

**BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
SUMMARY SHEET  
December 11, 2014**

       ACTION/DECISION

  X   INFORMATION

- I. TITLE:** Administrative and Consent Orders issued by Health Regulation.
- II. SUBJECT:** Administrative and Consent Orders issued by Health Regulation during the period of October 1, 2014 through October 31, 2014.
- III. FACTS:** For the period of October 1, 2014 through October 31, 2014, Health Regulation issued two (2) Consent Orders and one (1) Administrative Orders with total assessed civil penalties in the amount of \$5,000.00.

<b>Program Area</b>	<b>Consent Orders</b>	<b>Administrative Orders</b>	<b>Assessed Penalties</b>
Emergency Medical Services and Trauma	2	0	0
Health Facilities Licensing	0	1	\$5,000.00
<b>TOTAL</b>	<b>2</b>	<b>1</b>	<b>\$5,000.00</b>

Approved By:



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Jamie Shuster  
Director of Public Health

**HEALTH REGULATION ENFORCEMENT REPORT  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL**

December 11, 2014

DIVISION OF EMERGENCY MEDICAL SERVICES AND TRAUMA

**1) Jeanie Lynn Sanchez, SC EMT – Paramedic (Certificate No. SC023622)**

Location and/or Region: Berkeley County EMS

Investigation: On June 27, 2014, Ms. Sanchez responded to a call from a patient complaining of chest pain. Ms. Sanchez dismissed the complaint of pain as being chest wall pain and not cardiac in origin. Ms. Sanchez consented to a refusal of care by this patient despite the fact the 12-lead EKG was abnormal. Later that day, the patient was transported with a significant cardiac event after which the patient died.

Code Violations: The Department found that Ms. Sanchez committed misconduct as defined by the *Emergency Services Act of South Carolina*, S.C. Code Ann. § 44-61-80(F)(10) (Supp. 2013), and *Emergency Medical Services*, 3 S.C. Code Ann. Regs. 61-7 § 1100(B)(6) (2011), by failing to properly assess and provide appropriate intervention for a patient. Ms. Sanchez failed to properly read the 12-lead EKG and recognize the acute cardiac event, which required immediate transport to an emergency room for appropriate treatment. By failing to advise the patient of the abnormal cardiac activity and recommend transport to the emergency room, Ms. Sanchez contributed to or furthered the injury or illness under her care. By her actions and inactions, Ms. Sanchez failed provide emergency medical treatment of the quality deemed acceptable by the Department in violation of S.C. Code Ann. § 44-61-80(F) (Supp. 2013).

Consent Order: On October 1, 2014, the parties executed a Consent Order requiring Ms. Sanchez to surrender her South Carolina EMT – Paramedic card to the Department. In exchange, Ms. Sanchez received a Provisional EMT – Basic certification valid for twelve (12) months. If Ms. Sanchez intends to continue to operate as an EMT after the expiration of the EMT – Basic certification, she must comply with all requirements to become recertified as prescribed in the Act and Regulation by the end of the twelve (12) month period. Ms. Sanchez also must attend a paramedic refresher course from an accredited South Carolina institution and successfully complete the corresponding National Registry examinations to become recertified as a NREMT Paramedic. Lastly, Ms. Sanchez shall also successfully complete a NAEMT Principles in Ethics and Personal Leadership course within (12) months of execution of this Consent Order.

**2) Adam Heath Wimbish, SC EMT – Basic (Certificate No. SC019605)**

Location and/or Region: Midway Fire Department

Investigation: The Midway Fire Department concluded that on three (3) separate occasions, between June 29, 2014 and July 4, 2014, Mr. Wimbish performed the advanced level skill of starting intravenous line (IV) on three (3) different patients. Midway Fire Department also uncovered that on one (1) occasion, on July 4, 2014, Mr. Wimbish retrieved, opened, and drew up

four (4) milligrams of the medication Zofran and provided it for administration to his paramedic partner.

Code Violations: The Department found that Mr. Wimbish committed misconduct as defined by the *Emergency Services Act of South Carolina*, S.C. Code Ann. § 44-61-80(F)(12) (Supp. 2013), and *Emergency Medical Services*, 3 S.C. Code Ann. Regs. 61-7 § 1100(B)(13), by performing skills above the level for which he was certified or performing skills that he was not trained to do. Mr. Wimbish committed further misconduct as defined by S.C. Code Ann. § 44-61-80(13) (Supp. 2013) and 3 S.C. Code Regs. 61-7 § 1100(B)(12) by violating S.C. Code Ann. §44-61-130 (Supp. 2013), which provides that EMTs may only perform functions consistent with their certification.

Consent Order: On October 1, 2014, the parties executed a Consent Order requiring Mr. Wimbish to surrender his EMT – Basic certification to the Department. Pursuant to S.C. Code Ann. § 44-61-20(28) (Supp. 2013), Mr. Wimbish’s certification was revoked and the Department shall not reissue it for a period of four (4) years at which point Mr. Wimbish may petition for reinstatement. As a term of the Consent Order, the Department notified the National Registry of Emergency Medical Technicians that Mr. Wimbish practiced outside the scope of care of a SC EMT – Basic.

#### BUREAU OF HEALTH FACILITIES LICENSING

### **3) Cedar Acres Retirement Community**

Facility Type: Unlicensed Community Residential Care Facility

Street Address: 2091 Sams Elbow Road, West Columbia, SC 29170

Mailing Address: 7320 Parkland Road, Columbia, SC 29233

Investigations: During the April 11, 2014 complaint investigation, the Department was not given full access to all records areas of the facility, e.g., two (2) file cabinets and a locked room. Based on observations and interviews with residents, the Department had reasonable suspicion Cedar Acres was operating as a Community Residential Care Facility (“CRCF”) without a license from the Department (e.g., by managing, securing and administering medications to the residents; by ordering refills of residents’ medications; by arranging transportation to and from physician appointments of the facility; and, by managing the spending monies of some residents). On May 13, 2014, the Department executed and served an Administrative Search Warrant on Cedar Acres to complete the investigation.

Code Violations: The Department found that Cedar Acres was in violation of the *State Certification of Need and Health Facility Licensure Act*, S.C. Code Ann. § 44-7-260(A)(6) (2002), and *Standards for Licensing Community Residential Care Facilities*,<sup>7</sup> S.C. Code Ann. Regs. 61-84 § 103.A (2012), for the operation of an unlicensed CRCF.

Administrative Order: On September 11, 2014, the Department issued an Administrative Order imposing a civil penalty in the amount of \$5,000.00 against the owners and/or operators of Cedar Acres. On September 30, 2014, the Board received Cedar Acres’ Request for Final Review

("RFR") and on October 23, 2014, the Board advised Cedar Acres that it would not conduct a Final Review Conference ("FRC").