

SUMMARY SHEET
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

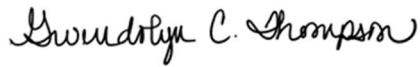
March 10, 2022

- () 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 January 1, 2022, through January 31, 2022.
- III. FACTS:** For the period of January 1, 2022, through January 31, 2022, Healthcare Quality reports five (5) Consent Orders totaling \$22,100 in assessed monetary penalties.

Name of Bureau	Facility, Service, Provider, or Equipment Type	Administrative Orders	Consent Orders	Assessed Penalties	Required Payment
Community Care	Community Residential Care Facility (CRCF)	0	2	\$20,200	\$14,120
Healthcare Systems and Services	Paramedic	0	3	\$1,900	\$1,900
TOTAL		0	5	\$22,100	\$16,020

Submitted By:



Gwen C. Thompson
Deputy Director
Healthcare Quality

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

March 10, 2022

Bureau of Community Care

Facility Type	Total Number of Licensed Facilities	Total Number of Licensed Beds
Community Residential Care Facility (CRCF)	482	22,122

1. Waterstone on Augusta – Greenville, SC

Inspections and Investigations: The Department conducted a complaint investigation in August 2021 and found the facility violated a regulatory requirement.

Violations: The Department found the facility violated Regulation 61-84, *Standards for Licensing Community Residential Care Facilities*, by failing to ensure a resident was free of verbal and emotional abuse pursuant to the Bill of Rights for Residents of Long-Term Care Facilities, S.C. Code Section 44-81-40(G).

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order imposing a civil monetary penalty of \$5,000 against the facility. The facility was required to pay the full amount of the assessed monetary penalty within thirty (30) days of the execution of the Consent Order. The facility also agreed to schedule and attend a compliance assistance meeting with the Department within forty-five (45) days of executing the Consent Order.

Remedial Action: The facility has paid the full amount of the assessed monetary penalty, totaling \$5,000. The compliance assistance meeting was held on February 7, 2022.

Prior Actions: None in the past five (5) years.

2. Twilite Manor Adult Residential Care – Cayce, SC

Inspections and Investigations: The Department conducted several complaint investigations in May 2021, July 2021, and August 2021, a routine inspection in May 2021, routine follow-up inspections in November 2019 and March 2020, and issued citations-by-mail to the facility in November 2020, March 2021, and April 2021.

Violations: The Department found the facility violated Regulation 61-84, *Standards for Licensing Community Residential Care Facilities*, by failing to submit two (2) acceptable plans of corrections. The Department further found the facility failed to:

- Implement its written policies and procedures and to have them available for Department review;

- Employ a licensed administrator;
- Have sufficient staff or direct care volunteers on duty during peak hours;
- Have documentation of initial and/or annual medication management training;
- Provide the Department within 10 days the name of the newly appointed administrator, effective date of the appointment, and a copy of the administrator’s license and working hours;
- Have monthly notes of observation for residents;
- Review and/or revise a resident’s Individual Care Plan at least semi-annually;
- Coordinate a resident’s care as ordered by a physician;
- Render care and services in accordance with physicians’ orders;
- Have an accurate accounting of a resident’s personal monies;
- Provide residents with quarterly reports with the balances of their personal monies and have the available for Department review;
- Have documentation of residents’ current physical examination;
- Properly initial residents’ medication administration records (MARs) as the medications were administered;
- Have documented reviews of the MARs at each shift change;
- Maintain records of controlled substances in sufficient detail to enable an accurate reconciliation;
- Have documented reviews of the controlled substance sheets at each shift change; and
- Ensure medications were secure and inaccessible in a resident’s room.

Moreover, the facility failed to ensure that food prepared on-site met the requirements of Regulation 61-25, failed to maintain on-site a one-week supply of staple foods and a two-day supply of perishable foods, and failed to maintain hot water supplied to residents to a temperature of at least 100° F and not to exceed 120° F.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order imposing a civil monetary penalty of \$15,200 against the facility. The facility was required to pay \$9,120 of the assessed monetary penalty in four (4) monthly payments of \$2,280 each. The remaining \$6,080 will be held in abeyance upon a six-month substantial compliance period. The facility also agreed to schedule and attend a compliance assistance meeting with the Department within forty-five (45) days of executing the Consent Order.

Remedial Action: The facility paid the first monthly payment, totaling \$2,280. The compliance assistance meeting was held on February 15, 2022.

Prior Actions: The Department took enforcement action against the facility in July 2019. The parties agreed to resolve the matter with a consent order imposing a monetary penalty of \$19,600. The facility agreed to pay \$9,600 in four installments of \$2,450. The remaining \$10,000 was held in abeyance upon a six-month substantial compliance period. The facility attended a compliance assistance meeting with the Department.

Bureau of Healthcare Systems and Services

Level of Certification	Total Number of Certified Paramedics
Paramedic	4,106

3. Michael Sherman – Paramedic

Inspections and Investigations: The Department conducted an investigation in August 2021, and found that the paramedic was in violation of regulatory requirements.

Violations: The Department determined that the paramedic was in violation of Regulation 61-7, *Emergency Medical Services*, by violating S.C. Code Section 44-61-60(A) by performing patient care within the scope of an Emergency Medical Technician (EMT) for a total of fifty (54) ambulance runs without obtaining proper certification from the Department.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order assessing a monetary penalty of \$300 against the paramedic. The paramedic is required to pay the full amount of the assessed monetary penalty within thirty (30) days of execution of the Consent Order.

Remedial Action: The paramedic paid the full amount of the assessed monetary penalty, totaling \$300.

Prior Actions: None in past five (5) years.

4. Wesley Duckett – Paramedic

Inspections and Investigations: The Department received a complaint in November 2021, and after conducting an investigation, found that the paramedic was in violation of regulatory requirements.

Violations: The Department determined that the paramedic was in violation of Regulation 61-7, *Emergency Medical Services*, for committing misconduct as defined in S.C. Code Section 44-61-80(F)(10), by action or omission and without mitigating circumstance, contributed to or furthered the injury or illness of a patient under his care, by turning the cardiac monitor on and off four (4) times until asystole was observed and resuscitation effort stopped. The paramedic committed misconduct as defined in S.C. Code Section 44-61-80(F)(14) by his actions or inactions, created a substantial possibility that death or serious physical harm could result by not following American Heart Association Advanced Cardiac Life Support (ACLS) Guidelines and Honea Path EMS Protocols for a patient in pulseless electrical activity (PEA). Moreover, the paramedic committed misconduct as defined in S.C. Code Section 44-61-80(F)(16) for falsification of documentation by documenting the patient's cardiac rhythm indication as PEA and the cardiac arrest was terminated.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order assessing a monetary penalty of \$1,000 against the paramedic. The paramedic was required to pay the full amount of the assessed monetary penalty within thirty (30) days of execution of the Consent Order. The paramedic agreed to successfully complete a Professional Ethics and Personal Leadership (PEPL) class as determined by the Department, within twelve (12) months of execution of the Consent Order. The paramedic's certification was suspended for two (2) years upon execution of the Consent Order, and he has been issued an EMT-basic certification.

Remedial Action: Mr. Duckett paid the full amount of the assessed monetary penalty, totaling \$1,000. Mr. Duckett has not yet completed the PEPL class.

Prior Actions: None in past five (5) years.

5. Walter Hornsby – Paramedic

Inspections and Investigations: The Department conducted an investigation in March 2021, and found that the paramedic was in violation of regulatory requirements.

Violations: The Department determined that the paramedic was in violation of Regulation 61-7, *Emergency Medical Services*, by violating S.C. Code Section 44-61-60(A) by performing patient care within the scope of an EMT for a total of seventy-two (72) ambulance runs without obtaining proper certification from the Department.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order assessing a monetary penalty of \$600 against the paramedic. The paramedic is required to pay the assessed monetary penalty in two payments of \$300. The first payment was due within thirty (30) days of the execution of the Consent Order and the second payment is due within sixty (60) days of the execution of the Consent Order.

Remedial Action: The paramedic has not made the first payment of \$300.

Prior Actions: None in past five (5) years.