

SUMMARY SHEET
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

December 13, 2018

() ACTION/DECISION

(X) INFORMATION

- I. TITLE:** Health Regulation Administrative and Consent Orders.
- II. SUBJECT:** Health Regulation Administrative Orders and Consent Orders for the period of October 1, 2018, through October 31, 2018.
- III. FACTS:** For the period of October 1, 2018, through October 31, 2018, Health Regulation reports ten (10) Consent Orders totaling \$26,450 in assessed monetary penalties.

Health Regulation Bureau	Facility, Provider, or Equipment Type	Administrative Orders	Consent Orders	Emergency Suspension Orders	Assessed Penalties
Health Facilities Licensing	Community Residential Care Facility	0	3	0	\$22,600
	Tattoo Facility	0	1	0	\$1,800
EMS & Trauma	Ambulance Services Provider	0	1	0	\$500
	Paramedic	0	1	0	\$300
	Advanced Emergency Medical Technician	0	1	0	\$500
	Emergency Medical Technician	0	3	0	\$750
TOTAL		0	10	0	\$26,450

Approved By:



 Shelly Bezanon Kelly
 Director of Health Regulation

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

December 13, 2018

Bureau of Health Facilities Licensing

Facility Type	Total # of Licensed Facilities	Total # of Beds
Community Residential Care Facility	492	19,975

1. Sweetgrass Court Senior Living Community – Mount Pleasant, SC

Inspections and Investigations: The Department visited Sweetgrass to conduct an inspection in January 2017, and complaint investigations in April 2016, June 2016, April 2017, and December 2017.

Violations: The Department found that Sweetgrass had, among other violations, repeatedly failed to document several types of required staff training, failed to report serious incidents, failed to document individual care plans for residents, failed to properly administer medications or have them available for residents, and failed to comply with residents' rights requirements.

Enforcement Action: By Consent Order, the Department assessed a \$13,500 monetary penalty against Sweetgrass and required payment of \$8,500 within 30 days, which Sweetgrass has paid. The Department will hold the rest of the assessed monetary penalty in abeyance for six months.

Prior Actions: None.

2. Cabading Homes #1 – Charleston, SC

Inspections and Investigations: The Department visited Cabading Homes #1 to conduct inspections in January 2018, February 2018, and April 2018, and complaint investigations in January 2018 and March 2018.

Violations: The Department found that Cabading Homes #1 had, among other violations, failed to have adequate staffing, failed to document staff training, failed to have proper food preparations, and failed to keep the building in good condition or clean.

Enforcement Action: In October 2018, the parties executed a Consent Agreement in which Cabading Homes #1 was required to pay a portion of the assessed monetary penalty being held in abeyance through a prior action that was an October 2017 Consent Order. Specifically, the Department is requiring Cabading Homes #1 to pay a \$3,000 monetary penalty in four installments. Cabading Homes #1 has paid the first installment of \$750.

Prior Actions: The parties executed a Consent Order in October 2017 in which the Department assessed a \$19,000 monetary penalty and required Cabading Homes #1 to pay \$6,000. At that time, Cabading Homes #1 paid the \$6,000, and the Department was holding the remaining \$13,000 in abeyance.

3. Cabading Homes #2 – Charleston, SC

Inspections and Investigations: The Department visited Cabading Homes #2 to conduct inspections in January 2018 and April 2018 and complaint investigations in October 2017 and March 2018.

Violations: The Department found that Cabading Homes #2 had, among other violations, failed to have adequate staffing, failed to document staff training, failed to keep the building in good condition or clean, and failed to maintain soap in public restrooms.

Enforcement Action: In October 2018, the parties executed a Consent Agreement in which Cabading Homes #2 was required to pay a portion of the assessed monetary penalty being held in abeyance through a prior action that was an October 2017 Consent Order. Specifically, the Department is requiring Cabading Homes #2 to pay a \$6,100 monetary penalty in four installments. Cabading Homes #2 has paid the first installment of \$1,525.

Prior Actions: The parties executed a Consent Order in October 2017 in which the Department assessed a \$15,800 monetary penalty and required Cabading Homes #2 to pay \$4,000. At that time, Cabading Homes #2 paid the \$4,000, and the Department was holding the remaining \$11,800 in abeyance.

Facility Type	Total # of Licensed Facilities	Total # of Stations
Tattoo Facility	121	476

4. Iron Lotus Studios – Charleston, SC

Inspections and Investigations: The Department visited Iron Lotus Studios to conduct inspections in June 2017 and April 2018 and issued citations-by-mail two times.

Violations: The Department found that Iron Lotus failed to grant DHEC employees access to all records and areas of the facility. In addition, Iron Lotus failed to provide notice to clients on blood donor disqualification, failed to include restrictions in aftercare instructions to clients, failed to maintain personnel documentation, and failed to submit an acceptable plan of correction for cited violations resulting from an inspection.

Enforcement Action: The parties executed a Consent Order in October 2018 in which the Department assessed a \$1,800 monetary penalty and required Iron Lotus to pay a portion of the assessed monetary penalty in the amount of \$1,000. As of early December, Iron Lotus has not paid the \$1,000 and the Department is considering further action.

Prior Actions: None.

Bureau of Emergency Medical Services and Trauma

Provider Type	Total # of Licensed Providers in South Carolina
Ambulance Services Provider	273

5. Sumter County EMS (Ambulance Services Provider)

Inspections and Investigations: In March 2018, Sumter County EMS notified the Department of an individual who failed to timely renew their South Carolina advanced emergency medical technician (AEMT) certification. The Department initiated an investigation to determine whether the reported individual performed patient care without a valid SC AEMT certification. The Department found that the reported individual performed patient care within the scope of an AEMT on ten ambulance runs in March 2018 without a SC AEMT certification.

Violations: As a result, the Department determined that Sumter County EMS violated the EMS Act and EMS Regulation by allowing an uncertified person to perform patient care within the scope of an AEMT.

Enforcement Action: The parties executed a Consent Order in October 2018 in which Sumter County EMS agreed to an assessed monetary penalty of \$500. Sumter County EMS has paid the \$500 monetary penalty.

Prior Actions: None.

Provider Type	Total # of Certified Providers in South Carolina
Paramedic	3,803

6. Matthew David Blessing (Paramedic)

Inspections and Investigations: In June 2018, the Department received notification regarding alleged violations by an Aiken County EMS paramedic. The Department initiated an investigation into the allegations. The Department found that Mr. Blessing forged his emergency medical technician (EMT) partner's signature on five patient care reports.

Violations: As a result, the Department determined that Mr. Blessing committed misconduct in violation of the EMS Act and EMS Regulation by falsifying documentation required by the Department.

Enforcement Action: The parties executed a Consent Order in which Mr. Blessing agreed to an assessed monetary penalty of \$300. The Department required Mr. Blessing to pay a portion of the assessed monetary penalty in the amount of \$75 with the remaining \$225 being held in abeyance for 12 months. Mr. Blessing has paid the \$75. Mr. Blessing must also successfully complete a National Association of Emergency Medical Technicians (NAEMT) Principles of Ethics and Personal Leadership (PEPL) course within 12 months.

Prior Actions: None.

Provider Type	Total # of Certified Providers in South Carolina
Advanced EMT	411

7. Stephen A. Porter (Advanced EMT)

Inspections and Investigations: In March 2018, Sumter County EMS notified the Department of an individual who failed to timely renew his South Carolina advanced emergency medical technician (AEMT) certification. The Department initiated an investigation to determine whether the reported individual, Mr. Porter, performed patient care without a valid SC AEMT certification. The Department found that Mr. Porter performed patient care within the scope of an AEMT on ten ambulance runs in March 2018 without a SC AEMT certification.

Violations: As a result, the Department determined that Mr. Porter violated the EMS Act and EMS Regulation by providing patient care within the scope of an AEMT without having a valid SC AEMT certification.

Enforcement Action: The parties executed a Consent Order in October 2018 in which Mr. Porter agreed to an assessed monetary penalty of \$500. The Department is holding the assessed monetary penalty of \$500 in abeyance for 12 months.

Prior Actions: None.

Provider Type	Total # of Certified Providers in South Carolina
EMT	6,142

8. Christina Renee Torres (EMT)

Inspections and Investigations: In March 2018, the Department received notification that Ms. Torres worked as an emergency medical technician (EMT) when she did not possess a valid SC EMT certification. The Department initiated an investigation to determine whether Ms. Torres performed patient care without a valid SC EMT certification. The Department found that Ms. Torres performed patient care within the scope of an EMT on four ambulance runs in March 2018 when she was not certified as a SC EMT. The Department also found that Ms. Torres failed to maintain current contact information in the EMS database.

Violations: As a result, the Department determined that Ms. Torres violated the EMS Act and EMS Regulation by providing patient care within the scope of an EMT without having a valid SC EMT certification. The Department further determined that Ms. Torres committed misconduct as defined by the EMS Act and EMS Regulation by not maintaining current contact information in the EMS database.

Enforcement Action: In October 2018, the parties executed a Consent Order in which Ms. Torres agreed to an assessed monetary penalty of \$250 and agreed to pay a portion of the assessed monetary penalty in the amount of \$50 within 30 days. Ms. Torres has paid the \$50 and the Department is holding the remaining \$200 in abeyance for 12 months.

Prior Actions: None.

9. Elijah David McJunkin (EMT)

Inspections and Investigations: In July 2018, the Department was notified of Mr. McJunkin's patient care while working for Marion County EMS, a licensed advanced life support ambulance service. The Department initiated an investigation into Mr. McJunkin's patient care. The Department found that Mr. McJunkin and an emergency medical technician (EMT) partner responded to a 911 call for a patient complaining of chest pain, and Mr. McJunkin obtained intravenous (IV) access on the patient. The Department also found that Mr. McJunkin did not document that he obtained IV access on the electronic patient care report.

Violations: As a result, the Department determined that Mr. McJunkin committed misconduct as defined by the EMS Act and EMS Regulation by establishing IV access on a patient, which is a skill he is not certified to perform. Establishing IV access on patient is an advanced life support skill that can only be performed by advanced EMTs and paramedics. The Department also determined Mr. McJunkin committed misconduct as defined by the EMS Act and EMS Regulation by falsifying documentation required by the Department because he failed to describe in the patient care report that he established IV access.

Enforcement Action: In October 2018, the parties executed a Consent Order in which Mr. McJunkin agreed to complete a National Association of Emergency Medical Technicians (NAEMT) Principles of Ethics and Personal Leadership (PEPL) course within 12 months. Mr. McJunkin also agreed to the Department suspending his EMT certification, with the suspension to be held in abeyance for 12 months.

Prior Actions: None.

10. Andrew B. Deas (EMT)

Inspections and Investigations: In May 2018, the Department received notification that Mr. Deas worked as an emergency medical technician (EMT) without a valid SC EMT certification. The Department initiated an investigation to determine whether Mr. Deas performed patient care within the scope of an EMT without a valid SC EMT certification. The Department found that Mr. Deas performed patient care within the scope of an EMT on thirty-three ambulance runs between March and May 2018 when he was not certified as an SC EMT.

Violations: As a result, the Department determined that Mr. Deas violated the EMS Act and EMS Regulation by providing patient care within the scope of an EMT without having a valid SC EMT certification.

Enforcement Action: In October 2018, the parties executed a Consent Order in which Mr. Deas agreed to an assessed monetary penalty of \$500. The Department is requiring Mr. Deas to pay \$50 within 60 days of the Consent Order and is holding the remaining \$450 in abeyance for 12 months.

Prior Actions: None.