



South Carolina Department of Social Services

Work Aid 3.8: Withholding Health Care

Supplemental to DSS Policy: Chapter 3: Investigations

A. Report of Withholding Medical Care for Religious or Other Reasons	1. Investigator initiates an investigation within two business days or the assigned response time-frame of receipt of the report in accordance with the DSS's Investigation policies, procedures, and A Case Manager's Guide to Opening and Transitioning Cases to determine if a parent or guardian withheld health care. 2. Upon determining by a preponderance of evidence that the parent or guardian withheld health care for religious or other reasons reflecting the parent's judgment as to the child's best interests, the investigator or team leader enters an Unfounded Category I finding with the determination that "the child is in need of medical care and the parent or guardian does not consent to medical care for religious or other reasons." Note: DSS must not enter a finding that the parent or guardian abused, neglected, or harmed the child.
B. Filing Legal Action for Medical Authorization	If a physician states that medical care is needed to prevent death or permanent harm to the child, investigator, or team leader schedules a case consultation with the county managing attorney to request medical treatment without the consent of the parent or guardian pursuant to S.C. Code Section 63-7-950.