

SUMMARY SHEET
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

December 10, 2015

() ACTION/DECISION

(X) INFORMATION

I. TITLE: Administrative Orders and Consent Orders issued by Health Regulation.

II. SUBJECT: Administrative Orders and Consent Orders issued by Health Regulation for the period of October 1, 2015, through October 31, 2015.

III. FACTS: For the period of October 1, 2015, through October 31, 2015, Health Regulation issued one (1) Administrative Order and one (1) Consent Order with a total of eight thousand five hundred dollars (\$8,500) in assessed monetary penalties.

| Program Area | Health Care Facility or Provider | Administrative Orders | Consent Orders | Assessed Penalties |
|---------------------------------------|----------------------------------|-----------------------|----------------|--------------------|
| Bureau of Health Facilities Licensing | Tattoo Facility | 0 | 1 | \$1,000 |
| | Abortion Clinic | 1 | 0 | \$7,500 |
| TOTAL | | 1 | 1 | \$8,500 |

Approved By:

Shelly Bezanson Kelly
Director of Health Regulation

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

December 10, 2015

Bureau of Health Facilities Licensing

1. Karma Tattoos (Tattoo Facility) – Myrtle Beach, South Carolina

Investigation: DHEC conducted a general inspection on January 28, 2015, and cited Karma Tattoos (“Karma”) for violations of Regulation 61-111, *Standards for Licensing Tattoo Facilities*, that required a plan of correction due by February 24, 2015. DHEC issued three citations-by-mail to Karma on April 3, 2015, May 18, 2015, and July 30, 2015, for not providing the required plan of correction from the January 28, 2015, inspection violations.

Violations: During the January 28, 2015, general inspection, DHEC found that Karma failed to have documentation related to monthly spore tests, staff job descriptions, and staff training, and failed to ensure safe storage of harmful chemicals away from sterilization rooms. Karma repeatedly failed to submit the required plan of correction for those violations after receiving three citations-by-mail from DHEC. After considering Karma’s history of compliance and the severity of the violations, DHEC determined that an enforcement action was appropriate.

Enforcement Action: The parties met on September 17, 2015, and agreed to settle this matter by consent order. The parties then executed the Consent Order on October 26, 2015, with an assessed monetary penalty of \$1,000 due within 30 days of execution. DHEC has still not received the full payment of the \$1,000 penalty from Karma.

Prior Sanctions: None.

| Tattoo Facilities in South Carolina | TOTAL |
|---|--------------|
| Licensed Tattoo Facilities in South Carolina | 108 |
| Licensed Tattoo Facilities in Horry County | 16 |
| Tattoo Stations in the Licensed Tattoo Facilities in South Carolina | 417 |
| Tattoo Stations in the Licensed Tattoo Facilities in Horry County | 73 |
| Tattoo Stations in Karma Tattoos | 4 |

Bureau of Health Facilities Licensing (cont'd.)

2. Planned Parenthood South Atlantic (Abortion Clinic) – Columbia, South Carolina

Investigation: DHEC conducted a general inspection and a complaint investigation of Planned Parenthood South Atlantic (“Planned Parenthood” or “the Facility”) on August 31, 2015. As a result, DHEC determined Planned Parenthood was in violation of Regulation 61-12, *Standards for Licensing Abortion Clinics*.

Violations: Planned Parenthood violated the Woman’s Right to Know Act (WRKA) because records showed that some abortions were performed sooner than 60 minutes following completion of the ultrasound. Planned Parenthood failed to provide staff documentation of personal background information, CPR training, orientation, infection control training, fire protection training, patient confidentiality training, licensing regulations training, and accurate job descriptions. Planned Parenthood failed to list the contents of the emergency drug cart on the cart, and stored expired medications in the patient care areas and pharmacy. Planned Parenthood failed to adhere to its Infection Prevention Manual provisions for tissue examination and disposal by not weighing waste prior to sending off site for disposal. Planned Parenthood failed to manage the products of conception resulting from abortion procedures in accordance with the requirements for pathological waste pursuant to Regulation 61-105, *South Carolina Infectious Waste Management*. Planned Parenthood failed to include the name of the minor’s mother or father on the minor records reviewed by DHEC. Planned Parenthood failed to document the names of clinical assistants in attendance during some abortion procedures. Planned Parenthood failed to report some abortion procedures within seven days, and failed to report at least one abortion procedure, to DHEC’s Office of Vital Records. Planned Parenthood failed to ensure sterile supplies and equipment were not mixed with non-sterile supplies. Planned Parenthood failed to maintain the hand sink water temperature between 100 and 125 degrees Fahrenheit. Finally, Planned Parenthood failed to ensure infectious waste was managed in accordance with Regulation 61-105.

Enforcement Action: On September 11, 2015, DHEC executed the Administrative Order against Planned Parenthood. DHEC suspended the license of Planned Parenthood and imposed a \$7,500 monetary penalty, which the Facility has paid in full. DHEC stipulated in the Administrative Order that it would lift Planned Parenthood’s suspension upon the following conditions being met: (1) Planned Parenthood’s payment of the imposed monetary penalty; (2) Planned Parenthood’s timely submission of a plan of correction addressing corrective actions taken, preventative actions taken, and the date of those actions taken in regard to violations contained in DHEC’s reports of visit on August 31, 2015; and (3) Planned Parenthood’s evidence of training all employees and volunteers in the Facility’s policies and procedures, the WRKA requirements, and all in-service training requirements. Planned Parenthood satisfied all of the conditions set forth in the Administrative Order in a timely manner, and therefore, DHEC lifted the Facility’s suspension. Planned Parenthood had submitted a Request for Final Review (RFR) on September 28, 2015, but later withdrew their RFR in a letter dated November 6, 2015, after their suspension had been lifted.

Prior Sanctions: None.

| Abortion Clinics in South Carolina | TOTAL |
|---|--------------|
| Licensed Abortion Clinics in South Carolina | 3 |

