

## State Law Overview: South Carolina

### Mandatory Waiting Period

South Carolina has a 24 hour waiting period before an abortion can be obtained. <sup>1</sup>

### Mandatory Ultrasound

South Carolina law requires that people seeking an abortion be given written information about where to obtain an ultrasound and that if one is conducted prior to an abortion, the patient must be given the opportunity to view the image. <sup>2</sup>

### Biased Counseling/Informed Consent

South Carolina law requires that patients seeking abortion receive counseling that is intended to dissuade them from proceeding with an abortion. <sup>3</sup>

### Gestational Limits

South Carolina bans abortions in the third trimester with exceptions for the life and health of the mother with specific provisions regarding mental health. <sup>4</sup>

### Targeted Regulation of Abortion Providers (TRAP)

South Carolina requires that facilities providing medical and/or aspiration abortion conform to the standards of ambulatory surgery centers. Abortion providers are also required to have hospital admitting privileges or an alternative arrangement for emergency care. <sup>5</sup>

### Restrictions on Minor's Obtaining Abortion Care

South Carolina law requires that anyone under the age of 17 who is seeking an abortion obtain written consent from a parent, guardian, or another adult relative prior to receiving abortion care. This requirement can be waived in a medical emergency or if the pregnancy is the result of incest. However, if the teen asserts that the pregnancy resulted from incest, the physician performing the abortion is required to report the incest to the state. Minors may obtain a judicial bypass if they do not wish to obtain consent prior to the abortion. <sup>6</sup>

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<sup>1</sup> Guttmacher State Policies in Brief, Counseling and Waiting Periods for Abortion, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_MWPA.pdf](http://www.guttmacher.org/statecenter/spibs/spib_MWPA.pdf)

<sup>2</sup> Guttmacher State Policies in Brief, Restricting Insurance Coverage of Abortion, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_RICA.pdf](http://www.guttmacher.org/statecenter/spibs/spib_RICA.pdf)

<sup>3</sup> Guttmacher State Policies in Brief, Counseling and Waiting Periods for Abortion, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_MWPA.pdf](http://www.guttmacher.org/statecenter/spibs/spib_MWPA.pdf)

<sup>4</sup> Guttmacher State Policies in Brief, State Policies on Later Abortion, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_PLTA.pdf](http://www.guttmacher.org/statecenter/spibs/spib_PLTA.pdf)

<sup>5</sup> Guttmacher State Policies in Brief, Targeted Regulation for Abortion Providers, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_TRAP.pdf](http://www.guttmacher.org/statecenter/spibs/spib_TRAP.pdf)

<sup>6</sup> Guttmacher State Policies in Brief, Parental Involvement in Minors' Abortions, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_PIMA.pdf](http://www.guttmacher.org/statecenter/spibs/spib_PIMA.pdf)

## **Restriction of Private and Public Insurance Coverage of Abortion**

South Carolina prohibits Medicaid from reimbursing for abortion unless the pregnancy is the result of rape or incest or if the mother's life is in danger from continuing the pregnancy. Abortion is only covered under insurance purchased through the health exchanges if the pregnancy is the result of rape or incest or if continuing the pregnancy would endanger the mother's life. Insurance for state employees restricts coverage to rape, incest, life endangerment, and when continuing the pregnancy would result in "substantial and irreversible impairment of a major bodily function."<sup>7</sup>

## **Counseling Ban/Gag Rule**

South Carolina law prevents some state funded organizations and individuals from discussing or referring for abortion.<sup>8</sup>

## **Crisis Pregnancy Centers**

South Carolina state policies refer women to crisis pregnancy centers and state funds from license plate sales are used to fund them.<sup>9 10</sup>

## **Refusal to Provide Medical Services**

South Carolina law allows individual providers and private institutions to refuse to provide abortion care.<sup>11</sup>

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<sup>7</sup> Guttmacher State Policies in Brief, Restricting Insurance Coverage of Abortion, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_RICA.pdf](http://www.guttmacher.org/statecenter/spibs/spib_RICA.pdf)

<sup>8</sup> NARAL, *Who Decides: the Status of Women's Reproductive Rights in the United States*, 2016, *available at* <http://www.prochoiceamerica.org/assets/download-files/2016-wd-report.pdf>

<sup>9</sup> Guttmacher State Policies in Brief, 'Choose Life' License Plates, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_CLLP.pdf](http://www.guttmacher.org/statecenter/spibs/spib_CLLP.pdf)

<sup>10</sup> NARAL, *Who Decides: the Status of Women's Reproductive Rights in the United States*, 2016, *available at* <http://www.prochoiceamerica.org/assets/download-files/2016-wd-report.pdf>

<sup>11</sup> Guttmacher State Policies in Brief, Refusing to Provide Health Services, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_RPHS.pdf](http://www.guttmacher.org/statecenter/spibs/spib_RPHS.pdf)