

SUMMARY SHEET
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

September 10, 2020

- () 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 July 1, 2020 through July 31, 2020.

III. FACTS: For the period of July 1, 2020 through July 31, 2020, Healthcare Quality reports nine (9) Consent Orders totaling \$10,350 in assessed monetary penalties. No Administrative Orders or Emergency Suspension Orders were executed during the reporting period.

Healthcare Quality Bureau	Facility, Service, Provider, or Equipment Type	Administrative Orders	Consent Orders	Emergency Suspension Orders	Assessed Penalties
Bureau of Facilities Oversight	Community Residential Care Facility	0	1	0	\$1,500
	In-Home Care Provider	0	3	0	\$3,700
Bureau of Healthcare Professionals	Paramedic	0	2	0	\$0
Bureau of Radiological Health	Dental Facility	0	2	0	\$3,450
	Chiropractic Facility	0	1	0	\$1,700
TOTAL		0	9	0	\$10,350

Submitted By:

Gwendolyn C. Thompson

Gwen C. Thompson
Director of Healthcare Quality

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

September 10, 2020

Bureau of Facilities Oversight

Facility Type	Total # of Licensed Facilities	Total # of Licensed Beds
Community Residential Care Facility	498	21,939

1. Rosewood Assisted Living – Pauline, SC

Inspections and Investigations: The Department notified the facility on several occasions beginning in September 2019 that the facility was required to submit a license renewal application and the license renewal fee in order to renew their license. The Department found that the facility repeatedly violated regulatory requirements by letting their license expire.

Violations: The Department found the facility failed to comply with Regulation 61-84, *Standards for Licensing Community Residential Care Facilities*, by continuously failing to submit the renewal application and fees within the specified timeframe. The facility repeatedly failed to timely submit a renewal application and pay the required fees.

Enforcement Action: The parties agreed to resolve the matter with a consent order after the Department notified the facility that their license was expired and no longer valid. In July 2020, the parties executed a consent order imposing a civil monetary penalty of \$1,500 against the facility. The facility was required to pay the full amount of the penalty within 30 days of executing the Consent Order. The Department will reissue the facility’s renewal license upon receipt of the full monetary penalty.

Remedial Action: The facility has made the required payment. The Department has reissued the facility’s license.

Prior Enforcement Actions: None in the past five years.

Facility Type	Total # of Licensed Providers
In-Home Care Provider	710

2. Devoted Care and Transitional Services LLC – Columbia, SC

Inspections and Investigations: The Department notified the provider beginning in March 2020 that the provider was required to submit a license renewal application and the license renewal fee in order to renew their license. The Department found that the provider repeatedly violated regulatory requirements by letting their license expire.

Violations: The Department found the provider failed to comply with Regulation 61-122, *Standards for Licensing In-Home Care Providers*, by continuously failing to submit the renewal application and fees within the specified timeframe. The provider repeatedly failed to timely submit a renewal application and pay the required fees.

Enforcement Action: The parties agreed to resolve the matter with a consent order after the Department notified the provider that their license was expired and no longer valid. In July 2020, the parties executed a consent order imposing a civil monetary penalty of \$1,500 against the provider. The provider was required to pay the full amount of the penalty within 30 days of executing the Consent Order. The Department will reissue the provider's renewal license upon receipt of the full monetary penalty.

Remedial Action: The provider has made the required payment. The Department has reissued the provider's license.

Prior Enforcement Actions: None in the past five years.

3. Charles Lea Center – Spartanburg, SC

Inspections and Investigations: The Department notified the provider beginning in March 2020 that the provider was required to submit a license renewal application and the license renewal fee in order to renew their license. The Department found that the provider violated a regulatory requirement by letting their license expire.

Violations: The Department found the provider failed to comply with Regulation 61-122, *Standards for Licensing In-Home Care Providers*, by failing to submit the renewal application and fees within the specified timeframe.

Enforcement Action: The parties agreed to resolve the matter with a consent order after the Department notified the provider that their license was expired and no longer valid. In July 2020, the parties executed a consent order imposing a civil monetary penalty of \$750 against the provider. The provider was required to pay the full amount of the penalty within 30 days of executing the Consent Order. The Department will issue the provider's renewal license upon receipt of the full monetary penalty.

Remedial Action: The provider has made the required payment. The Department has reissued the provider's license.

Prior Enforcement Actions: None in the past five years.

4. Carolina In-Home Care – Sumter, SC

Inspections and Investigations: The Department notified the provider beginning in March 2020 that the provider was required to submit a license renewal application and the license renewal fee in order to renew their license. The Department found that the provider repeatedly violated regulatory requirements by letting their license expire.

Violations: The Department found the provider failed to comply with Regulation 61-122, *Standards for Licensing In-Home Care Providers*, by continuously failing to submit the renewal application and fees

within the specified timeframe. The provider repeatedly failed to timely submit a renewal application and pay the required fees.

Enforcement Action: The parties agreed to resolve the matter with a consent order after the Department notified the provider that their license was expired and no longer valid. In July 2020, the parties executed a consent order imposing a civil monetary penalty of \$1,500 against the provider. The provider was required to pay the full amount of the penalty within 30 days of executing the Consent Order. The Department will reissue the provider’s renewal license upon receipt of the full monetary penalty.

Remedial Action: The provider has made the required payment. The Department has reissued the provider’s license.

Prior Enforcement Actions: None in the past five years.

Bureau of Healthcare Professionals

Provider Type	Total # of Certified Providers
Paramedic	3933

5. James Doyle Rinaldi – Paramedic

Inspections and Investigations: Based on information received by the Department, the Department conducted an investigation of alleged conduct of Mr. Rinaldi while working for Medtrust Medical Transport in January 2020 and found that Mr. Rinaldi was in violation of statutory and regulatory requirements.

Violations: The Department determined that Mr. Rinaldi violated the Emergency Medical Services (EMS) Act and Regulation 61-7, *Emergency Medical Services*, by instructing his EMT partner to attend and treat a patient that required the higher level of care of a paramedic. The patient was also administered a drug that can only be given and monitored by a paramedic, not an EMT. Mr. Rinaldi committed misconduct as defined by the EMS Act and Regulation because after he initiated care of a patient, he discontinued such care or abandoned the patient without the patient’s consent or without providing for further administration of care by an equal or higher medical authority. Specifically, Mr. Rinaldi, a paramedic, instructed his EMT partner to attend and treat the patient in need of a higher level of care while Mr. Rinaldi drove the ambulance.

Enforcement Action: The parties agreed to resolve the matter with a consent order. In July 2020, the parties executed a consent order imposing a three-month suspension of Mr. Rinaldi’s Paramedic Certification. Mr. Rinaldi has been temporarily issued an EMT Certification for the duration of the suspension and will then be reissued his Paramedic Certificate within 90 days of executing the Consent Order. Mr. Rinaldi is also required take the National Association of Emergency Medical Technicians’ Principles of Ethics and Leadership course within 12 months of executing the Consent Order.

Remedial Action: Mr. Rinaldi is currently serving the three-month suspension of his Paramedic Certification and has a temporary EMT Certification. Mr. Rinaldi has not taken the required ethics and leadership course.

Prior Enforcement Actions: None in the past five years.

6. Danny J. Tinnel – Paramedic

Inspections and Investigations: In November 2018, the Beaufort County EMS reported to the Department that Mr. Tinnel was involved in a motor vehicle incident that was in violation of statutory and regulatory requirements. The Department investigated the reported violation.

Violations: The Department determined that Mr. Tinnel violated the EMS Act and Regulation 61-7, *Emergency Medical Services*, by driving 17 miles per hour over the posted speed limit while responding to a call and was involved in a motor vehicle accident. The South Carolina Highway Patrol investigation concluded that Mr. Tinnel’s speed was greater than what is reasonable under conditions. The Department determined this was misconduct as defined by the EMS Act and Regulation because Mr. Tinnel was careless, reckless, or irresponsible in the operation of an emergency vehicle.

Enforcement Action: The parties agreed to resolve the matter with a consent order. In July 2020, the parties executed a consent order requiring Mr. Tinnel to take an Emergency Vehicles Operation class as determined by the Department within 90 days of executing the Consent Order. Mr. Tinnel also agreed to not operate an emergency vehicle for 90 days upon the date of execution of this Consent Order.

Remedial Action: Mr. Tinnel has not taken the Emergency Vehicle Operations class.

Prior Enforcement Actions: None in the past five years.

Bureau of Radiological Health

Facility Type	Total # of Registered Dental X-Ray Facilities
Dental Facility	1,774

7. James G. Agnew, DMD – Boiling Springs, SC

Inspections and Investigations: The Department conducted a routine inspection in July 2019 and found that the registrant had repeatedly violated statutory and regulatory requirements.

Violations: The Department determined that the registrant violated the Atomic Energy and Radiation Control Act and Regulation 61-64, *X-Rays*, for repeatedly failing to conduct equipment performance testing on dental x-ray systems when testing was due.

Enforcement Action: The parties agreed to resolve the matter with a consent order. In July 2020, the parties executed a consent order imposing a civil monetary penalty of \$1,700 against the registrant. The registrant was required to pay \$255 of the assessed penalty within 30 days of executing the Consent Order. The remaining \$1,445 of the penalty will be stayed. The Department may conduct unannounced follow-up inspections after execution of this Consent Order.

Remedial Action: The registrant has made the required payment.

Prior Enforcement Actions: None in the past five years.

8. McMillan Dental Care – Orangeburg, SC

Inspections and Investigations: The Department conducted a routine inspection in July 2019 and found that the registrant had repeatedly violated statutory and regulatory requirements.

Violations: The Department determined that the registrant violated the Atomic Energy and Radiation Control Act and Regulation 61-64, *X-Rays*, for repeatedly failing to conduct equipment performance testing on dental x-ray systems and checking lead aprons when due.

Enforcement Action: The parties agreed to resolve the matter with a consent order. In July 2020, the parties executed a consent order imposing a civil monetary penalty of \$1,750 against the registrant. The registrant was required to pay \$265 of the assessed penalty within 30 days of executing the Consent Order. The remaining \$1,485 of the penalty will be stayed. The Department may conduct unannounced follow-up inspections after execution of this Consent Order.

Remedial Action: The registrant has made the required payment.

Prior Enforcement Actions: None in the past five years.

Facility Type	Total # of Registered Chiropractic X-Ray Facilities
Chiropractic Facility	485

9. James Island Family Chiropractic, LLC – Charleston, SC

Inspections and Investigations: The Department conducted a routine inspection in May 2019 and found that the registrant had repeatedly violated statutory and regulatory requirements.

Violations: The Department determined that the registrant violated the Atomic Energy and Radiation Control Act and Regulation 61-64, *X-Rays*, for repeatedly failing to conduct equipment performance testing on medical radiographic x-ray systems when testing was due.

Enforcement Action: The parties agreed to resolve the matter with a consent order. In July 2020, the parties executed a consent order imposing a civil monetary penalty of \$1,700 against the registrant. The registrant was required to pay \$255 of the assessed penalty within 30 days of executing the Consent Order. The remaining \$1,445 of the penalty will be stayed. The Department may conduct unannounced follow-up inspections after execution of this Consent Order.

Remedial Action: The registrant has made the required payment.

Prior Enforcement Actions: None in the past five years.