

SUMMARY SHEET
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

August 13, 2020

- () ACTION/DECISION
(X) INFORMATION

I. TITLE: Healthcare Quality Administrative and Consent Orders.

II. SUBJECT: Healthcare Quality Administrative Orders and Consent Orders for the period of February 1, 2020 through June 30, 2020.

III. FACTS: For the period of February 1, 2020 through June 30, 2020, Healthcare Quality reports eight Consent Orders totaling \$59,800 in assessed monetary penalties. No Administrative Orders or Emergency Suspension Orders were executed during the reporting period.

Healthcare Quality Bureau	Facility, Service, Provider, or Equipment Type	Administrative Orders	Consent Orders	Emergency Suspension Orders	Assessed Penalties
Bureau of Facilities Oversight	Community Residential Care Facility	0	1	0	\$4,300
	Nursing Home	0	2	0	\$42,300
Bureau of Healthcare Professionals	Ambulance Services	0	2	0	\$5,000
	Emergency Medical Technician	0	1	0	\$500
Bureau of Radiological Health	Dental X-Ray	0	1	0	\$1,700
	Industrial Gauging Facility	0	1	0	\$6,000
TOTAL		0	8	0	\$59,800

Submitted By:

Gwendolyn C. Thompson

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Director of Healthcare Quality

HEALTHCARE QUALITY ENFORCEMENT REPORT
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

August 13, 2020

Bureau of Facilities Oversight

Facility Type	Total # of Licensed Facilities	Total # of Licensed Beds
Community Residential Care Facility	498	21,939

1. Quality Care Services, Inc. d/b/a Southern Heritage – West Columbia, SC

Inspections and Investigations: The Department conducted three investigations and three inspections throughout 2017 and 2018, and found that the facility repeatedly violated several regulatory requirements.

Violations: The Department cited the facility for a total of 25 violations throughout all visits, including three repeat violations, for failing to comply with both Regulation 61-84, *Standards for Licensing Community Residential Care Facilities* and Regulation 61-25, *Retail Food Establishments*. The violations involved failing to report a serious incident of resident abuse, failing to conduct criminal background checks for staff, inaccurate records for controlled substances, improper food and kitchen preparation, insufficient training records, missing documentation, and insufficient safety checks for the facility’s equipment and building.

Enforcement Action: The parties met for an enforcement conference in February 2019, and were unable to reach an agreement to resolve the enforcement. The Department issued an administrative order to the facility in October 2019 imposing a \$8,100 monetary penalty. The facility filed a request for final review (RFR) of the order from the facility. The facility filed a request for a contested case hearing with the Administrative Law Court (ALC) in December 2019. The parties subsequently agreed to resolve the matter with a consent order. In June 2020, the parties agreed to the ALC’s Consent Order of Dismissal with Prejudice imposing a civil monetary penalty of \$4,300 against the facility. The penalty shall be paid in two installments. The facility was required to pay the first installment of \$2,150 of the assessed penalty within 45 days of executing the Consent Order of Dismissal with Prejudice. The remaining \$2,150 of the penalty shall be due and payable within 90 days of the executed order. The Department has not received the first payment.

Prior Actions: None in the past five years.

Facility Type	Total # of Licensed Facilities	Total # of Licensed Beds
Nursing Home	194	20,505

2. Midlands Health and Rehabilitation Center – Columbia, SC

Inspections and Investigations: The Department conducted six investigations and three inspections in 2019, and found that the facility repeatedly violated several regulatory requirements.

Violations: The Department cited the facility for a total of 54 violations throughout all visits in 2019, including 11 repeat violations, for failing to comply with Regulation 61-17, *Standards for Licensing Nursing Homes*. The violations involved policies and procedures, unhygienic practices, improper medical storage, insufficient training records, a myriad of missing documentation, and refusing to allow investigators access to all areas and records.

Enforcement Action: The parties conducted an enforcement conference and agreed to resolve the matter with a consent order. In February 2020, the parties executed a consent order imposing a civil monetary penalty of \$24,600 against the facility. The facility was required to pay \$14,760 of the assessed penalty within 30 days of executing the Consent Order. The remaining \$9,840 of the penalty will be stayed for six months. The facility has made the required payment. The facility was also required to attend a compliance assistance meeting with the Department within 45 days of executing the Consent Order, but the meeting was postponed due to the COVID-19 state of emergency. The Department will notify the facility in the future when a compliance assistance meeting can be scheduled.

Prior Actions: None in the past five years.

3. Magnolia Manor-Inman – Inman, SC

Inspections and Investigations: The Department conducted eleven investigations and two inspections throughout 2018 and 2019, and found that the facility repeatedly violated several regulatory requirements.

Violations: The Department cited the facility for a total of 35 violations throughout all visits, including 8 repeat violations, for failing to comply with Regulation 61-17, *Standards for Licensing Nursing Homes*. The violations involved policies and procedures, improper medical storage, inaccurate records of medicine administration and disposal, insufficient staffing ratios, insufficient training records, and a myriad of missing documentation.

Enforcement Action: The parties conducted an enforcement conference and agreed to resolve the matter with a consent order. In May 2020, the parties executed a consent order imposing a civil monetary penalty of \$17,700 against the facility. The facility was required to pay \$10,600 of the assessed penalty within 30 days of executing the Consent Order. The remaining \$7,100 of the penalty will be stayed for six months. The facility has made the required payment. The facility is also required to attend a compliance assistance meeting with the Department within 45 days of executing the Consent Order. The Department will notify the facility in the future when a compliance assistance meeting can be scheduled.

Prior Actions: None in the past five years.

Bureau of Healthcare Professionals

Provider Type	Total # of Licensed Providers
Ambulance Services	269

4. Southstar Ambulance Service – Ambulance Service Provider

Inspections and Investigations: On January 9, 2020, the Department conducted an investigation and discovered that the ambulance service provider was in violation of statutory and regulatory requirements.

Violations: The Department determined that Southstar Ambulance Service violated the EMS Act and Regulation 61-7, *Emergency Medical Services*, by allowing an uncertified person to provide patient care within the scope of an Emergency Medical Technician (EMT) on 75 ambulance runs from May 2017 through January 2020.

Enforcement Action: The parties agreed to resolve the matter with a consent order. In June 2020, the parties executed a consent order imposing a civil monetary penalty of \$2,500 against the ambulance service provider. The provider was required to pay \$500 of the assessed penalty within 30 days of executing the Consent Order. The remaining \$2,000 of the penalty will be stayed for 12 months. The provider has made the required payment.

Prior Actions: None in the past five years.

5. Berkeley County Emergency Medical Services – Ambulance Service Provider

Inspections and Investigations: On January 9, 2020, Berkeley County Emergency Medical Services (EMS) self-reported to the Department that it was in violation of statutory and regulatory requirements. The Department investigated this self-reported violation.

Violations: The Department determined that Berkeley County EMS violated the EMS Act and Regulation 61-7, *Emergency Medical Services*, by allowing an uncertified person to provide patient care within the scope of an Emergency Medical Technician (EMT) on 19 ambulance runs from September to October 2019.

Enforcement Action: The parties agreed to resolve the matter with a consent order. In June 2020, the parties executed a consent order imposing a civil monetary penalty of \$2,500 against the ambulance service provider. The provider was required to pay \$500 of the assessed penalty within 30 days of executing the Consent Order. The remaining \$2,000 of the penalty will be stayed for 12 months. The facility has made the required payment.

Prior Actions: None in the past five years.

Provider Type	Total # of Certified Providers
Emergency Medical Technician (EMT)	6,735

6. Brianna Jalyn Galloway – EMT

Inspections and Investigations: On January 9, 2020, Berkeley County EMS reported to the Department that Ms. Galloway was an uncertified employee working for their agency in violation of statutory and regulatory requirements. The Department investigated this reported violation.

Violations: The Department determined that Ms. Galloway violated the EMS Act and Regulation 61-7, *Emergency Medical Services*, by not possessing a valid South Carolina EMT certification when she provided patient care within the scope of an EMT on 19 ambulance runs from September to October 2019.

Enforcement Action: The parties agreed to resolve the matter with a consent order. In June 2020, the parties executed a consent order imposing a civil monetary penalty of \$500 against Ms. Galloway. The EMT was required to pay \$100 of the assessed penalty within 30 days of executing the Consent Order. The remaining \$400 of the penalty will be stayed for 12 months. The EMT has made the required payment.

Prior Actions: None in the past five years.

Bureau of Radiological Health

Facility Type	Total # of Registered Facilities
Dental X-Ray	1,774

7. Chadwick J. Golden, DMD – Dental X-Ray Facility

Inspections and Investigations: The Department conducted a routine inspection in July 2019 and found that the registrant had violated statutory and regulatory requirements.

Violations: The Department determined that the registrant violated the Atomic Energy and Radiation Control Act and Regulation 61-64, *X-Rays*, for failing to conduct equipment performance testing on dental x-ray systems when testing was due in 2017 and 2019.

Enforcement Action: The parties agreed to resolve the matter with a consent order. In June 2020, the parties executed a consent order imposing a civil monetary penalty of \$1,700 against the registrant. The registrant was required to pay \$255 of the assessed penalty within 30 days of executing the Consent Order. The remaining \$1,445 of the penalty will be stayed. The registrant has made the required payment.

Prior Actions: None in the past five years.

License Type	Total # of Licensees
Industrial Gauging Facility	40

8. Fiber Industries – Darlington, SC

Inspections and Investigations: On April 26, 2019, the licensee self-reported to the Department that it was in violation of statutory and regulatory requirements. The Department conducted an onsite investigation on June 2019 of this self-reported violation.

Violations: The Department determined that the licensee violated the Atomic Energy and Radiation Control Act and Regulation 61-63, *Radioactive Materials (Title A)*, by causing individuals to receive radiation doses in excess of regulatory limits. The Department received dose assessment reports in June and July of 2019 confirming that the personnel contracted to clean the vats were exposed to radiation beams in excess of 0.01 rem.

Enforcement Action: The parties agreed to resolve the matter with a consent order. In June 2020, the parties executed a consent order imposing a civil monetary penalty of \$6,000 against the registrant. The licensee was required to pay the full amount of the penalty within 30 days of executing the Consent Order. The Department has not received the required payment.

Prior Actions: None in the past five years.