

1975 WL 28910 (S.C.A.G.)
Office of the Attorney General
State of South Carolina
June 12, 1975

*1 John E. Mahaffey, M.D.
Professor and Chairman
Department of Anesthesiology
Medical University of S. C.
80 Barre Street
Charleston, South Carolina 29401

Dear Dr. Mahaffey:

Your letter to Daniel R. McLeod, Attorney General of South Carolina, dated May 26, 1975, has been forwarded to me for my attention.

The Medical University of South Carolina carries a tort liability policy (# L035) with the South Carolina State Budget and Control Board through the Division of General Services which covers all of the employees of said University 'for any damages because of injury to any person arising out of the rendering of or failure to render, during the policy period' while acting within the scope of employment, the following:

(a) medical, surgical, dental or nursing treatment to such person or the person inflicting the injury including the furnishing of food or beverages in connection therewith,

(b) furnishing or dispensing of drugs or medical, dental or surgical supplies or appliances if the injury occurs after the named insured has relinquished possession thereof to others,

(c) handling of or performing post-mortem examinations on human bodies, or

(d) service by any person as a member of a formal accreditation or similar professional board or committee of the named institution or as a person charged with the duty of executing directives of any such board or committee, and the Fund shall have the right and duty to defend any suit against the insured seeking damages, even if any of the allegations of the suit are groundless, false or fraudulent, and may make such investigation and with the written consent of the insured, such settlement of any claims or suit as it deems expedient, but the Fund shall not be obligated to pay any claim or judgment or to defend any suit after the applicable limit of the Fund's liability has been exhausted by payment of judgments or settlements.

The limits of said policy are two hundred thousand (\$200,000.00) dollars per occurrence and one million (\$1,000,000.00) dollars aggregate. Said limits do include the payment of any incurred legal fees but normally the defense work will be handled by this office thus making such fees and/or costs minimal.

If you have any further questions please contact Mr. John Wise, Vice President, Treasurer, Medical University of South Carolina.

With kindest regards, I am
Very truly yours,

Ronald H. Colvin
Attorney
Division of General Services

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