

1979 WL 43580 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 10, 1979

***1 RE: Eligibility of Chiropractic College Clinic to Become Member of Patients' Compensation Fund**

Honorable John W. Lindsay
Chief Insurance Commissioner
Department of Insurance
2711 Middleburg Drive
Columbia, SC 29204

Dear Mr. Lindsay:

You have requested the opinion of this Office whether a chiropractic college clinic is a 'licensed health care provider' within the meaning of § 38-59-110, South Carolina Code of Laws, 1976, as amended, so as to qualify for membership in the South Carolina Patients' Compensation Fund.

The section of the Code already cited states:

'Licensed health care providers' means physicians and surgeons; nurses; oral surgeons; dentists; pharmacists; chiropractors; hospitals; nursing homes; or any similar major category of licensed health care providers.

The context of the statute makes it clear that the initial prerequisite for eligibility in the Patient's Compensation Fund is that the individual or facility seeking such membership must be licensed by the State of South Carolina. No such licensing procedure exists for a chiropractic college clinic. Accordingly, the clinic itself is not eligible for membership in the Fund.

However, any licensed chiropractor who practices in such clinic would clearly be eligible for membership in the Patient's Compensation Fund.

I hope this has been of some assistance to you.

Very truly yours,

Katherine W. Hill
Assistant Attorney General

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