

SUMMARY SHEET  
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

September 12, 2019

( ) ACTION/DECISION

(X) INFORMATION

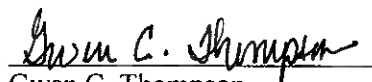
I. **TITLE:** Health Regulation Administrative and Consent Orders.

II. **SUBJECT:** Health Regulation Administrative Orders and Consent Orders for the period of July 1, 2019 through July 31, 2019.

III. **FACTS:** For the period of July 1, 2019 through July 31, 2019, Health Regulation reports 2 Administrative Orders and 5 Consent Orders totaling \$61,600 in assessed monetary penalties.

Health Regulation Bureau	Facility, Service, Provider, or Equipment Type	Administrative Orders	Consent Orders	Emergency Suspension Orders	Assessed Penalties
Health Facilities Licensing	Hospital	1	0	0	\$10,000
	Nursing Home	0	1	0	\$7,850
	Community Residential Care Facility	0	2	0	\$24,200
Radiological Health	Chiropractic	0	2	0	\$4,550
	Radioactive Material	1	0	0	\$15,000
<b>TOTAL</b>		<b>2</b>	<b>5</b>	<b>0</b>	<b>\$61,600</b>

Submitted By:



Gwen C. Thompson  
Interim Director  
Health Regulation

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

September 12, 2019

**Bureau of Health Facilities Licensing**

Facility Type	Total # of Licensed Facilities	Total # of Licensed Beds
Hospital	104	15,130

**1. G. Werber Bryan Psychiatric Hospital – Columbia, SC**

Inspections and Investigations: The Department conducted a complaint investigation in February 2019 that resulted in regulatory violations.

Violations: The Department cited the facility for failing to ensure nursing services were organized and staffed to provide safe and appropriate care to patients. Specifically, facility staff’s restraint of a patient was unsafe and inappropriate care that was in violation of the facility’s nursing policy on personal holds. The Department also cited the facility for failing to provide training to all staff to ensure and maintain their understanding of their duties and responsibilities. Specifically, the Department found that facility staff did not have training as required by the facility’s Behavior Emergency Stabilization Training (BEST) policy.

Enforcement Action: The parties conducted an enforcement conference and the parties were unable to reach an agreement to resolve the enforcement. As a result, the Department issued an administrative order imposing a \$10,000 civil monetary penalty against the facility. The facility has made the required payment.

Prior Actions: None.

Facility Type	Total # of Licensed Facilities	Total # of Licensed Beds
Nursing Home	194	20,462

**2. Heritage Home of Florence – Florence, SC**

Inspections and Investigations: The Department conducted a complaint investigation in August 2018 along with a follow-up inspection in January 2019, and found several violations on both visits.

Violations: The Department cited the facility for 16 violations during the August 2018 and January 2019 inspections, that all involved medication administration and management requirements.

Enforcement Action: The parties conducted an enforcement conference, during which the facility provided information regarding the comprehensive investigation and ongoing corrective measures they were undertaking in response to the citations. The parties agreed to resolve the matter with a consent order, whereby the facility agreed to pay \$4,850 of an assessed monetary penalty of \$7,850. The facility has made

the required payment. The facility agreed to ensure all corrective action has been undertaken and to attend a compliance assistance meeting with the Department.

Prior Actions: None.

Facility Type	Total # of Licensed Facilities	Total # of Licensed Beds
Community Residential Care Facility	501	21,429

### **3. Twilite Manor Adult Residential Care – Cayce, SC**

Inspections and Investigations: The Department conducted three respective complaint investigations in December 2017, July 2018, and October 2018, as well as having conducted routine inspections in January 2018 and August 2018, and found numerous violations and repeat violations throughout the visits.

Violations: The Department cited the facility for an accumulated total of 48 violations throughout all 2017 and 2018 inspections and investigations. The Department found the following violations, including, but not limited to: Staff training, employment of an administrator, staff and resident assessments, incident reporting, resident records and individual care plans, resident monies, tuberculosis screening, medication administration, and security of oxygen cylinders.

Enforcement Action: The parties conducted an enforcement conference and agreed to resolve the matter with a consent order imposing a \$19,600 monetary penalty. The facility agreed to pay \$9,600 in four installments of \$2,450. The facility has made the first required payment. The facility has also agreed to attend a compliance assistance meeting with the Department.

Prior Actions: None.

### **4. Pondview Residential Care Home #1 – Blythewood, SC**

Inspections and Investigations: The Department conducted a routine inspection in September 2018 and a complaint investigation in February 2019, and found many violations in both visits.

Violations: The Department cited the facility a combined total of 30 violations during the 2018 and 2019 inspections and investigations. The Department found the following violations, including, but not limited to: Access to the facility during investigation, policies and procedures, staff records, staffing numbers, staff training, incident reporting, resident records, and medication administration.

Enforcement Action: The parties conducted an enforcement conference and agreed to resolve the matter with a consent order imposing a \$4,600 monetary penalty. The facility agreed to pay \$2,600 in four installments of \$650. The facility has made the first required payment. The facility has also agreed to attend a compliance assistance meeting with the Department.

Prior Actions: None.

**Bureau of Radiological Health**

Facility Type	Total # of Registered Facilities
Chiropractic	482

**5. Dove Chiropractic – Piedmont, SC**

Inspections and Investigations: The Department conducted several routine inspections, including August 2010, April 2014, and November 2017, and found that the registrant repeatedly violated the same regulatory requirement.

Violations: The Department found that the registrant violated the X-Rays Regulation by failing to show records of equipment performance testing during the most recent inspection, and had been cited for the same violation on two previous inspections. Specifically, the registrant failed to show that their medical x-ray equipment had been tested annually. The registrant also failed to have a radiation area survey performed within 30 days after installation of x-ray equipment as required by the regulation. Furthermore, the registrant failed to correct violations within 60 days from the date of citation.

Enforcement Action: The parties conducted an enforcement conference and agreed to resolve the matter with a consent order. In July 2019, the parties executed a consent order imposing a civil monetary penalty of \$2,550 against the registrant. The registrant was required to pay \$637.50 within 30 days of executing the consent order, with the remaining \$1,912.50 held in abeyance for 24 months. The facility has made the first required payment.

Prior Actions: None.

**6. Precision Chiropractic Spartanburg – Spartanburg, SC**

Inspections and Investigations: The Department conducted a routine inspection on October 17, 2017 and found multiple regulatory violations.

Violations: The Department found that the registrant violated the X-Rays Regulation by failing to display signs bearing the universal radiation symbol with the words “CAUTION, RADUATION AREA” on it, along with failing to display a sign notifying patients to inform physicians of a possibly pregnancy. The Department also found that the facility failed to have the x-ray control permanently mounted in an area that requires the operator to remain in a protected area during the entire x-ray exposure. Other violations include the registrant failing to produce records of lead apron testing, failing to produce records of annual equipment performance, failing to produce records illustrating performance of a repeat analysis program, and failing to show records documenting tests required by protocol, as established by the manufacturer’s operating manual of the digital imaging acquisition system.

Enforcement Action: The parties conducted an enforcement conference and agreed to resolve the matter with a consent order imposing a \$2,000 civil monetary penalty. The facility agreed to pay \$200 within 30 days of executing the consent order, with the remaining \$1,800 stayed. The facility has made the first required payment.

Prior Actions: None.

License Type	Total # of Radioactive Material Licensees
Radioactive Material	332

**7. GS2 Engineering and Environmental Consultants – North Charleston, SC**

Inspections and Investigations: The Department conducted routine inspections on December 17, 2013 and February 14, 2019, and found several violations, including repeat violations.

Violations: The Department found that the licensee failed to perform tests for leakage and contamination on sealed sources at intervals not to exceed 12 months, as well as failed to conduct a physical inventory every six months to account for all sources and devices received and possessed under the license. The licensee also failed to maintain records of doses received by all individuals whom monitoring is required. These three infractions are all repeat violations, as the Department cited the same failures during the previous routine inspection conducted in 2013. Moreover, the licensee has failed to provide training records to the Department, failed to have a utilization log for gauging devices containing radioactive materials, and failed to keep transfer records of all sources of radiation.

Enforcement Action: The parties conducted an enforcement conference and agreed to resolve the matter if the facility provided the radiation safety records to the Department. The facility has failed to provide such records after multiple attempts of collecting the necessary information. As a result, the Department issued an administrative order imposing a \$15,000 civil monetary penalty against the facility.

Prior Actions: A Consent Order was executed between the parties in 2007. The Department imposed a monetary penalty in the amount of \$1,000.