

SUMMARY SHEET
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

September 8, 2016

() ACTION/DECISION

(X) INFORMATION

I. TITLE: Health Regulation Administrative and Consent Orders.

II. SUBJECT: Health Regulation Administrative Orders, Consent Orders, and Emergency Suspension Orders for the period of July 1, 2016, through July 31, 2016.

III. FACTS: For the period of July 1, 2016, through July 31, 2016, Health Regulation reports one (1) Emergency Suspension Order, one (1) Administrative Order, and three (3) Consent Orders with a total of four thousand dollars (\$4,000) in assessed monetary penalties.

Health Regulation Bureau	Health Care Facility, Provider or Equipment	Administrative Orders	Consent Orders	Emergency Suspension Orders	Assessed Penalties
Health Facilities Licensing	Body Piercing Facilities	0	1	0	\$0
	Tattoo Facilities	0	1	0	\$4,000
EMS & Trauma	EMTs	1	1	0	\$0
	Paramedics	0	0	1	\$0
TOTAL		1	3	1	\$4,000

Approved By:

Shelly Bezanson Kelly
Director of Health Regulation

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

September 8, 2016

Bureau of Health Facilities Licensing

Facility Type	Total # of Licensed Facilities in South Carolina
Body Piercing Facilities	34

1. Stuck on You Body Piercing – Dillon, SC

Investigation: On August 13, 2015, the Department visited Stuck on You Body Piercing (Stuck on You) to conduct a general inspection and cited the facility for violations of Regulation 61-109, *Standards for Permitting Body Piercing Facilities*.

Violations: After the August 13, 2015, inspection, the Department cited Stuck on You for failing to document staff’s annual hepatitis B surface antigen test, failing to properly package and sterilize by autoclave body piercing equipment, and failing to have a room for disinfecting and sterilizing equipment. Because of the facility’s failure to submit a plan of correction for these violations, the Department also issued a citation-by-mail to the facility on November 3, 2015.

Enforcement Action: By Consent Order executed on July 13, 2016, the Department placed Stuck on You on probation until the conditions of the Consent Order are satisfied. First, Stuck on You agreed to initiate action to correct the violations that prompted this enforcement action and ensure that regulatory violations are not repeated. Second, Stuck on You agreed to attend a compliance assistance meeting with the Department, which took place on August 18, 2016. Finally, as a term of the Consent Order, DHEC is conducting a follow-up inspection at Stuck on You and will lift probation if no regulatory violations are found.

Prior Sanctions: None.

Facility Type	Total # of Stations	Total # of Licensed Facilities in South Carolina
Tattoo Facilities	456	115

2. Ink Wave Tattoos – Myrtle Beach, SC

Investigation: On February 10, 2016, the Department visited Ink Wave Tattoos (Ink Wave) to conduct a general inspection and cited the facility for violations of Regulation 61-111, *Standards for Licensing Tattoo Facilities*.

Violations: After the February 10, 2016, inspection, the Department cited Ink Wave for failing to review policies and procedures, failing to have an artist’s signature on a client consent form, failing to specify the procedure and site of a tattoo in writing, failing to protect client records, failing to provide clients with written aftercare instructions, failing to have accurate contact information for the Department on the client consent form, failing to properly maintain lighting in the facility, and failing to have eyewash solution in the first aid kit. Because of the facility’s failure to submit a plan of correction for these violations, the Department also issued citations-by-mail to the facility on March 23, 2016, and April 12, 2016.

Enforcement Action: The parties met on June 7, 2016, and agreed to resolve this matter with a consent order. The parties executed the Consent Order on July 22, 2016, and Ink Wave agreed to an assessed monetary penalty of \$4,000. As a term of the Consent Order, Ink Wave has paid \$1,000 of the total assessed monetary penalty and the remaining \$3,000 is stayed upon six months of substantial compliance with the regulation and Consent Order. Finally, Ink Wave agreed to take steps to correct the violations that initiated this enforcement action.

Prior Sanctions: None.

Bureau of EMS & Trauma

EMS Provider Type	Total # of Providers in South Carolina
EMT	5,570
EMT – Intermediate	458
Advanced EMT	317
Paramedic	3,677
Ambulance Services Provider	260
First Responder Services Provider	2

3. Reginald D. Washington (EMT)

Investigation: In November 2015, Pee Dee Regional EMS (Pee Dee) provided the Department with an investigation file on Mr. Washington, which contained information on his potential misconduct. Mr. Washington had been enrolled in a paramedic class at Pee Dee, which serves as a regional training facility for EMS and related courses in Florence. Pee Dee discovered that Mr. Washington submitted falsified run reports for his field internship as part of his paramedic class.

Violations: The Department found that Mr. Washington committed misconduct as defined by the EMS Act and Regulation 61-7, *Emergency Medical Services*, by practicing deceitful and dishonest acts regarding completion of his paramedic certification class and by submitting falsified field internship reports required for a paramedic certification class.

Enforcement Action: The parties met and attempted to resolve this matter by consent order but were initially unsuccessful. The Department issued an administrative order to Mr. Washington on June 20, 2016, which suspended his EMT certification for one year. However, the parties were later able to agree

to terms of a consent order. According to the Consent Order executed on July 19, 2016, the parties agreed that the Department will hold Mr. Washington's one-year suspension in abeyance pending compliance with terms of this Consent Order. In addition, Mr. Washington agreed to re-perform all requirements for the field internship portion of his paramedic course to work towards eligibility to pursue the National Registry of Emergency Medical Technicians (NREMT) paramedic certificate. If Mr. Washington commits misconduct in the next year, the Department may immediately impose all or part of one-year suspension, and initiate other enforcement action, including revocation of his EMT certificate.

Prior Sanctions: None.

4. Joseph Timothy Rouse (Paramedic)

Investigation: On June 23, 2016, the Department was notified of Mr. Rouse's arrest in Lancaster County. Upon notification, the Department initiated an investigation into the matter. The Department discovered that Mr. Rouse had been arrested on May 26, 2016, and charged with criminal sexual conduct with a minor in the third degree.

Violations: The charge against Mr. Rouse, specifically criminal sexual conduct with a minor in the third degree, is a felony and a crime involving moral turpitude or gross immorality. Mr. Rouse's alleged conduct is in violation of the EMS Act and Regulation 61-7, *Emergency Medical Services*. The Department found that Mr. Rouse's arrest demonstrated a capacity for inappropriate and criminal behavior towards individuals placed within his trust. The Department further determined that a clear and present danger would exist to the public health, safety, and welfare if Mr. Rouse's paramedic certificate was not immediately suspended pending further investigation.

Enforcement Action: Mr. Rouse's paramedic certificate was immediately suspended on an emergency basis pursuant to the Emergency Suspension Order executed July 8, 2016. The Department will continue to monitor the investigation.

Prior Sanctions: None.