

SUMMARY SHEET  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

April 9, 2015

       ACTION/DECISION

  X   INFORMATION

- I. TITLE: Administrative and Consent Orders issued by Health Regulation.
- II. SUBJECT: Administrative and Consent Orders issued by Health Regulation for the period of February 1, 2015, through February 28, 2015.
- III. FACTS: For the period of February 1, 2015, through February 28, 2015, Health Regulation issued one (1) Consent Order for a total of five thousand dollars (\$5,000) in assessed penalties.

<b>Program Area</b>	<b>Consent Orders</b>	<b>Administrative Orders</b>	<b>Assessed Penalties</b>
Bureau of Health Facilities Licensing	1	0	\$5,000
<b>TOTAL</b>	<b>1</b>	<b>0</b>	<b>\$5,000</b>

Approved By:



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Jamie Shuster  
Director of Public Health

HEALTH REGULATION ENFORCEMENT REPORT  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

April 9, 2015

BUREAU OF HEALTH FACILITIES LICENSING

**1. Cedar Acres Retirement Community (Unlicensed CRCF) – West Columbia, SC**

**Investigation:**

On April 2, 2014, the Department received a complaint alleging the operation of an unlicensed community residential care facility (“CRCF”) at Cedar Acres Retirement Community (“Cedar Acres” or “the facility”). On April 23, 2014, the Department conducted a complaint investigation of the facility but was not given full access to all records and areas of the facility, *e.g.*, two file cabinets and a locked room. The Department made observations and conducted interviews with several staff members and residents residing at Cedar Acres. As a result, the Department concluded there was a reasonable probability that Cedar Acres was operating an unlicensed CRCF. On May 13, 2014, the Cedar Acres staff members again denied the Department access to records and areas of the facility. Therefore, on that same day, the Department obtained an Administrative Search Warrant and served it on Cedar Acres.

As a result of the investigative visit on May 13, 2014, the Department determined Cedar Acres was operating an unlicensed CRCF. This determination was based on the following observations:

- Cedar Acres provided room and board to residents;
- Cedar Acres secured and administered the medications for a majority of its residents;
- Cedar Acres managed its residents’ medications by obtaining refills;
- Cedar Acres administered residents’ physicians prescribed medications;
- Cedar Acres scheduled physician appointments for residents;
- Cedar Acres performed blood pressure checks on residents; and
- Cedar Acres handled and secured residents’ personal monies.

Consequently, on June 3, 2014, the Department issued a report of visit to Cedar Acres describing the abovementioned violations. On June 18, 2014, Cedar Acres submitted an unsatisfactory plan of correction. As a result, the enforcement actions hereinafter followed.

**Code Violation(s):**

Cedar Acres violated S.C. Code Section 44-7-260(A)(6) and Regulation 61-84, Section 103.A by operating an unlicensed CRCF.

**Enforcement Action(s):**

On September 11, 2014, the Department executed an Administrative Order imposing a \$5,000 monetary penalty on Cedar Acres. On October 1, 2014, the Department and Cedar Acres met to discuss the pending enforcement action but the parties could not reach an agreement to resolve the matter. On November 20, 2014, the Department and Cedar Acres met again and agreed to settle the matter pursuant to a Consent Order.

Accordingly, on February 11, 2015, the parties executed a Consent Order with a \$5,000 monetary penalty. Cedar Acres is required to pay two installments of \$2,500 within 30 days and 60 days, respectively. The Department has received the first \$2,500 payment from Cedar Acres. Cedar Acres is also required to initiate actions to correct the violations, to attend a compliance assistance meeting, and to submit a satisfactory plan of correction to the Department’s report of visit.

**Prior Sanction(s):** None.