

# S.C. Board of Health and Environmental Control Meeting

## May 12, 2011

The S.C. Board of Health and Environmental Control met on Thursday, May 12, 2011, at 10:00 a.m. in the S.C. Department of Health and Environmental Control Board Room, 2600 Bull Street, Columbia, S.C. (Attachment 0-1)

The following members were in attendance:

- Allen Amsler, Chairman  
Member-at-large
- Mark S. Lutz, Vice-Chairman  
1st District
- Steven G. Kisner, Secretary (via phone)  
3rd District
- R. Kenyon Wells  
2nd District
- L. Clarence Batts  
4th District
- Ann B. Kirol, DDS  
5th District
- John O. Hutto, Jr., MD  
6th District

Also in attendance were C. Earl Hunter, Commissioner, Carlisle Roberts, Jr., General Counsel, Lisa Longshore, Clerk, department staff and guests. (Attachment 0-2)

Mr. Amsler stated notice of this meeting has been provided to all persons, organizations and news media, which have requested notification, as required by Section 30-4-80(e) of the South Carolina Code of Laws.

### **Item 1: Consideration of Board Minutes – April 14, 2011, minutes - For Approval** (Attachment 1-1)

*Mr. Batts moved, seconded by Mr. Lutz, to approve the minutes as submitted for the April 14 Board meeting. Approved.*

### **Item 2: Monthly Award for Excellence for may 2011** (Attachment 2-1)

Commissioner Hunter recognized the following recipients:

- Environmental Quality Control – Jeannie Eidson;
- Health Services – Elie Macaron, Jr. and Donald “Curtis” Smith;
- Region 1 Public Health Office – Claudia Moore, RN;
- Region 2 Public Health Office – 2011 Mass Vaccination Planning Team (Jeremy Wright, Christy Lanford, MSW, Karen Jordan, RN, Beth McArthur, Miriam Hart, Ellen Bennett);
- Region 3 Public Health Office – The Richland County Ft. Jackson Immunization Team (Lucy Austin, RN; Lauren Benjamin; Jan Blackwell, RN; Cheryl Brannon, RN; Lynne Burnett, RN; Veronica Cohens; Donna Coyle, RN; Marcy Hall, RN; Sarah Christine Hill; Roger Hovis; Sheila Hunter, DrPh; Jean Jackson, RN; Gloria Kimble; Sherill Knight; Joyce Lawton; Charles McManus; Bianca Milligan-Dash, RN; Laura Mitchell; Leslie Orr; Scott Phillips; Imani Richard; Faye Stabler, RN; Jessica Stidham; Berry Sullivan, RN; Linda Sweat, RN; and Phyllis Weston;

- Region 6 Public Health Office – Central Appointing (Terrie Spain; Stephanie Williams; Christi Diaz; Hillary Goff);
- Region 7 Public Health Office – Kerry Whetsell;
- Region 8 Public Health Office – Barbara H. Laurie, MSW, LMSW.

The Board extended its thanks to all recipients.

**Item 3: Orders issued by Ocean and Coastal Resource Management**(Attachment 3-1)

Ms. Carolyn Boltin-Kelly, Deputy Commissioner, Ocean and Coastal Resource Management, stated three (3) actions had been taken with penalties of \$3,200.

After discussion, *the Board accepted this item as information.*

**Item 4: Administrative Orders, Consent Orders and Sanction Letters issued by Health Regulation**

(Attachment 4-1)

Ms. Melinda Bradshaw, Bureau of Radiological Health, stated two (2) actions had been taken with a penalties of \$2,500.

*The Board accepted this item as information.*

**Item 5: Administrative and Consent Orders issued by Environmental Quality Control** (Attachment 5-1)

Ms. Robin Stephens, Compliance Assistance and Enforcement, stated thirty (30) actions had been taken with penalties of \$80,669.

After discussion, *the Board accepted this item as information.*

**Item 6: Request for a third Board extension of Certificate of Need SC-08-28 issued to Kershaw County Medical Center – Camden Medical Center for the construction of an outpatient medical office building to include a 16 slice CT scanner** (Attachment 6-1)

Ms. Beverly Brandt, Director, Bureau of Health Facilities and Services Development, presented this item. KershawHealth has proposed to develop an outpatient medical complex, the Camden Medical Center, in order to increase access to services, which include diagnostic radiology, a Breast Center, a rehab clinic, urgent care, etc. The \$11.4 million project entailed the substantial renovation of an existing structure which is owned by KershawHealth. The facility appears to be attempting to move forward with the project.

Since the last Board extension, KershawHealth has been diligent in reporting the status of the project. Progress was also described in the extension requested dated March 31, 2011, to include an indication that a design agreement had been signed with GMK architects, GMK had performed an on-site investigation by a structural engineering team and began interior elevation work and design and construction documents. The facility anticipates completing design and construction documents within six (6) months of securing financing.

*Dr. Hutto moved, seconded by Dr. Kirol, to find that KershawHealth has demonstrated substantial progress and to approve an additional nine-month extension to implement Certificate of Need SC-08-28. Approved.*

**Item 7: Handling of Request for Final Review (RFR) requiring action by June 9, 2011 (RFR Docket No. 11-RFR-16 through 11-RFR-18)** (Attachment 7-1)

Mr. Amsler asked if anyone wished to conduct review conferences on any of the pending requests for review.

*Dr. Hutto moved, seconded by Mr. Wells, to go into Executive Session for the purpose of obtaining legal advice under the attorney-client privilege pertaining to the pending RFRs. Approved.*

While in Executive Session, no actions were taken.

*Mr. Batts moved, seconded by Dr. Kirol, to conduct a final review conference on Docket No. 11-RFR-18, Charleston Naval Complex Hazardous Waste Permit; and to decline to conduct review conferences on Docket Nos. 11-RFR-16, and -17. Approved.*

**Item 8: Agency Affairs**

Commissioner Hunter gave an update on the budget, State and Federal.

**Item 9: Legal Report**

Mr. Roberts asked the Board for Executive Session for the purpose of discussing matters in litigation under the attorney-client privilege.

*Mr. Wells moved, seconded by Mr. Batts, to go into Executive Session for the purpose of discussing matters in litigation under the attorney-client privilege. Approved.*

*Mr. Batts moved, seconded by Mr. Lutz, to adjourn. Approved.*

All referenced attachments are made a permanent part of these minutes.

Respectfully submitted,  
Steven G. Kisner  
Secretary of the Board

Minutes approved this 9th day of June 2011.

ATTEST:  
Allen Amsler  
Chairman

Attachments

- 0-1 Agenda
- 0-2 Sign-in Sheet
- 1-1 April 14, 2011 minutes
- 2-1 Monthly Award for Excellence Recipients for May 2011
- 3-1 Orders issued by the Office of Ocean and Coastal Resource Management
- 4-1 Administrative Orders, Consent Orders and Sanction Letters issued by Health Regulation
- 5-1 Administrative and Consent Orders issued by Environmental Quality Control
- 6-1 Request for a nine-month extension of Certificate of Need SC-08-28, KershawHealth
- 7-1 Handling of Request for Final Review requiring action by June 9, Docket No. 11-RFR-16 thru 11-RFR-18