

1976 S.C. Op. Atty. Gen. 379 (S.C.A.G.), 1976 S.C. Op. Atty. Gen. No. 4517, 1976 WL 23134

Office of the Attorney General

State of South Carolina

Opinion No. 4517

November 9, 1976

*1 D. Strother Pope, M.D.

1116 Henderson Street

Columbia South Carolina

Dear Dr. Pope:

You recently inquired as to the validity of a 'living will' in the State of South Carolina. This term is construed to connote an instrument executed by an individual which contains his wishes as to his medical care should his condition become terminal or vegetative.

There is no court decision or applicable statute in South Carolina on this subject and, in my opinion, such an instrument would be most probably invalid. It is clear to me that no physician should rely upon the validity of such a will in the absence of validating statutory or judicial approval of the procedure.

Very truly yours,

Daniel R. McLeod

Attorney General

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