

1974 WL 27664 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 11, 1974

*1 John J. Sharry, D.M.D.
Dean, College of Dental Medicine
Medical University of South Carolina
80 Barre Street
Charleston, South Carolina 29401

Dear Dean Sharry:

Your letters of November 28, 1973, and of January 30, 1974, request the opinion of this Office as to whether an educational procedure proposed to be adopted by the College of Dental Medicine is in accordance with the Dental Practice Act of South Carolina. Delay in response to your request has ensued by reason of the desire of the South Carolina State Board of Dentistry that they be heard prior to the expression of an opinion by me so that the position of that Board in the matter could be presented. Some discussions have heretofore taken place with the members of that Board. I have now received a letter from Joseph R. Beard, President of the Board, a copy of which is indicated as having been forwarded to you and to Dr. McCord, in which the Board officially withdraws its opposition to the proposed undertaking by the College of Dental Medicine. It is, therefore, now in order that I respond to your inquiry.

The plan of the College of Dental Medicine is to, essentially, utilize the facilities of Richland Memorial Hospital in Columbia in the education of dental students. The details and objectives of the plan are fully set forth in your two letters referred to above.

Section 22-365, Code of Laws, 1962, provides, in part:

'In addition to the present facilities, activities and schools of The Medical University of South Carolina, there is hereby created and established a four-year school of dentistry to be located in Charleston, South Carolina, as a part of The Medical University and to be known as The School of Dentistry of The Medical University of South Carolina;—.'

It is my opinion that this statute does not preclude the College of Dentistry from extending its educational programs outside the confines of the City of Charleston by the use of extensions of the programs in the manner contemplated. The College of Dentistry must remain in the City of Charleston, but this statutory mandate is clearly fully complied with if the Board of Trustees of the Medical University determines that the education of a portion of the dental students under the supervision of a portion of the faculty of the College of Dentistry can and should be accomplished, in the manner outlined in the proposal at the Richland Memorial Hospital. Ample precedent appears to sustain this conclusion. For a number of years the Medical University has trained medical students in special areas at the State Hospital in Columbia, and the educational practices followed by other institutions of higher learning in this State appear to sustain this administrative construction. See also [Cathcart v. City of Columbia](#), 170 S.C. 362, 170 S.E. 435.

The source of funds for the financing of the plan is, in my opinion, of no legal significance.

There is, in my opinion, no impediment in the Dental Practice Act or in any other statute of the State or constitutional provision thereof, to the implementation of the plan proposed.

Very truly yours,

***2** Daniel R. McLeod
Attorney General

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