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Workers' Compensation Commission

ADVISORY

South Carolina General Assembly Amends S.C. Code Ann. 42-15-90

May 19, 2026

On May 13, 2026 The South Carolina General Assembly passed House Bill 3874 amending South Carolina Code Section 42-15-90. Governor McMaster signed the bill, making the amendments effective on May 18, 2026.

South Carolina Code Section 42-15-90 requires the Commission to approve attorney fees, physician fees, and hospital charges. To accomplish this, it reviews and publishes a medical services provider manual annually setting the maximum allowable payment for medical services rendered in workers' compensation claims.

The amendments to Section 42-15-90 require the Commission to review its medical fee schedule annually in consultation with a cost containment committee and hold a public hearing to receive comments from stakeholders. The annual review must include consideration of stakeholder comments, recommendations from the cost containment committee, the medical consumer price index, and the workers' compensation fee schedules of other states. The cost containment committee will be comprised of 9 voting members appointed by the chairman of the commission.

The amendments also permit the Commission to apply either a single or multiple conversion factor to the Centers for Medicare and Medicaid Services (CMS) relative value scale and remove the 10% cap on price adjustments.

The Commission remains committed to striving to assure the quality of and access to medical care while containing prices and system costs.

Please direct all comments and questions to:

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