

SUMMARY SHEET
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

February 13, 2020

- () 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 December 1, 2019 through December 31, 2019.
- III. FACTS:** For the period of December 1, 2019 through December 31, 2019, Health Regulation reports 3 Consent Orders totaling \$33,600 in assessed monetary penalties. No Administrative Orders or Emergency Suspension Orders were executed during the reporting period.

Health Regulation Bureau	Facility, Service, Provider, or Equipment Type	Administrative Orders	Consent Orders	Emergency Suspension Orders	Assessed Penalties
Health Facilities Licensing	Nursing Home	0	1	0	\$18,300
	Community Residential Care Facility	0	1	0	\$4,300
Radiological Health	Radioactive Materials Industrial Facility	0	1	0	\$11,000
TOTAL		0	3	0	\$33,600

Submitted By:

Gwendolyn C. Thompson

Gwen C. Thompson
Interim Director
Health Regulation

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

February 13, 2020

Bureau of Health Facilities Licensing

Facility Type	Total # of Licensed Facilities	Total # of Licensed Beds
Nursing Home	195	20,555

1. Brian Center of Nursing Care-St. Andrews – Columbia, SC

Inspections and Investigations: The Department conducted ten complaint investigations between 2018 and 2019, as well as two routine inspections within the same period, and found several repeat regulatory violations.

Violations: The Department found that the facility had a total of 29 violations during its 2018 investigations and inspections, as well as a total of 27 violations during its 2019 investigations and inspections. The violations were related to, among other things, improper storage of medication and supplies, failure to properly secure oxygen tanks, failure to have complete staff records regarding tuberculosis skin tests and vaccinations, damaged or unlabeled medication cabinets, incomplete records of medication administration, failure to ensure nursing staff were currently licensed to practice nursing in South Carolina and had valid CPR certificates, failure to have updated staff and private sitter training records, and failure to administer medications in accordance with orders of an attending physician.

Enforcement Action: The parties conducted an enforcement conference and agreed to resolve the matter by consent order. In December 2019, the parties executed a consent order imposing a civil monetary penalty of \$18,300 against the facility. The facility was required to pay \$10,900 of the assessed penalty in two consecutive monthly payments of \$5,450, with the first payment due within 30 days, and the second payment due within 60 days, of executing the Consent Order. The remaining \$7,400 of the penalty will be held in abeyance for six months. The facility has made both required payments. The Department will also conduct a follow-up inspection of the facility in February 2020.

Prior Actions: None in the past five years.

Facility Type	Total # of Licensed Facilities	Total # of Licensed Beds
Community Residential Care Facility	505	21,901

2. Langit’s Assisted Living Facility – North Charleston, SC

Inspections and Investigations: During the Department’s emergency response efforts for Hurricane Dorian, the Department found that the facility did not evacuate in accordance with the Governor’s Executive Order issued in September 2019 that required a mandatory medical evacuation of healthcare facilities located in evacuation zones.

Violations: The Department found that the facility failed to evacuate all of its residents in a timely matter. While eight residents had been properly evacuated to another residential care facility in anticipation of Hurricane Dorian, the remaining 40 residents were still present at the facility when a Department representative contacted the facility on September 4, 2019, in order to inquire on its evacuation status. The facility had secured transport to evacuate that morning, but failed to assemble the residents in time before the transportation vehicle left. The facility had not found an alternative transportation for its 40 remaining residents. The Department had to assist the facility in acquiring an alternate transportation company to safely evacuate the residents.

Enforcement Action: The parties agreed to resolve the matter by consent order. In December 2019, the parties executed a consent order imposing a civil monetary penalty of \$4,300 against the facility. The facility was required to pay \$2,150 of the assessed penalty in two consecutive monthly payments of \$1,075, with the first payment due within 30 days, and the second payment due within 60 days, of executing the Consent Order. The remaining \$2,150 of the penalty will be held in abeyance for six months. The facility has made the first required monthly payment.

Prior Actions: None in the past five years.

Bureau of Radiological Health

Facility Type	Total # of Licensed Facilities
Radioactive Materials Industrial Facility	330

15. Professional Service Industries, Inc. – Columbia, SC

Inspections and Investigations: The Department conducted an investigation in January 2019 and found that the licensee had both regulatory and South Carolina Radioactive Material License violations.

Violations: The Department found that the licensee violated the Radioactive Materials Regulation by allowing untrained and unauthorized individuals to have access to licensed materials stored in a controlled area. Moreover, the licensee violated special conditions within the Radioactive Materials License, including having untrained and unsupervised individuals be in the physical presence of radioactive materials, as well as failing to properly maintain utilization logs for gauging devices containing radioactive materials.

Enforcement Action: The parties agreed to resolve the matter by consent order. In December 2019, the parties executed a consent order imposing a \$11,000 civil monetary penalty against the licensee. The licensee was required to pay the monetary penalty in full within 30 days of executing the Consent Order. The licensee has made the required payment.

Prior Actions: None in the past five years.