

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

June 11, 2015

_____ ACTION/DECISION

 X INFORMATION

- I. TITLE: Administrative and Consent Orders issued by Health Regulation.
- II. SUBJECT: Administrative and Consent Orders issued by Health Regulation for the period of April 1, 2015, through April 30, 2015.
- III. FACTS: For the period of April 1, 2015, through April 30, 2015, Health Regulation issued one (1) Administrative Order and one (1) Consent Order with a total of three thousand dollars (\$3000) in assessed penalties.

Program Area	Consent Orders	Administrative Orders	Assessed Penalties
Bureau of Health Facilities Licensing	1	0	\$3000
Division of EMS & Trauma	0	1	\$0
TOTAL	1	1	\$3000

Approved By:



Shelly B. Kelly
Deputy Director of Health Regulation

HEALTH REGULATION ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

June 11, 2015

BUREAU OF HEALTH FACILITIES LICENSING

1. Agape Assisted Living of Rock Hill (CRCF) - Rock Hill, SC

Investigation: The Department conducted a complaint investigation on September 11, 2013. On September 19, 2014, the Department conducted a general inspection. Both visits found repeat violations of Regulation 61-84.

Code Violations: The Department's above-mentioned investigation and inspection resulted in repeat violations of R.61-84 with regard to resident admission and retention. Agape Assisted Living of Rock Hill ("Agape") violated R.61-84 Section 801.B on September 11, 2013, and September 19, 2014, by admitting or retaining residents who were not appropriate for placement in a CRCF. This is a Class I violation and carries a penalty range of one thousand to three thousand dollars (\$1000 - 3000) for a second occurrence, in accordance with R.61-84 Section 302.F.

Enforcement Action: On January 16, 2015, the Department notified Agape by mail that the Department was considering an enforcement action against the facility for violations of R.61-84. Subsequently, the Department met with Agape representatives on January 29, 2015, and reached an agreement resolving the matter.

Accordingly, on April 16, 2015, the Department executed a Consent Order imposing a three thousand dollar (\$3000) monetary penalty on Agape. The terms of the Consent Order require Agape to pay one thousand five hundred dollars (\$1500) of the assessed monetary penalty within thirty (30) days of execution of the Consent Order with the remaining monetary penalty held in abeyance pending substantial compliance of R.61-84 and the Consent Order for twelve (12) months following execution of the Consent Order.

Prior Sanction(s): None.

DIVISION OF EMS & TRAUMA

1. Kimberly Ann Cardwell (EMT - Basic Certificate No. SC008114)

Investigation: On April 6, 2015, the Department investigated an alleged incident involving Ms. Cardwell's transport of a patient for Lakeside Medical Response. On February 19, 2015, Ms. Cardwell drove an ambulance for Lakeside and permitted her uncertified partner to accompany the patient in the patient compartment. From February 25, 2015, to April 6, 2015, Ms. Cardwell was notified by the Department several times via email and telephone about the possibility of enforcement action and requested Ms. Cardwell attend a conference to discuss the alleged incident. Ms. Cardwell chose not to attend the conference.

Code Violations: Ms. Cardwell committed misconduct, as defined by S.C. Code Section 44-61-80(F)(8) and R.61-7 Section 1100(B)(8), by discontinuing care of a patient and leaving the patient in the care of an uncertified individual in the patient compartment of the ambulance while no other certified EMT was present in the patient compartment during transport. Additionally, Ms. Cardwell committed misconduct, as defined by S.C. Code Section 44-61-90(F)(17) and R.61-7 Section 1000(A),

by not ensuring an EMT-Basic, Intermediate, or Paramedic was in the patient compartment at all times during transportation of the patient.

Enforcement Action: The Department suspended Ms. Cardwell's EMT-Basic certification for one (1) year. Ms. Cardwell's suspension temporarily voids her certificate and prohibits her from performing the functions associated with the certificate until complying with statutory requirements and other conditions imposed by the Department. Lastly, Ms. Cardwell has returned her certification card to the Department.

Prior Sanction(s): None.