

SUMMARY SHEET
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

January 4, 2018

() 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 November 1, 2017, through November 30, 2017.

III. FACTS: For the period of November 1, 2017, through November 30, 2017, Health Regulation reports four (4) Consent Orders and one (1) Emergency Suspension Order with a total of six thousand nine hundred dollars (\$6,900) in assessed monetary penalties.

Health Regulation Bureau	Health Care Facility, Provider, or Equipment	Administrative Orders	Consent Orders	Emergency Suspension Orders	Assessed Penalties
Radiological Health	Chiropractic X-Ray Facility	0	2	0	\$3,400
EMS & Trauma	EMT	0	1	1	\$500
	Ambulance Services Provider	0	1	0	\$3,000
TOTAL		0	4	1	\$6,900

Approved By:

For- 
Shelly Bezanson Kelly
Director of Health Regulation

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

January 4, 2018

Bureau of Radiological Health

Facility Type	Total # of Registered Providers in South Carolina
Chiropractic X-Ray Facilities	465

1. West Ashley Wellness & Rehabilitation, LLC (Chiropractic Facility) – Charleston, SC

Investigation: On February 8, 2017, the Department conducted a routine inspection of West Ashley Wellness & Rehabilitation, LLC (“West Ashley”) and found the facility in violation of Regulation 61-64, X-Rays (Title B), for failure to perform equipment performance testing, which is required every two (2) years. On March 23, 2017, West Ashley sent a copy of an equipment performance test to the Department. However, the Department informed West Ashley that the submission was inadequate due to incomplete testing records. Ultimately, West Ashley sent adequate records of the equipment performance test to the Department June 20, 2017.

Violations: Based upon the above-referenced inspection, the Department finds West Ashley in violation of RHB 4.2.16.1 on February 8, 2017, for failing to complete equipment performance testing at the required intervals.

Enforcement Action: By Consent Order executed November 15, 2017, West Ashley agreed to the imposition of a one thousand seven hundred dollar (\$1,700) civil penalty. The Consent Order requires West Ashley to make payment of six hundred dollars (\$600) of the assessed monetary penalty within thirty (30) days of execution of the Consent Order. The remaining one thousand one hundred dollars (\$1,100) of the assessed penalty will be stayed upon a twenty-four (24) month period of substantial compliance with R.61-64 and the terms of the Consent Order. The Consent Order further requires West Ashley to ensure all violations of R.61-64 addressed in the Consent Order are not repeated. Finally, West Ashley agreed to a follow-up inspection by the Department following the fully executed Consent Order. The civil penalty has been paid.

Prior Sanctions: None.

2. The B L Black Clinic of Chiropractic, PA (Chiropractic Facility) – Mount Pleasant, SC

Investigation: On February 13, 2017, the Department conducted an investigation of The B L Black Clinic of Chiropractic, PA (“Black”) and found the facility in violation of Regulation 61-64, X-Rays (Title B), for failure to perform equipment performance testing, which is required every two (2) years. On March 13, 2017, Black sent a copy of the February 21, 2017, equipment performance test to the Department

Violations: Based upon the above-referenced inspection, the Department finds Black in violation of RHB 4.2.16.1 on February 13, 2017, for failing to complete equipment performance testing at the required intervals.

Enforcement Action: By Consent Order executed November 8, 2017, Black agreed to the imposition of a one thousand seven hundred dollar (\$1,700) civil penalty. The Consent Order requires Black to make payment of one hundred forty-one dollars and sixty-seven cents (\$141.67) each month for six (6) consecutive months, with the initial payment due within thirty (30) days of execution of the Consent Order. The remaining eight hundred fifty dollars (\$850) of the assessed penalty will be stayed upon a twenty-four (24) month period of substantial compliance with R.61-64 and the terms of the Consent Order. The Consent Order further requires Black to ensure all violations of R.61-64 addressed in the Consent Order are not repeated. Finally, Black agreed to a follow-up inspection by the Department within ninety (90) days of execution of the Consent Order. The civil penalty has been paid.

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

3. Katelyn D. Harris (EMT)

Investigation: On November 2, 2017, the Department was notified of Ms. Harris’s arrest. Upon notification, the Department initiated an investigation into the matter. The Department discovered that Ms. Harris was arrested on November 2, 2017, and charged with hit and run in an accident with death, and hit and run with an accident with minor personal injury.

Violations: The charges against Ms. Harris are crimes involving moral turpitude and gross immorality and therefore may rise to the level of misconduct as prescribed in S.C. Code Section 44-61-80(F)(2) and Regulation 61-7, Section 1100(B)(2). The Department believes Ms. Harris’s arrest demonstrates a capacity for inappropriate and criminal behavior towards individuals placed within her trust.

Enforcement Action: Ms. Harris’s EMT certificate was immediately suspended on an emergency basis pursuant to the Emergency Suspension Order executed November 13, 2017. The Department will continue to monitor Ms. Harris’s criminal matters.

Prior Sanctions: None.

4. Rejinald D. Freeman (EMT)

Investigation: On April 21, 2017, Medshore Ambulance Service, Inc. (“Medshore”) notified the Department that Mr. Freeman, an employee of Medshore, worked as an EMT without possessing a valid South Carolina EMT certification. The Department initiated an investigation into Mr. Freeman and found that Mr. Freeman’s EMT certification expired April 1, 2017. The Department further determined that Mr.

Freeman performed patient care within the scope of an EMT on five (5) ambulance runs while working for Medshore from April 2, 2017, to April 16, 2017, a time in which he was uncertified as a South Carolina EMT. Subsequently, the Department received Mr. Freeman's renewal application April 14, 2017. On April 17, 2017, the Department issued Mr. Freeman's renewal certificate, effective April 17, 2017, to April 15, 2021.

Violations: Mr. Freeman violated S.C. Code Section 44-61-80(A) and Section 901.A of Regulation 61-7, by providing patient care within the scope of an EMT without obtaining proper certification from the Department.

Enforcement Action: Pursuant to the terms of the Consent Order executed October 28, 2017, Mr. Freeman agreed to the assessment of a five hundred dollar (\$500) monetary penalty. The assessed monetary penalty shall be held in abeyance for twelve (12) months following execution of the Consent Order. If at any time during the one (1) year period the Department finds Mr. Freeman violated the EMS Act or Regulation 61-7, the Department may call in all or part of the assessed monetary penalty.

Prior Sanctions: None.

5. Medshore Ambulance Service, Inc. (Ambulance Services Provider)

Investigation: On April 21, 2017, Medshore Ambulance Service, Inc. ("Medshore") notified the Department that it had an employee with a valid National Registry of Emergency Medical Technicians ("NREMT") certification, but did not have a South Carolina EMT certification. As a result of its investigation, the Department determined the employee performed patient care within the scope of an EMT on five (5) ambulance runs while working for Medshore from April 2, 2017, to April 16, 2017, during which he was uncertified as a South Carolina EMT.

Violations: The Department found Medshore violated S.C. Code Section 44-61-70(B)(1) by allowing an uncertified person to perform patient care within the scope of an EMT. Specifically, while working for Medshore, an uncertified person performed patient care within the scope of an EMT on five (5) ambulance runs.

Enforcement Action: Pursuant to the terms of the Consent Order executed October 12, 2017, Regional agreed to the assessment of a three thousand dollar (\$3,000) monetary penalty, due within ninety (90) days of execution of the Consent Order. Medshore further agreed that failure to comply with any provision of the Consent Order constitutes grounds for appropriate sanctions and further enforcement action, including suspension or revocation of its provider license.

Prior Sanctions: On July 2, 2015, the Department and Medshore executed a Consent Order for Medshore allowing an uncertified person to perform patient care. Pursuant to the terms of the July 2015 Consent Order, Medshore agreed to a one thousand dollar (\$1,000) monetary penalty.