

SUMMARY SHEET
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

May 9, 2019

() ACTION/DECISION

(X) INFORMATION


I. TITLE: Health Regulation Administrative and Consent Orders.

II. SUBJECT: Health Regulation Administrative Orders and Consent Orders for the period of February 1, 2019, through March 31, 2019.

III. FACTS: For the period of February 1, 2019, through March 31, 2019, Health Regulation reports 6 Consent Orders totaling \$6,200 in assessed monetary penalties.

Health Regulation Bureau	Facility, Service, Provider, or Equipment Type	Administrative Orders	Consent Orders	Emergency Suspension Orders	Assessed Penalties
EMS & Trauma	Ambulance Services Provider	0	1	0	500
	Paramedic	0	1	0	300
	Advanced Emergency Medical Technician	0	1	0	300
Radiological Health	Dental X-Ray Facility	0	1	0	1,700
	Chiropractic X-Ray Facility	0	2	0	3,400
TOTAL		0	6	0	\$6,200

Approved By:



Shelly Bezanson Kelly
Director of Health Regulation

HEALTH REGULATION ENFORCEMENT REPORT
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

May 9, 2019

Bureau of Emergency Medical Services and Trauma

Provider Type	Total # of Licensed Providers
Ambulance Services Provider	276

1. Pendleton Area Rescue Squad – Ambulance Services Provider

Inspections and Investigations: On October 10, 2018, the Department initiated an investigation of Pendleton Area Rescue Squad (PARS) concerning two employees who worked as ambulance operators or drivers. The Department found that the two individuals performed ambulance operator or driver duties on over 200 calls during October and November 2018 while working for PARS, but PARS did not have any records of these drivers.

Violations: The EMS regulation requires EMS providers to maintain their drivers' records. In addition, ambulance drivers are required to be at least 18 years old, physically able to drive, possess a valid driver's license from South Carolina or the home state of the provider, have a criminal background check, and display a picture ID in a manner visible to the public at all times while on duty. Ambulance drivers are further required to complete a nationally accredited safety driving course specific to emergency vehicles within the first six months of hire. The Department found PARS violated the EMS regulation by failing to maintain any of its drivers' records.

Enforcement Action: By Consent Order, PARS agreed to a \$500 monetary penalty and has made full payment of the penalty.

Prior Actions: None.

Provider Type	Total # of Certified Providers
Paramedic	3,858

2. Heather Marie Hurt – Paramedic

Inspections and Investigations: On December 6, 2018, the Department received information concerning Ms. Hurt's conduct while working for Union County EMS and initiated an investigation. The Department found that in November 2018, Ms. Hurt and her emergency medical technician (EMT) partner were dispatched via radio and the Computer Automated Dispatching ("CAD") System to respond to a call from a patient with cold/flu symptoms at a private residence. The EMS crew acknowledged the call and went en route to respond. While en route to the call, the EMS crew went to a convenience store so that Ms. Hurt

could buy sunglasses. This created a delay in response time to the patient. Ms. Hurt’s partner reported the incident to Union County EMS management.

Violations: The Department determined that Ms. Hurt committed misconduct as defined by the state EMS law and regulation because her actions or inactions created a substantial possibility that death or serious physical harm could result from intentionally driving the ambulance to the convenience store to buy sunglasses. By not driving directly to the call, Ms. Hurt created a delay in patient treatment.

Enforcement Action: By Consent Order, Ms. Hurt agreed to pay \$150 of an assessed monetary penalty of \$300. Ms. Hurt has paid the \$150 and the remaining \$150 is being held in abeyance for 12 months. Ms. Hurt also agreed to a six-month suspension of her paramedic certification to be held in abeyance for 12 months. Lastly, Ms. Hurt agreed to successfully complete a National Association of Emergency Medical Technicians Principles of Ethics and Personal Leadership (“PEPL”) course within 12 months. Ms. Hurt has already successfully completed the PEPL course.

Prior Actions: None.

Provider Type	Total # of Certified Providers
Advanced EMT	440

3. Jonathan Wells – Advanced EMT

Inspections and Investigations: On November 28, 2018, the Department received information concerning the conduct of Mr. Wells while working for Greenwood County EMS. The Department initiated an investigation and found that in September 2018, Mr. Wells and his paramedic partner were dispatched to a call for a nursing home patient complaining of breathing problems. The EMS crew was dispatched by in-person supervisor, via radio, and the Computer Automated Dispatching (“CAD”) System, and acknowledged the call. However, the EMS crew drove to the ambulance station after they went en route to the call and gave the ambulance to another crew to respond to the call. The ambulance with the oncoming crew arrived on scene in what amounted to a 40-minute delay.

Violations: The Department determined Mr. Wells committed misconduct as defined by the state EMS law and regulation because his actions or inactions created a substantial possibility that death or serious physical harm could result from intentionally driving to the ambulance station to switch out crews. By not driving directly to the call, Mr. Wells and his partner created a 40-minute delay in patient treatment.

Enforcement Action: By Consent Order, Mr. Wells agreed to pay \$75 of an assessed monetary penalty of \$300. Mr. Wells has paid the \$75 and the remaining \$225 is being held in abeyance for 12 months. Mr. Wells also agreed to a six-month suspension of his advanced EMT certification to be held in abeyance for 12 months. Lastly, Mr. Wells agreed to successfully complete a National Association of Emergency Medical Technicians Principles of Ethics and Personal Leadership (“PEPL”) course within 12 months.

Prior Actions: None.

Bureau of Radiological Health

Radiological Health Facility Type	Total # of Registered Facilities
Dental X-Ray	1,725

4. North Rivers Dental Associates, Inc. – Dental X-Ray Facility

Inspections and Investigations: The Department conducted several routine inspections, including October 2007, May 2013, and most recently on January 30, 2018, and found that North Rivers repeatedly violated the same regulatory requirement.

Violations: The Department determined that North Rivers violated the X-Rays regulation by failing to show records of equipment performance testing for four of the seven units located at North Rivers during the most recent inspection and had been cited for the same violation on two previous inspections. Specifically, North Rivers failed to show that their dental intraoral units had been tested every two years.

Enforcement Action: By Consent Order, North Rivers agreed to pay \$425 of an assessed monetary penalty of \$1,700. North Rivers has paid the \$425 and the remaining \$1,275 is being held in abeyance for 36 months.

Prior Actions: None.

Radiological Health Facility Type	Total # of Registered Facilities
Chiropractic X-Ray	475

5. Ridgeland Chiropractic Center – Chiropractic X-Ray Facility

Inspections and Investigations: The Department conducted several routine inspections, including April 2011, January 2015, and most recently on January 23, 2018, and found that Ridgeland repeatedly violated the same regulatory requirement.

Violations: The Department determined that Ridgeland violated the X-Rays regulation by failing to show records of annual equipment performance testing. Specifically, Ridgeland failed to show that their medical x-ray equipment had been tested annually.

Enforcement Action: By Consent Order, Ridgeland agreed to pay \$425 of an assessed monetary penalty of \$1,700. Ridgeland has paid the \$425 and the remaining \$1,275 is being held in abeyance for 24 months.

Prior Actions: None.

6. Capital City Chiropractic, LLC – Chiropractic X-Ray Facility

Inspections and Investigations: The Department conducted several routine inspections, including September 2012, September 2015, and most recently on February 13, 2018, and found that Capital City repeatedly violated the same regulatory requirement.

Violations: The Department determined that Capital City violated the X-Rays regulation by failing to show records of annual equipment performance testing. Specifically, Capital City failed to show that their medical x-ray equipment had been tested annually.

Enforcement Action: By Consent Order, Capital City agreed to pay \$425 of an assessed monetary penalty of \$1,700. Capital City has paid the \$425 and the remaining \$1,275 is being held in abeyance for 24 months.

Prior Actions: None.