

SUMMARY SHEET
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

November 10, 2021

- () 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 September 1, 2021, through September 30, 2021.
- III. FACTS:** For the period of September 1, 2021, through September 30, 2021, Healthcare Quality reports nine (9) Consent Orders totaling \$20,500 in assessed monetary penalties.

Name of Bureau	Facility, Service, Provider, or Equipment Type	Administrative Orders	Consent Orders	Assessed Penalties	Required Payment
Community Care	Residential Treatment Facility for Children and Adolescents (RTF)		1	\$12,100	\$7,260
	Community Residential Care Facility (CRCF)		1	\$500	\$500
Healthcare Systems and Services	In-Home Care Provider		2	\$1,000	\$1,000
	Emergency Medical Services (EMS) Agency		1	\$5,000	\$3,000
	Paramedic		3	\$1,600	\$960
	Emergency Medical Technician (EMT)		1	\$300	\$180
TOTAL			9	\$20,500	\$12,900

Submitted By:



Angie Smith for
Gwen C. Thompson
Deputy Director
Healthcare Quality

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

November 10, 2021

Bureau of Community Care

Facility Type	Total Number of Licensed Facilities	Total Number of Licensed Beds
Residential Treatment Facility for Children and Adolescents (RTF)	8	518

1. Palmetto Pines Behavioral Health – Summerville, SC

Inspections and Investigations: The Department conducted investigations in November 2019, January 2020, March 2020, September 2020, February 2021, April 2021, and June 2021, and found the facility repeatedly violated regulatory requirements.

Violations: The Department found the facility violated Regulation 61-103, *Residential Treatment Facilities for Children and Adolescents*, by failing to implement its policies and procedures regarding resident care, rights, and the operation of the facility. The facility further failed to report a serious incident within twenty-four (24) hours of the incident and failed to submit a written investigation report of the serious incident within five (5) days of the incident. The facility failed to maintain documentation of in-service training related to medication management and residents' rights. The facility failed to render care and services in accordance with orders from a physician or other authorized healthcare provider. The facility failed to review the immunization status and completion of the resident's physical examination. The facility had multiple violations regarding medication management including medication storage, maintaining records of receipt, administration, and disposition of controlled substances, and storing non-legend medications without labels. The facility had multiple violations regarding tuberculosis screening including failing to maintain evidence of residents having a two-step tuberculin skin test (TST), residents having at least the first step within thirty (30) days prior to admission and no later than forty-eight (48) hours after admission, and staff having a baseline TST or a single Blood Assay for Mycobacterium tuberculosis (BAMT) within three (3) months prior to contact with residents. Moreover, the facility failed to ensure resident rights regarding the right to be free from harm, including isolation, excessive medication, abuse, or neglect.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order imposing a civil monetary penalty of twelve thousand one hundred dollars (\$12,100) against the facility. The facility was required to pay seven thousand two hundred sixty dollars (\$7,260) of the assessed monetary penalty within thirty (30) days of the execution of the Consent Order. The facility agreed to schedule and attend a compliance assistance meeting with the Department within forty-five (45) days of executing the Consent Order.

Remedial Action: The licensee made the required payment. The compliance assistance meeting was held October 28, 2021.

Prior Actions: None in the past five (5) years.

Facility Type	Total Number of Licensed Facilities	Total Number of Licensed Beds
Community Residential Care Facility (CRCF)	480	21,835

2. Pearl at Fort Mill – Fort Mill, SC

Inspections and Investigations: The Department conducted an investigation in May 2021, and found the facility in violation of a regulatory requirement.

Violations: The Department found the facility violated Regulation 61-84, *Standards for Licensing Community Residential Care Facilities*, by failing to ensure that a resident was protected from physical abuse as outlined in the Bill of Rights for Residents of Long-Term Care Facilities.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order imposing a civil monetary penalty of five hundred dollars (\$500) against the facility. The facility was required to pay the assessed monetary penalty within thirty (30) days of the execution of the Consent Order. The facility agreed to schedule and attend a compliance assistance meeting with the Department within forty-five (45) days of executing the Consent Order.

Remedial Action: The licensee made the required payment. The compliance assistance meeting was held October 27, 2021.

Prior Actions: None in the past five (5) years.

Bureau of Healthcare Systems and Services

License Type	Total Number of Licensed Providers
In-Home Care Provider (IHCP)	846

3. No Place Like Home of South Carolina-Anderson – Anderson, SC

Inspections and Investigations: The Department emailed the provider a license renewal fee invoice and a link to the license renewal application in June 2021, and mailed the provider the renewal application in July 2021. The Department emailed a citation by mail imposing a late fee for failure to timely submit a renewal application and renewal fee. In August 2021, the Department spoke with the provider by phone and informed the provider that the license has expired and reviewed the license renewal process. The Department, by letter in August 2021, notified the provider that the provider's license was expired and no longer valid. The Department decided to rescind its earlier letter and resolve the matter via consent order.

Violations: The Department found the provider violated Regulation 61-122, *Standards for Licensing In-Home Care Providers*, by failing to submit a timely license renewal application and fee. Moreover, the provider was found to be in violation of SC Code Sections 44-70-10, *et seq.* by failing to submit a complete and accurate renewal application and fees by the time period specified by the Department. The provider repeatedly failed to timely submit renewal applications.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order imposing a civil monetary penalty of five hundred dollars (\$500) against the provider. The provider was required to pay the assessed monetary penalty within thirty (30) days of the execution of the Consent Order.

Remedial Action: The provider made the required payment. The Department issued the provider's renewal license upon receipt of the required payment.

Prior Actions: None in the past five (5) years.

4. No Place Like Home of South Carolina-Seneca – Seneca, SC

Inspections and Investigations: The Department emailed the provider a license renewal fee invoice and a link to the license renewal application in June 2021, and mailed the provider the renewal application in July 2021. The Department emailed a citation by mail imposing a late fee for failure to timely submit a renewal application and renewal fee. In August 2021, the Department spoke with the provider by phone and informed the provider that the license has expired and reviewed the license renewal process. The Department, by letter in August 2021, notified the provider that the provider's license was expired and no longer valid. The Department decided to rescind its earlier letter and resolve the matter via consent order.

Violations: The Department found the provider violated Regulation 61-122, *Standards for Licensing In-Home Care Providers*, by failing to submit a timely license renewal application and fee. Moreover, the provider was found to be in violation of SC Code Sections 44-70-10, *et seq.* by failing to submit a complete and accurate renewal application and fees by the time period specified by the Department. The provider repeatedly failed to timely submit renewal applications.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order imposing a civil monetary penalty of five hundred dollars (\$500) against the provider. The provider is required to pay the assessed monetary penalty within thirty (30) days of the execution of the Consent Order.

Remedial Action: The provider made the required payment. The Department issued the provider's renewal license upon receipt of the required payment.

Prior Actions: None in the past five (5) years.

License Type	Total Number of Licensed EMS Agencies
Emergency Medical Services (EMS) Agency	271

5. Ontime Transport, LLC – Orangeburg, SC

Inspections and Investigations: The Department conducted an investigation of the agency beginning in March 2021, and found the agency was in violation of a regulatory requirement.

Violations: The Department found the agency was in violation of Regulation 61-7, *Emergency Medical Services*, and SC Code Section 44-61-70(B)(1) by allowing an uncertified person to perform patient care.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order assessing a monetary penalty of five thousand dollars (\$5,000) against the agency. The agency is required to pay three thousand dollars (\$3,000) of the assessed monetary penalty within thirty (30) days of the execution of the Consent Order. The remainder of the assessed monetary penalty will be held in abeyance pending a twelve (12) month period of substantial compliance with statutory and regulatory requirements and the Consent Order. The agency is required to submit a written plan of correction within forty-five (45) days of execution of the Consent Order. The Department will conduct a follow-up inspection within sixty (60) days of execution of the Consent Order.

Remedial Action: The EMS Agency made the required payment totaling \$3,000. The EMS Agency submitted a written plan of correction to the Department. The Department has not yet conducted the follow-up inspection of the EMS Agency.

Prior Actions: None in the past five (5) years.

Level of Certification	Total Number of Certified Paramedics
Paramedic	4,071

6. April Varnadore – Paramedic

Inspections and Investigations: The Department conducted an investigation in April 2021, and found that the Paramedic was in violation of regulatory requirements.

Violations: The Department determined that the Paramedic was in violation of Regulation 61-7, *Emergency Medical Services*, for committing misconduct as defined in SC Code Section 44-61-80(F) by taking pictures of identifiable deceased subjects and sharing them with another individual.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order assessing a monetary penalty of five hundred dollars (\$500) against the Paramedic. The Paramedic is required to pay three hundred dollars (\$300) of the assessed monetary penalty in two (2) monthly payments of one hundred fifty dollars (\$150). The remainder of the assessed monetary penalty will be held in abeyance pending a twelve (12) month period of substantial compliance with regulatory requirements and the Consent Order.

Remedial Action: The Paramedic made the required payment totaling \$300.

Prior Actions: None in the past five (5) years.

7. Michelle Marble – Paramedic

Inspections and Investigations: The Department conducted an investigation in April 2021, and found that the Paramedic was in violation of regulatory requirements.

Violations: The Department determined that the Paramedic was in violation of Regulation 61-7, *Emergency Medical Services*, for committing misconduct as defined in SC Code Section 44-61-80(F) by allowing an EMT to perform two advanced skills outside of the EMT's scope of practice.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order assessing a monetary penalty of six hundred dollars (\$600) against the Paramedic. The Paramedic is required to pay three hundred sixty dollars (\$360) of the assessed monetary penalty within thirty (30) days of the execution of the Consent Order. The remainder of the assessed monetary penalty will be held in abeyance pending a twelve (12) month period of substantial compliance with regulatory requirements and the Consent Order.

Remedial Action: The Paramedic made the required payment totaling \$360.

Prior Actions: None in the past five (5) years.

8. Danny Hyatt – Paramedic

Inspections and Investigations: The Department conducted an investigation in April 2021, and found that the Paramedic was in violation of regulatory requirements.

Violations: The Department determined that the Paramedic was in violation of Regulation 61-7, *Emergency Medical Services*, for committing misconduct as defined in SC Section Code 44-61-80(F) by taking a picture of an identifiable patient and sharing it with another individual.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order assessing a monetary penalty of five hundred dollars (\$500) against the Paramedic. The Paramedic is required to pay three hundred dollars (\$300) of the assessed monetary penalty within thirty (30) days of the execution of the Consent Order. The remainder of the assessed monetary penalty will be held in abeyance pending a twelve (12) month period of substantial compliance with regulatory requirements and the Consent Order.

Remedial Action: The Paramedic made the required payment totaling \$300.

Prior Actions: None in the past five (5) years.

Level of Certification	Total Number of Certified EMTs
EMT	7,431

9. Courtney Burchfield – EMT

Inspections and Investigations: The Department conducted an investigation in April 2021, and found that the EMT was in violation of regulatory requirements.

Violations: The Department determined that the EMT was in violation of Regulation 61-7, *Emergency Medical Services*, for committing misconduct as defined in SC Code Section 44-61-80(F) for performing skills above the level for which she is certified.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order assessing a monetary penalty of three hundred dollars (\$300) against the EMT. The EMT is required to pay one hundred eighty dollars (\$180) of the assessed monetary penalty in three (3) monthly payments of sixty dollars (\$60). The remainder of the assessed monetary penalty will be held in abeyance pending a twelve (12) month period of substantial compliance with regulatory requirements and the Consent Order.

Remedial Action: The EMT made the required payment totaling \$180.

Prior Actions: None in the past five (5) years.