly,

Cameron B. Littlejohn, Jr.
Law Clerk

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