

SUMMARY SHEET  
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

November 9, 2017

( ) ACTION/DECISION

(X) INFORMATION

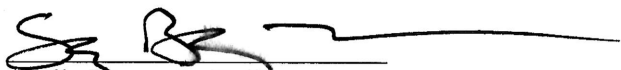
**I. TITLE:** Health Regulation Administrative and Consent Orders.

**II. SUBJECT:** Health Regulation Administrative Orders, Consent Orders, and Emergency Suspension Orders for the period of September 1, 2017, through September 30, 2017.

**III. FACTS:** For the period of September 1, 2017, through September 30, 2017, Health Regulation reports four (4) Consent Orders, three (3) Emergency Suspension Orders, and one (1) License Suspension with a total of five thousand eight hundred fifty dollars (\$5,850) in assessed monetary penalties.

Health Regulation Bureau	Health Care Facility, Provider, or Equipment	Administrative Orders	Consent Orders	Emergency Suspension Orders	License Suspensions	Assessed Penalties
Health Facilities Licensing	Community Residential Care Facility	0	1	0	0	\$4,150
	Adult Day Care	0	1	0	0	\$400
Radiological Health	Medical Facility	0	2	0	0	\$1,300
EMS & Trauma	Paramedic	0	0	1	0	\$0
	EMT	0	0	2	0	\$0
	Ambulance Services Provider	0	0	0	1	\$0
<b>TOTAL</b>		<b>0</b>	<b>4</b>	<b>3</b>	<b>1</b>	<b>\$5,850</b>

Approved By:

  
 Shelly Beganson Kelly  
 Director of Health Regulation

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

November 9, 2017

**Bureau of Health Facilities Licensing**

Facility Type	Total # of Beds or Participants	Total # of Licensed Facilities in South Carolina
Community Residential Care Facility	19,144	479

**1. Heath Springs Residential Care Facility (CRCF) – Heath Springs, SC**

Investigation: The Department visited Heath Springs Residential Care Facility (“Heath Springs”) on March 25, 2016, to conduct a general inspection, and December 29, 2016, to conduct a complaint investigation.

Violations: Based upon the inspections, the Department cited Heath Springs for five (5) violations of Regulation 61-84, Standards for Licensing Community Residential Care Facilities. Specifically, Heath Springs was cited one (1) time for violating Section 401, for failing to document in a resident’s record the general well-being of the resident in accordance with facility policies and procedures; one (1) time for violating Section 504.A, for failing to ensure a staff member received required training prior to resident contact; one (1) time for violating Section 601.D, for failing to submit to the Department within five (5) days a written report of the facility’s investigation of an incident; one (1) time for violating Section 801.B, by admitting and retaining a person inappropriate for placement in a CRCF; and one (1) time for violating Section 1101.A, for failing to ensure physical examinations of two (2) residents were completed within thirty (30) days prior to admission to the facility.

Enforcement Action: Pursuant to the Consent Order executed September 28, 2017, the Department assessed a four thousand one hundred fifty dollar (\$4,150) monetary penalty against Heath Springs, due within thirty (30) days of execution of the Consent Order. Additionally, Heath Springs agreed to correct the violations that initiated this enforcement action and ensure that all violations of R.61-84 are not repeated. Finally, Heath Springs agreed to schedule and attend a compliance assistance meeting with Department representatives within forty-five (45) days of execution of the Consent Order. The Department received Heath Springs’ assessed monetary penalty on September 12, 2017.

Prior Sanctions: None.

Facility Type	Total # of Participants	Total # of Licensed Facilities in South Carolina
Day Care Facilities for Adults	4,618	75

**2. Tucker’s Adult Health Day Care (ADC) – Walterboro, SC**

Investigation: The Department visited Tucker’s Adult Health Day Care (“Tucker’s”) on January 10, 2017, to conduct a routine inspection.

Violations: Based upon the inspections, the Department cited Tucker’s for four (4) violations of Regulation 61-75, Standards for Licensing Day Care Facilities for Adults. Specifically, Tucker’s was

cited two (2) times for violating Section 202.D, by failing to submit a Plan of Correction (“POC”) for violations cited as a result of the Department’s routine inspection; one (1) time for violating Section 404.F.1, for failing to have documentation of training on fire safety measures for staff members available for review; and one (1) time for violating Section 404.G, for failing to have documentation of annual performance evaluations for staff members available for review.

Enforcement Action: Pursuant to the Consent Order executed September 29, 2017, the Department assessed a four hundred dollar (\$400) monetary penalty against Tucker’s. The Consent Order required Tucker’s to pay one hundred dollars (\$100) of the assessed penalty within thirty (30) days of execution of the Consent Order. The remainder of the assessed penalty will be held in abeyance pending Tucker’s submitting acceptable POCs to the Department within fifteen (15) days of execution of the Consent Order. Additionally, Tucker’s agreed to correct the violations that initiated this enforcement action and ensure that all violations of R.61-75 are not repeated. The Department received the assessed monetary penalty from Tucker’s on August 31, 2017.

Prior Sanctions: None.

**Bureau of Radiological Health**

Facility Type	Total # of Registered Facilities in South Carolina
Medical Facilities	821

**3. Premier Clinics, PA – Rock Hill (Medical Facility) – Rock Hill, SC**

Investigation: The Department visited Premier Clinics, PA – Rock Hill (“Registrant”) on October 14, 2016, to conduct a routine inspection.

Violations: Based upon the inspection, the Department cited Registrant for two (2) violations of Regulation 61-64, X-Rays (Title B). Specifically, Registrant was cited one (1) time for violating RHB 3.12.3.1.4, for failing to ensure that personnel monitoring devices are returned within forty-five (45) days of the end of the monitoring period; and one (1) time for violating RHB 4.2.16.1, for failing to conduct equipment performance tests on its x-ray unit in 2014 and 2015, and inadequate equipment performance testing in 2016. Both violations are repeat violations.

Enforcement Action: Pursuant to the Consent Order executed September 29, 2017, Registrant agreed to a four hundred dollar (\$400) civil penalty, due within thirty (30) days of execution of the Consent Order. Additionally, Registrant agreed to a twenty-four (24) month period of substantial compliance with the terms of the Consent Order and R.61-64. Finally, Registrant agreed to ensure that all violations of R.61-64 are not repeated. The Department received the civil penalty from Registrant on September 27, 2017.

Prior Sanctions: None.

**4. Premier Clinics, PA – Chester (Medical Facility) – Chester, SC**

Investigation: The Department visited Premier Clinics, PA – Chester (“Registrant”) on July 27, 2016, to conduct a routine inspection.

Violations: Based upon the inspection, the Department cited Registrant for four (4) violations of Regulation 61-64, X-Rays (Title B). Specifically, Registrant was cited one (1) time for violating RHB

3.22.1, for failing to produce records of individual monitoring; one (1) time for violating RHB 4.2.2, for failing to produce a valid South Carolina Radiation Quality Standards Association for an x-ray unit operator; one (1) time for violating RHB 4.2.2.7, for failing to produce documentation of facility specific operator training for machine operators; and one (1) time for violating RHB 4.2.16.1, for failing to conduct required equipment performance tests on its x-ray unit. All violations are repeat violations.

Enforcement Action: Pursuant to the Consent Order executed September 29, 2017, Registrant agreed to a nine hundred dollar (\$900) civil penalty, due within thirty (30) days of execution of the Consent Order. Additionally, Registrant agreed to a twenty-four (24) month period of substantial compliance with the terms of the Consent Order and R.61-64. Finally, Registrant agreed to ensure that all violations of R.61-64 are not repeated. The Department received the civil penalty from Registrant on September 27, 2017.

Prior Sanctions: None.

**Bureau of EMS & Trauma**

EMS Provider Type	Total # of Providers in South Carolina
EMT	7,223
Advanced EMT	490
Paramedic	4,040
Athletic Trainers	1,029
Ambulance Services Provider	281
First Responder Services Provider	2

**5. Joshua W. Vaughn (Paramedic)**

Investigation: On September 18, 2017, the Department was notified of Mr. Vaughn’s arrest in Ware Shoals, South Carolina. Upon notification, the Department initiated an investigation into the matter. The Department discovered that Mr. Vaughn was arrested on September 13, 2017, and charged with disseminating obscene material to a minor.

Violations: The charge against Mr. Vaughn, specifically, disseminating obscene material to a minor, is a felony involving moral turpitude and gross immorality. The Department found that Mr. Vaughn’s arrest demonstrated a capacity for inappropriate and criminal behavior towards individuals placed within his trust. The Department determines that a clear and present danger would exist to the public health, safety, and welfare if Mr. Vaughn’s Paramedic certificate was not immediately suspended pending further investigation.

Enforcement Action: Mr. Vaughn’s Paramedic certificate was immediately suspended on an emergency basis pursuant to the Emergency Suspension Order executed September 20, 2017. The Department will continue to monitor Mr. Vaughn’s criminal matters.

Prior Sanctions: None.

**6. Jaron O. Livingston (EMT)**

Investigation: On August 16, 2017, the Department was notified of Mr. Livingston's arrest in Oconee County, South Carolina. Upon notification, the Department initiated an investigation into the matter. The Department discovered that Mr. Livingston was arrested on August 3, 2017, and charged with two (2) counts of second degree criminal sexual conduct with a minor.

Violations: The charges against Mr. Livingston, specifically, two (2) counts of second degree criminal sexual conduct with a minor, is a felony involving moral turpitude and gross immorality. The Department found that Mr. Livingston's arrest demonstrated a capacity for inappropriate and criminal behavior towards individuals placed within his trust. The Department determines that a clear and present danger would exist to the public health, safety, and welfare if Mr. Livingston's EMT certificate was not immediately suspended pending further investigation.

Enforcement Action: Mr. Livingston's EMT certificate was immediately suspended on an emergency basis pursuant to the Emergency Suspension Order executed September 20, 2017. The Department will continue to monitor Mr. Livingston's criminal matters.

Prior Sanctions: None.

#### **7. Springlake Medical Transport, LLC (Ambulance Services Provider)**

Summary: On May 5, 2017, Springlake Medical Transport, LLC ("Springlake") and the Department executed a Consent Order resulting from several regulatory violations involving Springlake's failure to submit electronic patient care reports ("ePCRs") within seventy-two (72) hours of the completion of calls. Pursuant to the Consent Order, Springlake agreed to the assessment of a one thousand five hundred dollar (\$1,500) monetary penalty. Additionally, pursuant to the Consent Order, Springlake agreed to a six (6) month suspension if it violated the Consent Order, the EMS Act, or Regulation 61-7 during the six (6) months following execution.

Violations: Springlake violated Section 1301.C of R.61-7 by failing to submit seventy-eight (78) ePCRs within seventy-two (72) hours of the completion of various calls from May 6, 2017, to August 8, 2017.

Enforcement Action: Springlake's EMS provider license was suspended for two (2) months upon delivery of a certified letter on September 20, 2017. Springlake may not perform the functions associated with its provider license until it has complied with the statutory requirements and other conditions imposed by the Department

Prior Sanctions: On May 5, 2017, the Department and Springlake executed a Consent Order for several regulatory violations involving Springlake's failure to submit ePCRs within the required timeframe. The Consent Order assessed a one thousand five hundred dollar (\$1,500) monetary penalty against Springlake.

#### **8. Nicholas J. V. Jimno (EMT)**

Investigation: On September 8, 2017, the Department was notified of Mr. Jimno's arrest in Charleston County, South Carolina. Upon notification, the Department initiated an investigation into the matter. The Department discovered that Mr. Jimno was arrested on August 23, 2017, and charged with three (3) counts of criminal solicitation of a minor, and one (1) count of disseminating obscene material to a person under 18 years of age.

Violations: The charges against Mr. Jimno, specifically, three (3) counts of criminal solicitation of a minor, and one (1) count of disseminating obscene material to a person under 18 years of age, are felonies against morality and decency and involve moral turpitude and gross immorality. The Department found that Mr. Jimno's arrest demonstrated a capacity for inappropriate and criminal behavior towards

individuals placed within his trust. The Department determines that a clear and present danger would exist to the public health, safety, and welfare if Mr. Jimno's EMT certificate was not immediately suspended pending further investigation.

Enforcement Action: Mr. Jimno's Paramedic certificate was immediately suspended on an emergency basis pursuant to the Emergency Suspension Order executed September 8, 2017. The Department will continue to monitor Mr. Jimno's criminal matters.

Prior Sanctions: None.