

SUMMARY SHEET
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

August 13, 2015

_____ ACTION/DECISION

 X INFORMATION

- I. TITLE: Emergency Suspension Orders, Administrative Orders, and Consent Orders issued by Health Regulation.
- II. SUBJECT: Emergency Suspension Orders, Administrative Orders, and Consent Orders issued by Health Regulation for the period of May 1, 2015, through June 30, 2015.
- III. FACTS: For the period of May 1, 2015, through June 30, 2015, Health Regulation issued two (2) Emergency Suspension Orders, one (1) Administrative Order, and fourteen (14) Consent Orders with a total of forty thousand nine hundred dollars (\$40,900) in assessed penalties.

Program Area	Emergency Suspension Orders	Administrative Orders	Consent Orders	Assessed Penalties
Bureau of Health Facilities Licensing (BHFL)	0	0	5	\$25,900
Division of Emergency Medical Services and Trauma (EMS)	2	1	9	\$15,000
TOTAL	2	1	14	\$40,900

Approved By:



Shelly Bezanson Kelly
Director of Health Regulation

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

August 13, 2015

Bureau of Health Facilities Licensing

1. Oakridge Community Care Home #1 (License No. CRC-0241) – Inman, SC

Investigation: The Department conducted general inspections in September 2012, December 2013, and December 2014, complaint investigations in September 2012, October 2014, and December 2014, and food and sanitation inspections in September 2012, December 2013, and December 2014.

Violations: The Department found that Oakridge repeatedly failed to have documentation of current annual staff training on a variety of topics and failed to have written authorization to make payments for residents with residents' personal monies. Oakridge further repeatedly failed to maintain sanitary conditions.

Enforcement Action: On March 26, 2015, the parties met and reached an agreement to resolve this matter by consent order. The Consent Order (CO-HL-03-2015) required Oakridge to pay three thousand dollars (\$3,000) of the assessed nine thousand five hundred dollar (\$9,500) monetary penalty within thirty (30) days with the remainder to be held in abeyance for twelve (12) months pending Oakridge's substantial compliance with Regulation 61-84.

Prior Sanctions: None.

2. Damaris Pittman (License No. LMW-0015) – Charlotte, NC

Investigation: In December 2012, the Department issued Ms. Pittman a citation-by-mail. In September 2013, the Department conducted a general inspection, and in September 2014, the Department conducted both a general inspection and complaint investigation.

Violations: Ms. Pittman repeatedly administered medications without consultation with and prescription by a physician. Ms. Pittman further repeatedly failed to consult with a physician upon significant deviations from normal. Ms. Pittman failed to obtain medical consultations or refer mothers for medical care as required by Regulation 61-24. Ms. Pittman also failed to document and report certain events to the Department as required by regulation.

Enforcement Action: The parties met on January 7, 2015, and reached an agreement to resolve this matter by consent order. The Consent Order executed on May 21, 2015, requires Ms. Pittman to submit all medical records to the Department on a monthly basis for twelve (12) months and remain in substantial compliance during that time period.

Prior Sanctions: None.

3. Pamala Wilson (License No. LMW-0051) – Pineville, NC

Investigation: The Department issued a citation-by-mail in December 2012 and conducted a general inspection in September 2014. After finding violations during the inspection, the Department initiated an enforcement action against Ms. Wilson.

Violations: Ms. Wilson administered medication without consultation with and prescription by a physician. Ms. Wilson further failed to consult with a physician upon significant deviations from normal. Ms. Wilson failed to obtain medical consultations or refer mothers for medical care as required by Regulation 61-24. Ms. Wilson failed to ensure a patient received required visits from a physician.

Enforcement Action: The parties met on January 7, 2015, and agreed to settle the matter by consent order. The Consent Order executed on May 21, 2015, requires Ms. Wilson to submit all medical records to the Department on a monthly basis for twelve (12) months and remain in substantial compliance during that time period.

Prior Sanctions: On September 2, 2013, the Department executed an Emergency Suspension Order against Ms. Wilson by failing to consult a physician when significant deviations from normal occurred during labor, failing to refer a patient with fetal heart rates below baseline to medical care, failing to check on a patient in labor at least every two (2) hours, and failing to refer medical care for a patient who did not progress in dilation. Ms. Wilson further failed to refer medical care for a patient who developed a condition during labor, i.e., application of oxygen via face mask during labor. The parties later agreed to settle the matter by Consent Order, which was executed on March 14, 2014. Under the terms of the Consent Order, Ms. Wilson agreed to a six (6) month suspension with time served applied to the suspension. Ms. Wilson agreed to a further three (3) month suspension stayed upon compliance with a six (6) month period of probation. Ms. Wilson also agreed to complete training modules in Fetal Heart Rate Auscultation through the Association of Women's Health, Obstetric and Neonatal Nurses (AWHONN).

4. Youngblood's Assisted Living Home (License No. CRC-1433) – Irmo, SC

Investigation: The Department conducted a routine inspection on February 27, 2015, and a complaint investigation on March 17, 2015. As a result, the Department concluded Youngblood's was in violation of Regulation 61-84.

Violations: Youngblood's failed to address the needs of the residents including assistance with activities of daily living. Youngblood's restrained three (3) residents with bed sheets and failed to ensure residents were free from physical restraint. Youngblood's further failed to ensure the annual physical examinations for two (2) residents were signed properly and addressed if the residents were appropriate for CRCF admission.

Enforcement Action: The parties met on May 18, 2015, and agreed to terms of a consent order. The parties executed the Consent Order (CO-HL-04-2015) on June 10, 2015, with a total assessed monetary penalty of three thousand dollars (\$3,000). The facility paid one thousand five hundred dollars (\$1,500) of the assessed monetary penalty that was due within thirty (30) days of execution of the Consent Order. The remaining one thousand five hundred dollars (\$1,500) will be stayed upon a twelve (12) month period of substantial compliance.

Prior Sanctions: None.

5. Upstate Residential Care (License No. CRC-0233) – Anderson, SC

Investigation: The Department conducted a routine inspection and a complaint investigation at Upstate Residential Care on July 8, 2014. The Department conducted another complaint investigation on September 9, 2014. Furthermore, on November 19, 2014, the Department conducted a routine follow-up inspection, a food and sanitation inspection, and a complaint investigation at the facility.

Violations: The facility violated Regulation 61-84 for repeatedly failing to have documentation regarding staff training and resident agreements. The facility further failed to have evidence of a two-step tuberculin skin test for staff or residents. Additionally, the facility failed to keep the building clean and sanitary and failed to keep equipment and appliances in good working condition.

Enforcement Action: The parties met on March 24, 2015, and agreed to terms of a consent order. The parties then executed the Consent Order (CO-HL-02-2015) on May 28, 2015, with a total assessed monetary penalty of thirteen thousand four hundred dollars (\$13,400). Upstate Residential Care agreed to pay three thousand dollars (\$3,000) in two (2) installments of one thousand five hundred dollars (\$1,500) within sixty (60) days of executing the Consent Order. The Department has received Upstate Residential Care's first installment of one thousand five hundred dollars (\$1,500) and is still waiting on the second installment. The other remaining ten thousand four hundred dollars (\$10,400) will be stayed upon a twelve (12) month period of substantial compliance.

Prior Sanctions: None.

Division of Emergency Medical Services & Trauma

1. Anthony Wayne Parker (EMT Certificate No. SC015801)

Investigation: The Department was notified that on June 21, 2015, the Simpsonville Police Department and Greenville County Sheriff's Office arrested and charged Mr. Parker with attempted murder. Mr. Parker was taken to Greenville County Detention Center.

Violations: Conviction or indictment for a felony or another crime involving moral turpitude, drugs, or gross immorality constitutes misconduct as defined by the EMS Act and Regulation 61-7. Attempted murder is a felony and a crime involving moral turpitude or gross morality and therefore, Mr. Parker's alleged conduct may rise to the level of misconduct. Furthermore, as an EMT, Mr. Parker was in a position of public trust and the arrest demonstrated a capacity for inappropriate and criminal behavior towards individuals placed within his trust.

Enforcement Action: The Department determined a clear and present danger would exist to the public health, safety, or welfare if Mr. Parker was not immediately suspended, pending further investigation. Therefore, on June 23, 2015, Mr. Parker's EMT certificate was immediately suspended on an emergency basis.

Prior Sanctions: None.

2. Anthony R. Daniels (EMT Certificate No. SC007252)

Investigation: On March 23, 2015, Mr. Daniels transported a patient without using a seatbelt or straps to secure the patient to the stretcher. Mr. Daniels also allowed the patient to be transported without a certified EMT in the patient compartment of the ambulance. In patient care report, Mr. Daniels indicated he secured the patient to the stretcher and that he provided patient care during transport. The Department conducted a compliance inspection on April 3, 2015, and discovered the stretcher on the ambulance did not have any seatbelts or straps for securing the patient.

Violations: Mr. Daniels committed misconduct as defined by the EMS Act and Regulation 61-7 by discontinuing care of the patient and leaving the patient without a certified EMT in the patient compartment of the ambulance during transportation. Mr. Daniels further committed misconduct by not securing the patient to the stretcher with seatbelts or straps while ambulance was in transit. Because Mr. Daniels indicated on the patient care report that he had secured the patient, he further committed misconduct by falsifying the report.

Enforcement Action: The Department invited Mr. Daniels to an enforcement conference on April 13, 2015, but Mr. Daniels did not attend. The Department issued the Administrative Order on May 1, 2015, suspending Mr. Daniels' EMT certification for two (2) years.

Prior Sanctions: None.

3. Thomas Clifton Adams, II (Paramedic Certificate No. SC020403)

Investigation: The Department was notified that on April 28, 2015, the Summerville Police Department arrested and charged Mr. Adams with committing unlawful conduct toward a child.

Violations: Conviction or indictment for a felony or another crime involving moral turpitude, drugs, or gross immorality constitutes misconduct under the EMS Act and Regulation 61-7. Unlawful conduct toward a child is a Class E felony and a crime involving moral turpitude or gross morality and therefore, Mr. Adams' alleged conduct may rise to the level of misconduct. Furthermore, as a Paramedic, Mr. Adams was in a position of public trust and the arrest demonstrated a capacity for inappropriate and criminal behavior towards individuals placed within his trust.

Enforcement Action: The Department determined a clear and present danger would exist to the public health, safety, or welfare if Mr. Adams was not immediately suspended, pending further investigation. Therefore, on May 20, 2015, Mr. Adams' Paramedic certificate was immediately suspended on an emergency basis.

Prior Sanctions: None.

4. Jessica Leigh Andrews (EMT Certificate No. SC020397)

Investigation: The Department conducted an investigation on May 28, 2015, and concluded that Ms. Andrews was operating as an EMT with an expired certification. While her certification was expired, Ms. Andrews continued to work for Vital Care EMS ("Vital Care") and performed as the primary patient care EMT for forty-four (44) calls between February and March 2015. On March 30, 2015, Ms. Andrews renewed her EMT certificate which expires March 15, 2016.

Violations: Ms. Andrews violated the EMS Act by providing patient care that was within the scope of an EMT without obtaining proper certification from the Department. Specifically, while working for Vital Care, Ms. Andrews acted as the primary patient care EMT on forty-four (44) calls between February and March 2015.

Enforcement Action: Pursuant to the Consent Order executed May 27, 2015, Ms. Andrews agreed to an assessed monetary penalty of five hundred dollars (\$500) with payment due within thirty (30) days of execution of the Consent Order.

Prior Sanctions: None.

5. Dimitriy Gennadiyevic Ganichev (EMT Certificate No. SC019839)

Investigation: The Department conducted an investigation on May 12, 2015, and concluded that Mr. Ganichev was operating as an EMT with an expired certification. While his certification was expired, Mr. Ganichev continued to work for Vital Care EMS ("Vital Care") and performed as the primary patient care EMT for one hundred ninety nine (199) calls between January and March 2015. On March 31, 2015, Mr. Ganichev renewed his EMT certificate which expires March 15, 2017.

Violations: Mr. Ganichev violated the EMS Act by providing patient care that was within the scope of an EMT without obtaining proper certification from the Department. Specifically, while working for Vital Care, Mr. Ganichev acted as the primary patient care EMT on one hundred ninety nine (199) calls between January and March 2015.

Enforcement Action: Pursuant to the Consent Order executed May 28, 2015, Mr. Ganichev agreed to an assessed monetary penalty of five hundred dollars (\$500) with payment due within thirty (30) days of execution of the Consent Order.

Prior Sanctions: None.

6. Vital Care EMS (SC EMS Provider No. 262)

Investigation: On March 24, 2015, Dave Roberts, Director of Vital Care EMS ("Vital Care"), notified the Department that two (2) of Vital Care's EMTs were performing as EMTs despite having expired EMT certificates. Mr. Roberts immediately removed both employees from working on an ambulance upon determining they had expired credentials. The EMT certificate of Dimitriy Ganichev, an employee of Vital Care, expired January 15, 2015, yet he continued to work as the sole EMT on an ambulance and provided patient care on one hundred ninety nine (199) transports. The EMT certificate of Jessica Leigh Andrews, also a Vital Care employee, expired February 15, 2015, yet she continued to work as the sole EMT on an ambulance and provided patient care on forty-four (44) transports.

Violations: As a result of its investigation, the Department determined Vital Care violated the EMS Act by allowing uncertified personnel to perform patient care. Specifically, while working for Vital Care, two uncertified personnel performed patient care on a total of two hundred forty three (243) transports.

Enforcement Action: Pursuant to the Consent Order executed May 28, 2015, Vital Care agreed to, and paid, the assessed monetary penalty of one thousand dollars (\$1000) for violating the EMS Act.

Prior Sanctions: None.

7. Stephen S. Moorhead (Paramedic Certificate No. SC004801)

Investigation: Following an investigation by the Department on May 28, 2015, it was determined that Mr. Moorhead continued to work as a Paramedic with an expired certification. While working for Mobile Care Ambulance Service (“Mobile Care”), Mr. Moorhead continued to function as the primary patient care paramedic for nine (9) calls between the date of expiration, May 15, 2015, and May 28, 2015. On June 1, 2015, Mr. Moorhead renewed his Paramedic certificate which expires March 15, 2019.

Violations: Mr. Moorhead violated the EMS Act by providing patient care that was within the scope of an EMT without obtaining proper certification from the Department. Specifically, while working for Mobile Care, Mr. Moorhead acted as the primary patient care EMT on nine (9) calls between May 15, 2015, and May 28, 2015.

Enforcement Action: Pursuant to the Consent Order executed June 30, 2015, Mr. Moorhead agreed to an assessed monetary penalty of five hundred dollars (\$500) with payment due within sixty (60) days of execution of the Consent Order.

Prior Sanctions: None.

8. Mobile Care Ambulance Service (SC EMS Provider No. 216)

Investigation: On May 28, 2015, Rachel Edwards, Director of Mobile Care Ambulance Service (“Mobile Care”), notified the Department that one of Mobile Care’s Paramedic employees was performing as a Paramedic despite having an expired Paramedic certificate. Ms. Edwards immediately removed the employee from working on an ambulance upon determining he had expired credentials. The Paramedic in question, Stephen S. Moorhead, had a Paramedic certificate which expired May 15, 2015, yet continued to work as a paramedic and primary patient care provider on nine (9) transports for Mobile Care.

Violations: As a result of its investigation, the Department found Mobile Care violated the EMS Act by allowing an uncertified person to perform patient care. Specifically, while working for Mobile Care, an uncertified person performed patient care on a total of nine (9) transports.

Enforcement Action: Pursuant to the Consent Order executed June 30, 2015, Mobile Care agreed to the assessed monetary penalty of one thousand dollars (\$1000) for violating the EMS Act. Mobile Care further agreed that the assessed monetary penalty shall be paid in full within ninety (90) days of execution of the Consent Order.

Prior Sanctions: None.

9. Kristina Lesley Gregory (Paramedic Certificate No. SC005112)

Investigation: Following an investigation by the Department on May 15, 2015, it was determined that Ms. Gregory continued to work as a Paramedic with an expired certification. While working for Medshore Ambulance Service, Inc. (“Medshore”), Ms. Gregory continued to function as the primary patient care paramedic for ten (10) calls between the date of expiration, March 15, 2015, and April 30, 2015. On April 30, 2015, Ms. Gregory renewed her Paramedic certificate which expires March 15, 2018.

Violations: Ms. Gregory violated the EMS Act by providing patient care that was within the scope of an EMT without obtaining proper certification from the Department. Specifically, while working for Medshore, Ms. Gregory acted as the primary patient care EMT on ten (10) calls between March 15, 2015, and April 30, 2015.

Enforcement Action: Pursuant to the Consent Order executed June 30, 2015, Ms. Gregory agreed to an assessed monetary penalty of five hundred dollars (\$500) with payment due within sixty (60) days of execution of the Consent Order.

Prior Sanctions: None.

10. Medshore Ambulance Service, Inc. (SC EMS Provider No. 224)

Investigation: On May 15, 2015, Medshore Supervisor Gregory E. Kitchens notified the Department that one of Medshore's Paramedic employees was performing as a Paramedic despite having an expired Paramedic certificate. Mr. Kitchens immediately removed the employee from working on an ambulance upon determining she had expired credentials. The Paramedic in question, Kristina Lesley Gregory, had a Paramedic certificate which expired March 15, 2015, yet continued to work as a Paramedic and primary patient care provider on ten (10) transports for Medshore.

Violations: As a result of its investigation, the Department found Medshore violated the EMS Act by allowing an uncertified person to perform patient care. Specifically, while working for Medshore, an uncertified person performed patient care on a total of ten (10) transports.

Enforcement Action: Pursuant to the Consent Order executed July 2, 2015, Medshore agreed to the assessed monetary penalty of one thousand dollars (\$1000) for violating the EMS Act. Medshore further agreed that the assessed monetary penalty shall be paid in full within ninety (90) days of execution of the Consent Order.

Prior Sanctions: None.

11. Clay Louis Fulmer (Paramedic Certificate No. SC010437)

Investigation: Mr. Fulmer was the training officer for the in-service training program of AMS of West Columbia ("AMS"), a licensed advanced life support ambulance service. The Department initiated a complaint investigation into AMS's in-service training ("IST") program and found that on eight (8) separate occasions from October 26, 2014, to March 30, 2015, Mr. Fulmer attested that all persons on the IST rosters had attended all listed hours and topics. However, in verifying the rosters against AMS's call logs, the Department determined that approximately fourteen (14) personnel members left the IST program and responded to calls or were otherwise not onsite for the training sessions. Moreover, these absent personnel were given full credit for the entire time listed on the roster and the hours were entered into the National Registry of Emergency Medical Technicians ("NREMT") recertification website and were given full credit for the entire training sessions. Finally, Mr. Fulmer also admitted to attesting to the provision of an IST class during winter 2014 without teaching any IST material.

Violations: Mr. Fulmer committed misconduct as defined by the EMS Act and Regulation 61-7 by attesting to false IST program rosters for AMS that were submitted to the Department and NREMT.

Enforcement Action: Pursuant to the Consent Order executed July 9, 2015, Mr. Fulmer agreed to never serve in the capacity of an IST officer for any licensed ambulance or first responder service in South Carolina.

Prior Sanctions: None.

12. AMS of West Columbia (SC EMS Provider No. 116)

Investigation: The Department initiated a complaint investigation into AMS's in-service training ("IST") program. Based upon the investigation, the Department found that on eight (8) separate occasions from October 26, 2014, to March 30, 2015, the AMS IST officer attested that all personnel on IST rosters had attended all listed hours and topics. However, in verifying the rosters against AMS's call logs, the Department determined that upwards of fourteen (14) personnel members left the IST program and responded to calls or were otherwise not onsite for the training sessions. Moreover, these absent personnel were given full credit for the entire time listed on the roster and the hours were entered into the National Registry of Emergency Medical Technicians ("NREMT") recertification website and were given full credit for the entire training sessions.

Violations: AMS violated the EMS Act by submitting falsified IST program records to the Department on eight (8) separate occasions. The IST records, which are required by the Department to recertify emergency medical technicians, did not contain an accurate description of the training sessions attended by the AMS personnel.

Enforcement Action: Pursuant to the Consent Order executed June 16, 2015, AMS agreed to submit all of its IST program rosters to the Department every twelve (12) months from the date of the Consent Order. At the end of the twelve (12) month period, provided there is substantial compliance with the EMS Act and Regulation 61-7 and the Consent Order as determined by the Department, AMS may continue with their current IST program and will no longer be required to submit the IST rosters to the Department on a monthly basis. AMS further agreed to correct its inaccuracies with the NREMT and to provide the Department with written verification within ninety (90) days of execution of the Consent Order. Finally, AMS agreed to the Department's assessed ten thousand dollar (\$10,000) monetary penalty. AMS shall make payment of five thousand dollars (\$5,000) of the assessed monetary penalty within one hundred eighty (180) days of execution of the Consent Order with the remaining five thousand dollars (\$5,000) stayed upon a twelve (12) month period of substantial compliance as determined by the Department.

Prior Sanctions: None.