

SUMMARY SHEET
 BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
 August 7, 2014

_____ 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, 2014, through June 30, 2014.
- III. FACT: For the period June 1, 2014, through June 30, 2014, Health Regulation is reporting four (4) Consent Orders, with total penalty of \$17,500, one (1) Administrative Order with total penalty of \$5,000, and one (1) Emergency Suspension Order.

Program	Consent Orders	Administrative Orders	Emergency Suspension Orders	Amount
Health Licensing	2	1		\$22,000
EMS	2		1	\$500

- IV. ANALYSIS: **Bell's Professional Residential Home Care, 1910 Dalton Street, Charleston, S.C. 29406-3961.** By Consent Order (CO-HL-08-2014), executed on June 16, 2014, the Department imposed an \$11,000 monetary penalty. A term of this Consent Order requires Bell's Professional Residential Home Care ("Bell's") to make payment of \$1,200 of the assessed monetary penalty to the Department in two (2) monthly installments of \$600. The remainder of the assessed penalty (\$9,800) is held in abeyance pending Bell's remaining in substantial compliance with Regulation 61-84 and the Consent Order for twelve (12) months following execution of the Consent Order. In addition, Bell's was required to correct the violations that led to the Department's imposition of the monetary penalty and to schedule and attend a compliance assistance meeting with representatives of the Department's Bureau of Health Facilities Licensing within forty-five (45) days of execution of the Consent Order. The compliance assistance meeting was held on July 15, 2014. The meeting included a review of past violations with focus on the following: maintenance, resident care plans, documentation of medication administration records, the management of resident medications, and the minimum initial/annual DHEC required training for staff providing care to

the residents. Facility representatives discussed compliance concerns and plans of correction, and provided education on the regulation.

Previous Sanctions: None

Oliver's Care Home, 1200 Lawhorn Road, Blythewood, S.C. 29016-8975.

By Consent Order (CO-HL-09-2014) executed on June 6, 2014, the Department imposed a monetary penalty in the amount of \$6,000. A term of this Consent Order requires Oliver's Care Home ("Oliver's") to make payment of \$500 of the assessed monetary penalty to the Department within thirty (30) days of execution of the Consent Order. The remainder of the assessed penalty (\$5,500) is held in abeyance pending Oliver's remaining in substantial compliance with Regulation 61-84 and the Consent Order for twelve (12) months following execution of the Consent Order. In addition, Oliver's was required to correct the violations that led to the Department's imposition of the monetary penalty and to schedule and attend a compliance assistance meeting with representatives of the Department's Bureau of Health Facilities Licensing within forty-five (45) days of execution of the Consent Order. The compliance assistance meeting was held on July 21, 2014. Facility representatives discussed compliance concerns and plans of correction, and provided education on the regulation.

Previous Sanctions: None

Lalla R. Bev, 115 Hanna Road, Moncks Corner, S.C. 29461-7718.

By Administrative Order, executed on April 24, 2014, the Department imposed a \$5,000 monetary penalty. The Administrative Order required Ms. Bey to make payment of \$5,000 to the Department within thirty (30) days of execution of the Administrative Order. In addition, the Administrative Order required Ms. Bey to correct the violation which led to the Department's imposition of the monetary penalty and to cease operation of the unlicensed community residential care facility.

Previous Sanctions: Ms. Laila Bey is the owner/administrator of Low Country Home #2, a licensed five (5) bed community residential care facility. On September 3, 2013, the Department initiated an enforcement action against Low Country Home #2 for violations and repeat violations of 7 S.C. Code Ann. Regulation 61-84 (2012), *Standards for Licensing Community Residential Care Facilities*. By Consent Order (CO-HL-07-2014) executed on May 1, 2014, the Department assessed Low Country Home #2 a \$10,000 monetary penalty and required Low Country Home #2 to make payment of \$3,600 of the assessed penalty to the Department in twelve (12) monthly installments of \$300. The remainder of the monetary penalty is held in abeyance pending Low Country Home #2 remaining in substantial compliance with Regulation 61-84 for twelve (12) months following execution of the Consent Order.

Carl Wayne Gartman, 239 Old Barnwell Road, Aiken, S.C. 29803.

By Consent Order executed April 23, 2014, the Department initiated an enforcement action against Carl Wayne Gartman. Mr. Gartman is the holder of an EMT-Basic Certificate. An investigation of Mr. Gartman's patient care services was conducted on March 29, 2014. The Department found Mr. Gartman to be in violation of S.C. Code Ann. § 44-61-80(F) (Supp. 2013) and 3 S.C. Code Ann. Regulation 61-7 § 1100(B)(8) for misconduct in regards to patient care. Both S.C. Code Ann. § 44-61-80(F) (Supp. 2013) and 3 S.C. Code Ann. Regulation 61-7 § 1100(B)(8) provide that the Department may take enforcement action against the holder of a certificate at any time it is determined that the holder is guilty of misconduct. Based upon the findings of the investigation, the Department required Mr. Gartman to attend a twenty-four (24) hour non-in-service training DHEC credentialed EMT refresher class from a South Carolina accredited institution and to successfully complete the corresponding written and practical exam(s). Proof of successful completion of training shall be provided to the Division of EMS and Trauma within one year of the date of the Consent Order.

Previous Sanctions: None

Catina Plashette Frazier, 7838 Magellan Drive, North Charleston, S.C. 29420.

By Consent Order executed May 13, 2014, the Department initiated an enforcement action against Catina Plashette Frazier. Ms. Frazier is the holder of an EMT-Basic Certificate. Following an investigation, the Department discovered that sometime before March 11, 2014, Ms. Frazier presented a fraudulent SC EMT certificate to her employer (Vital Care EMS) to obtain employment as an EMT. Ms. Frazier's EMT-Basic Certificate had expired on August 15, 2013, but it was determined that she provided patient care within the scope of an EMT on several occasions during her employment of approximately three weeks with Vital Care EMS. The Consent Order requires Ms. Frazier to pay a fine in the amount of \$500 to the Department and to agree to be ineligible for re-certification as an EMT by the Department for a period of four (4) years from the date of execution of the Order.

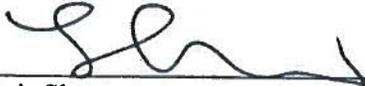
Previous Sanctions: None

Trey Allen Streett, 1628 Hopper Lane, Florence, S.C. 29501.

Under an Emergency Suspension Order executed May 15, 2014, Mr. Streett's EMT-Intermediate Certificate was immediately suspended on an emergency basis. On May 10, 2014, Mr. Streett was arrested by the Florence County Sheriff's Office (FCSO) and charged with a violation of S.C. Code Ann. § 16-3-652 (2003 and Supp. 2013), for criminal sexual conduct in the first degree. The alleged conduct of Mr. Streett arises to misconduct as defined by S.C. Code Ann. § 44-61-80(F)(2) (Supp. 2013) and 3 S.C. Code Ann Regulation 61-7 § 1100(B) (2011).

Previous Sanctions: None

Approved By:



Jamie Shuster
Director of Public Health