

1973 WL 26679 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 28, 1973

**\*1 Re: Paramedical Examiners**

Miss Ira Dean Lane  
Executive Director  
State Board of Nursing for South Carolina  
2711 Middleburg Drive  
Suite 216  
Columbia, South Carolina 29204

Dear Miss Lane:

Pursuant to an inquiry presented to the Board by Mrs. Ruth P. Gaskins, L.P.N., regarding the legal status of a 'paramedical examiner' in South Carolina, the Board has requested an opinion from this office as to whether the laws governing nursing permit such practices.

'Paramedical examiners,' as defined by Mrs. Gaskins, are persons who are employed by insurance companies to collect medical data on prospective clients and who forward this data to the medical departments of the insurers. The medical data collected is limited to the prospective client's past medical history and current state of health; and, in addition, the paramedical examiner measures and records height, weight, pulse, blood pressure, chest and waist size, conducts an urinalysis for glucose and albumin and notes any obvious physical abnormalities.

Under Section 56-951(f), South Carolina Code of Laws, as amended, the 'practice of nursing' is defined to include:  
[T]he performance for compensation of any act in the:

- 1) Observation of symptoms and reactions, both physical and mental.
- 2) The accurate recording and reporting of facts.

In a most literal sense this language could be considered to include the taking of the noted measurements, the conduct of an urinalysis or the notation of abnormalities, even in the context of an interview of a prospective insurance client. However, it would appear questionable whether the nurse practice act extends so far. This law was enacted to govern the acts and professional qualifications of persons caring for the ill, injured, and infirm, of those dealing in preventive medicine, and of those engaged in teaching these skills. It seems doubtful that the Legislature intended the nursing laws to cover this type of non-diagnostic, non-therapeutic insurance interview.

Of more importance, however, is the fact that under the authority of Section 56-951(g), South Carolina Code of Laws, as amended, unlicensed medical technicians regularly perform such acts as discussed, in hospitals and private offices, with only minimal supervision. This appears an accepted and proper medical practice. For this latter reason it is the opinion of this office that trained medical technicians, and licensed practical nurses, operating as paramedical examiners do not violate the South Carolina nurse practice act.

Sincerely,

John B. Grimball

Assistant Attorney General

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