

SUMMARY SHEET  
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

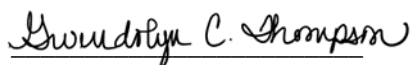
December 8, 2022

- ( ) ACTION/DECISION  
( X ) INFORMATION

- I. TITLE:** Healthcare Quality Administrative and Consent Orders.
- II. SUBJECT:** Healthcare Quality Administrative Orders and Consent Orders for the period of October 1, 2022, through October 31, 2022.
- III. FACTS:** For the period of October 1, 2022, through October 31, 2022, Healthcare Quality reports 2 Administrative Orders and 3 Consent Orders totaling \$11,500 in assessed monetary penalties.

Bureau	Facility, Service, Provider, or Equipment Type	Administrative Orders	Consent Orders	Assessed Penalties	Required Payment
Community Care	Community Residential Care Facility (CRCF)	0	1	\$5,000	\$3,000
Healthcare Systems and Services	Emergency Medical Services (EMS) Agency	1	1	\$5,900	\$5,900
	Paramedic	1	1	\$600	\$600
<b>TOTAL</b>		<b>2</b>	<b>3</b>	<b>\$11,500</b>	<b>\$9,500</b>

Submitted By:



Gwen C. Thompson  
Deputy Director  
Healthcare Quality

HEALTHCARE QUALITY ENFORCEMENT REPORT  
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

December 8, 2022

**Bureau of Community Care**

Facility Type	Total Number of Licensed Facilities	Total Number of Licensed Beds
Community Residential Treatment Facility (CRCF)	471	8,134

**1. Sherman Residential Care (16 Licensed Beds) – Greenville**

**Investigation and Violations:** The Department was notified by the Department of Labor, Licensing and Regulation (LLR) in March 2022 that the facility administrator’s license had expired. The facility was issued citations-by-mail in March 2022, April 2022, and June 2022, for violating Regulation 61-84, *Standards for Licensing Community Residential Care Facilities*, for failing to have a licensed administrator. In March 2022, the facility was also issued a citation-by-mail for violating the regulation by failing to notify the Department within 72 hours of a change in administrator status.

**Enforcement Action:** The Department requested the facility attend an enforcement conference and after the parties met, they agreed to resolve the matter with a consent order. Considering the severity level of the violations at the facility, the Department determined imposition of a civil monetary penalty was warranted. The facility agreed to the imposition of a \$5,000 monetary penalty and to pay \$3,000 within 30 days of executing the Consent Order. The remaining \$2,000 is held in abeyance upon a three-month period of substantial compliance with Regulation 61-84 and the Consent Order.

**Remedial Action:** As of November 28, 2022, the Department is processing the facility’s required payment of \$3,000. In addition, the facility had a licensed administrator during the Department’s most recent onsite visit during November 2022.

**Prior Orders:** None in the past 5 years.

**Bureau of Healthcare Systems and Services**

Provider Type	Total Number of Licensed EMS Agencies
Emergency Medical Services (EMS) Agency	268

**2. Secure Transportation Services Corporation (Advanced Life Support) – Rock Hill**

**Investigation and Violations:** The Department was notified by the EMS agency that a non-credentialed driver provided patient care for 11 patient encounters over a two-day period. It is a violation of the Emergency Medical Services Act of South Carolina and Regulation 61-7, *Emergency Medical Services*, for an EMS agency to allow uncertified personnel to perform patient care.

**Enforcement Action:** Based on the foregoing, the Department and the EMS agency met for an enforcement conference and agreed to resolve this matter with a consent order. The EMS agency agreed to the imposition of a \$650 monetary penalty and was required to pay the full amount.

**Remedial Action:** The EMS agency has paid the required \$650.

**Prior Orders:** None in the past 5 years.

### 3. Carolina Emergency Medical Services, LLC (Basic Life Support) – Anderson

**Investigation and Violations:** The Department conducted an investigation and found that the EMS agency did not have a medical control physician for 6 days in which 27 patients were provided care. The EMS agency repeatedly refused to provide records and documentation requested by the Department during the investigation.

As a result, the Department determined the EMS agency violated the Emergency Medical Services Act of South Carolina and Regulation 61-7, *Emergency Medical Services*, by failing to maintain a medical control physician. The Department also found the EMS agency in violation of the abovementioned state law and regulation by failing to maintain records that include approved patient care report forms, employee or member rosters or both, and training records and/or failing to make these records available for inspection by the Department at any reasonable time or upon request.

**Enforcement Action:** Based on the foregoing, the Department and the EMS agency met for an enforcement conference and the parties discussed the allegations and tried to reach an agreement. Because the parties could not agree on terms, the Department issued an Administrative Order requiring the EMS agency to pay \$5,250 within 30 days of issuance of the Administrative Order.

**Remedial Action:** As of November 28, 2022, the EMS agency has not paid the required \$5,250. The Department is pursuing additional action against the EMS agency.

**Prior Orders:** None in the past 5 years.

Emergency Medical Technician (EMT) Certification Level	Total Number of Certified Paramedics
Paramedic	4,207

### 4. Charles McDaniel – Paramedic

**Investigation and Violations:** The Department conducted an investigation into a complaint alleging that a patient’s valium prescription was seized by two emergency medical technicians (EMTs) who arrived during a call for service. The Department further found that the seizure of valium was not noted on the electronic

patient care record (ePCR) created for the call and the valium was not properly disposed of following its seizure.

The Department determined that Mr. McDaniel committed misconduct as defined by the Emergency Medical Services Act of South Carolina and Regulation 61-7, *Emergency Medical Services*, by removing a controlled substance from a patient's home and not documenting the incident in an official document required by the Department. The Department determined this was misconduct because of the use of a false, fraudulent, or forged statement or document or practice of a fraudulent, deceitful, or dishonest act in connection with the certification requirements or official documents required by the Department.

**Enforcement Action:** As a result of the foregoing, the Department invited Mr. McDaniel to attend an enforcement conference and informed that failure to attend the enforcement conference may result in an enforcement action by issuance of an Administrative Order without his consent. Mr. McDaniel did not attend the enforcement conference nor did he notify the Department with a reasonable excuse for why he could not attend. Therefore, the Department issued an Administrative Order to Mr. McDaniel requiring him to pay \$300 within 30 days from the issuance of the Administrative Order. Failure to make payment within 30 days will result in the suspension of Mr. McDaniel's Paramedic certification.

**Remedial Action:** As of November 28, 2022, Mr. McDaniel has not made the required \$300 payment. However, the Department extended the payment deadline to December 2, 2022.

**Prior Orders:** None in the past 5 years.

## 5. Brad E. Howard – Paramedic

**Investigation and Violations:** The Department conducted an investigation and found that valium was seized by two emergency medical technicians (EMTs) who had arrived during a call for service. The Department further found that the seizure of valium was not noted on the electronic patient care record (ePCR) created for the call and the valium was not properly disposed of following its seizure. Finally, the Department found that Mr. Howard did not properly document the call.

As a result, the Department determined that Mr. Howard committed misconduct as prescribed by the Emergency Medical Services Act of South Carolina and Regulation 61-7, *Emergency Medical Services*, by removing a controlled substance from a patient's home and not documenting the incident in an official document required by the Department. The Department determined this was misconduct because of the use of a false, fraudulent, or forged statement or document or practice of a fraudulent, deceitful, or dishonest act in connection with the certification requirements or official documents required by the Department.

**Enforcement Action:** Based on the foregoing, the Department and Mr. Howard met for an enforcement conference and the parties agreed to resolve the matter with a Consent Order. Mr. Howard agreed to the imposition of \$300 monetary penalty and the requirement to pay two monthly installments of \$150 each within 30 days and 60 days, respectively, of execution of the Consent Order. Mr. Howard also agreed to complete a Professional Ethics and Personal Leadership (PEPL) class within 12 months of execution of the Consent Order.

**Remedial Action:** Mr. Howard has made the first required payment of \$150. Mr. Howard is required to pay the remaining \$150 by December 5, 2022. Mr. Howard's completion of the PEPL class is still pending.

**Prior Orders:** The Department and Mr. Howard previously executed a Consent Order in 2018, in which Mr. Howard agreed to a 90-day suspension of his paramedic certificate and to successfully complete the

PEPL class. The Consent Order resulted from the Department's findings that Mr. Howard committed misconduct as defined by state law and regulation by disregarding an appropriate order by a physician concerning emergency medical treatment. More specifically, the Department found that Mr. Howard failed to provide emergency medical treatment of a quality deemed acceptable by the Department. Mr. Howard self-medicated using non-prescribed medications from the EMS agency's stock.