

SUMMARY SHEET
 BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
 September 11, 2008

_____ ACTION/DECISION

 X INFORMATION

- I. TITLE: Administrative Orders, Consent Orders, and Sanction Letters issued by HEALTH REGULATION (HR).
- II. SUBJECT: Sanctions completed during the period June 1, 2008, through July 31, 2008.
- III. FACT: For the period June 1, 2008, through July 31, 2008, Health Regulation issued one (1) Administrative Order, Revocation, & Denial, one (1) Sanction Letter, one (1) Suspension Letter and two (2) Consent Orders with total penalties of \$20,730.00.

<u>Program</u>	<u>Admin.Order, Revocation, & Suspension</u>	<u>Denial Letter</u>	<u>Sanction Letter</u>	<u>Consent Order</u>	<u>Amount</u>
Health Lic.	1	1	1	1	\$16,825.00
CON				1	\$ 3,905.00

- IV. ANALYSIS: 1. Peachtree Manor Residential Care, 1403 Mossydale Rd., Winnsboro, SC 29180. On April 24, 2008, an Administrative Order was issued that permanently revoked the facility's license. This action was the culmination of a history of non-compliance and deteriorating conditions at the facility as detailed below.

In July 2006, the Department initiated an enforcement action against the facility, which resulted in an Administrative Order in September 2007 with a \$6,325 civil penalty. Violations at the facility included lack of required documentation for staff training; no documentation of initial assessments within 72 hours of admission, no care plans; no telephone service available, no diabetic diet menus, no staff criminal background checks, and lack of a written response to the Department's reports of visit.

On December 5, 2006, the Department revoked the facility's license based upon continuing deteriorating conditions at the facility. Department inspectors found the facility low on medications for its residents; without gas for heating and cooking; low on food supplies; and in general disrepair. The facility appealed the Department's revocation, and an Administrative Law Court hearing was held on August 15-17, 2007.

While awaiting the ALC's decision, on March 28, 2008, Department inspectors again found serious and deteriorating conditions at the facility. The facility did not have medications for its residents, and many residents had missed multiple doses of medications. The facility did not appear to have the ability to obtain medications in a timely manner. Therefore, the Department determined that an immediate threat to the health, safety, and welfare of the residents existed, and immediately suspended its license. This determination required that a hearing be held within five days. The hearing was held on April 2, 2008, and on April 7, 2008, the ALC upheld the Department's immediate suspension of the facility's license. On April 24, 2008, the court subsequently further upheld the previous revocation action, thereby permanently closing the facility.

Previous Sanctions: None

2. Time Bomb Tattoo Parlor, 2260 Powdersville Road, Easley, SC 29642. The facility was notified by letter dated May 28, 2008, of the Department's decision to deny the issue of the initial license to the facility. The facility was found to have violated R.61-111, Standards for Licensing Tattoo Facilities, due to the facility not being at least 1000 feet from a church.

Previous Sanctions: None

3. Lexington Medical Center, 2720 Sunset Blvd., West Columbia, SC 29169. Under Consent Order dated June 3, 2008, the facility paid a penalty of \$3,905. The facility was found to have violated R.61-15, Certification of Need for Health Facilities and Services, for a project cost overrun by 28.7%.

Previous Sanctions: None

4. Unlicensed, 713 McEachern Heights, 713 McEachern Heights, Marion, SC 29571-3433. The operator of this unlicensed facility paid a \$5,000 monetary penalty on July 9, 2008, as well as closing the unlicensed facility, and relocating the residents. The operator has previously served as an Administrator of a community residential care facility and is currently the licensee of two other licensed community residential care facilities; therefore, this operator had knowledge of what constitutes a licensed residential care facility. The operator was found to be in violation of SC Code §44-7-320 (C) for operation of an unlicensed community residential care facility.

Previous Sanctions: None

5. Park Place Assisted Living & Memory Care Community, 2720 Country Club Rd., Spartanburg, SC 29302-4473. Under a Consent Order dated June 20, 2008, the facility paid a monetary penalty of \$5,500. This was the result of a \$30,375 penalty in which the Department agreed to suspend \$4,875 of the penalty upon receipt from the facility of documentation of an

expenditure of \$20,000 or more to correct certain violations. The facility was found to be in violation of R.61-84, Standards for Licensing Community Residential Care Facilities. Violations include, but are not limited to, insufficient documentation of staff criminal background checks; lack of staff training; incomplete resident records, incomplete medication records, facility maintenance violations.

Previous Sanctions: None

Approved By: _____
Pamela M. Dukes, Deputy Commissioner
Health Regulation