### South Carolina

#### Cancer Surveillance System

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<th>State</th>
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<td>SC</td>
<td>STATUTE: SCCL, Title 44, Chapter 35, Section 44-35; RULE: Chapter 61; 61-45.</td>
<td><strong>SECTION 44-35-10.</strong> Formulation of plan for cancer prevention, detection, and surveillance programs. The Department of Health and Environmental Control, in conjunction with hospitals and entities throughout the State, shall formulate a plan for cancer prevention, detection, and surveillance programs and for care of persons suffering from cancer to meet standards of care set forth by nationally recognized and approved accrediting bodies. <strong>SECTION 44-35-20.</strong> Establishment, administration, and purpose of central cancer registry. (A) There is established the South Carolina Central Cancer Registry and, to the extent funds are available, the Department of Health and Environmental Control shall administer this as a statewide population-based registry of cancer. <strong>SECTION 44-35-40.</strong> Confidentiality; data release protocol. Information that could identify the cancer patient must be kept strictly confidential in accordance with the administrative policy of the Department of Health and Environmental Control. This information must not be open for inspection except by the individual patient or the patient’s authorized representative. Procedures for the disclosure of confidential information to researchers for the purposes of cancer prevention, control, and research must be promulgated in regulations. The data release protocol developed in coordination with the South Carolina Budget and Control Board, Office of Research and Statistical Services, for the complete, timely, and accurate collection and reporting of cancer data. <strong>SECTION 44-35-60.</strong> Immunity from civil or criminal liability. A</td>
<td><strong>SECTION 44-35-40.</strong> Coordination of collection and report of cancer data. The registry shall coordinate, to the fullest extent possible, with the State Budget and Control Board, Office of Research and Statistical Services, for the complete, timely, and accurate collection and reporting of cancer data.</td>
<td>NO</td>
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cases with a diagnosis date after December 31, 1995.

(B) The purpose of the registry is to provide statistical information that will reduce morbidity and mortality of cancer in South Carolina. This information must be used to guide cancer control effort in the State by assisting in prevention and early detection of cancer, extending the life of the cancer patient, identifying high-risk groups or areas in the State with cluster of cancer cases, and improving cancer treatment.

(C) The registry shall receive, compile, analyze, and make available epidemiological and aggregate clinical cancer case information collected from all health care providers who diagnose and/or treat cancer patients in this State. The registry shall meet national standards of completeness and timeliness of case reporting and quality of data. Annual reports of aggregate cancer data must be provided to reporting facilities and physicians in the State.

SECTION 44-35-30. Reporting requirements; applicable regulations. (A) A provider who diagnoses and/or treats cancer

provider or regional registry making a case report or providing access to cancer case information to the registry is immune from any civil or criminal liability that might otherwise be incurred or imposed.

SECTION 44-35-70. Acquisition of laboratories, hospitals, or other property. The Department of Health and Environmental Control may, to the extent of and within the available funds which may be provided, acquire laboratories, hospitals, or other property, either real or personal, by gift, utilized by the registry to determine appropriate use and release of cancer registry data.

61-45. South Carolina Central Cancer Registry …G.

PROCEDURES FOR DISCLOSURE OF CONFIDENTIAL INFORMATION. 1. In accordance with Section 44-35-40, all data obtained from cancer reports submitted to the SCCCR are confidential. All data collected is confidential pursuant to Section 44-1-110. Information identifying individuals with cancer is exempt from Freedom of Information requests pursuant to Section 30-4-40, “Freedom of Information Act”, and may not be made available to the public. Identifying information regarding patients, physicians, or reporting facilities is not available by subpoena, and may only be released pursuant to a court order.

2. Data collected on patients whose legal residential address is outside the State of South Carolina may be shared with other State cancer registries provided a
patients and does not report to a regional cancer registry shall report specific case information to the registry in accordance with regulations promulgated by the Department of Health and Environmental Control. These regulations shall include, but are not limited to, the reportable case listing, data elements to be collected, the content and design of forms and reports required by this section, the procedures for disclosure of information gathered by the registry, and other matters necessary to the administration of this section. The regulations shall include these data elements:

1. complete demographic information;
2. occupational and industrial information to the extent available;
3. date and confirmation of initial diagnosis;
4. pathological information characterizing the cancer, including cancer site and cell type, stage of disease, and initial treatment information, to the extent available, in the medical record.
A provider participating in a regional purchase, devise or otherwise, as the department considers advisable to afford proper treatment and care to cancer patients in this State and to carry out the intent and purpose of this chapter.

reciprocal data sharing agreement is in place with the respective State Health Departments. The SCCCR will insure that such agreements with other States provide data confidentiality provisions.

3. The DHEC CCAC shall advise and make recommendations to the Department about the issues related to cancer surveillance, including all Central Cancer Registry activities. A subcommittee of the CCAC called the Surveillance Subcommittee shall have specific responsibility to determine the appropriateness of requests for confidential data release. Membership of this subcommittee shall consist of statewide representation of cancer researchers, the South Carolina Medical Association, the South Carolina Hospital Association, and the South Carolina Budget and Control Board Office of Research and Statistics. Strict criteria set forth in the SCCCR Data Release Protocol written in coordination with the South Carolina Budget and Control Board Office of Research and Statistics.
registry is not required to report to the Central Cancer Registry. Reporting providers must not incur additional expense in providing information to the registry.

(B) Regional registries shall report data on behalf of providers in their area to the Central Cancer Registry.

61-45. South Carolina Central Cancer Registry. …B. DEFINITIONS.
1. “South Carolina Central Cancer Registry (SCCCR)” means the population-based cancer data system for the collection, storage, maintenance, analysis, and dissemination of all cancer cases occurring in South Carolina, diagnosed after December 31, 1995, under the administration of the South Carolina Department of Health and Environmental Control (DHEC). …

Board Office of Research and Statistics Principles and Protocol for Release of Health Data shall be utilized to review each data release request. This Subcommittee also assures the DHEC Internal Review Board approval when appropriate in order to assure protection of human subjects.