

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF DIRECTOR

ACTION REFERRAL

TO <i>Liggett</i>	DATE <i>10-30-14</i>
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DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER <b>000102</b>	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____
2. DATE SIGNED BY DIRECTOR <i>Cleared 11/13/14, letter attached.</i>	<input checked="" type="checkbox"/> Prepare reply for appropriate signature DATE DUE <i>11-12-14</i>
	<input type="checkbox"/> FOIA DATE DUE _____
	<input type="checkbox"/> Necessary Action

APPROVALS (Only when prepared for director's signature)	APPROVE	* DISAPPROVE (Note reason for disapproval and return to preparer.)	COMMENT
1.			
2.			
3.			
4.			

**CHANNEL THE BEACON**

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**RECEIVED**

OCT 29 2014

Department of Health & Human Services  
**OFFICE OF THE DIRECTOR**

OFFICE: (843) 576-1408 \* MOBILE: (843) 330-1522 \* FAX: (843) 278-9275

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October 24, 2014

SCDHHS  
Anthony Keck  
State Director  
PO Box 8206  
Columbia SC 29202-8206

Dr. Liggett,

This correspondence is a formal notification of the denial of Channel The Beacon's enrollment application to serve as a case management provider in the Community Long Term Care service delivery system, and request for an appeal. I am deeply concerned that Channel The Beacon's application has been unfairly securitized and have been unfairly denied access to serve in the CLTC service delivery system.

The application was originally approved, and an invitation was extended to attend the pre-contractual meeting /training on October 7, 2014. The morning following this meeting/training, I received an email from Debora Carter informing me that SCDHHS would terminate the contractual process after learning of the organization's service agreement with the Department of Disabilities and Special Needs (DDSN). However, prior to submitting this enrollment application, Ms. Carter and Toni Matthews agreed that service agreements with DDSN nor DHHS/MTCM posed any conflicts

I do believe that this decision followed an informal conversation that I participated in with Ann Coker, trainer, where she questions my case management experience. I do have well over ten years of case management experience and nearly 15 years of experience as a healthcare provider. Roy Smith and Vanessa Busbee reviewed the decision and concluded that Channel The Beacon provides the following direct services which can be incorporated into the participants care plan: attendant care, personal care and supervised living. However, this is not accurate. I have attempted to reassure both Mr. Smith and Ms. Busbee that Channel The Beacon have never provided direct services, but have simply offered choice of service providers as this is a federal mandate. Attached is a copy of the emails that I have shared with Roy Smith, CLTC Director.

I do trust that you will look into this matter. I can be reached at 843-576-1408.

Sincerely



Johnette Simmons  
Director

jsimmons@channelthebeacon.org

to Roy Smith

cc jsimmons@channelthebeacon.org

Fri, Oct 24 12:16 PM

Re: Enrollment application

Dr. Smith,

Thank you for all of your efforts pertaining to Channel The Beacon's enrollment in the CLTC service delivery system. Unfortunately, you have made the decision to deny Channel The Beacon's enrollment application based on false pretenses.

Channel The Beacon provides case management services to a few individuals who are receiving employment services from supported employment providers (i.e. Community Options, Inc and Goodwill Industries). We do not and have never provided employment supports.

Additionally, Channel The Beacon provides case management services to a few individuals who live in supported living environments, but the supported living services are provided by residential providers (i.e. Community Options, Inc and Dorchester DSN Board). Channel The Beacon has never provided any residential services. We have monitored these services in accordance to specific waiver guidelines.

Channel The Beacon does provide case management services to a few individuals who are receiving Attendant Care/Personal Care services, but the ATTC/PCA services are provided by those direct service providers (i.e. Agape Health Services and Allied Health Services).

Please understand that your decision to deny Channel The Beacon access to the CLTC's service delivery system also denies families their right to choose Channel The Beacon as their case management provider. This infringes on a federal mandate and the consumers civil rights and human rights. The consumers have a right to choose their providers of choice.

Your agency has not provided any accurate reason as to why Channel The Beacon should not be allowed to participate as a provider. I would like to proceed with filing a formal appeal. Please forward this information to me as soon as possible.

Johnette Simmons, DHAc  
Director

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**From:** Roy Smith  
**Sent:** Friday, October 24, 2014 11:27 AM  
**To:** [jsimmons@channelthebeacon.org](mailto:jsimmons@channelthebeacon.org)

Ms. Simmons:

Thank you for your e-mail.

We are aware that you are providing Supervised Living Program services and Employment services. Your website also seems to indicate that you are providing other services. These are services that our CLTC waiver populations could potentially access. Your provision of these services does not meet the requirements of our policies and our federal guidelines regarding conflict free case management.

We continuously monitor providers to identify probable areas of conflict and work towards ensuring a conflict free case management program. We will not move forward with processing a Waiver Case Management contract with your company at this time. I understand that you may not agree with this decision and any dispute is appealable. Let me know if you would like me to send you the procedures to file an appeal.

Contact us if we can assist you in any way or if you need any additional information. We appreciate your continued services to support the frail and disabled in South Carolina.

Sincerely,

Roy Smith

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**Roy Smith**  
*Program Manager II*  
[SMITHROY@scdhhs.gov](mailto:SMITHROY@scdhhs.gov)  
803.898.2590  
[www.scdhhs.gov](http://www.scdhhs.gov)



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**From:** jsimmons@channelthebeacon.org [mailto:jsimmons@channelthebeacon.org]

**Sent:** Tuesday, October 21, 2014 8:19 AM

**To:** Roy Smith

**Subject:** Re: Enrollment application

Good Morning Dr. Smith,

I do hope that your week is off to a great start. I appreciate your willingness to gather additional information regarding our enrollment. In discussing Channel The Beacon's CLTC enrollment with you and a few others, I have since learned that CLTC has enrolled other case management providers who do provide a variety of other services that could potentially be identified in a participants care plan. One example is that of the Richland-Lexington DSN Board. Additionally, I have learned that other state departments such as DDSN are looking forward and proactively preparing to have CLTC enrolled case managers provide case management services in the DDSN operated waivers once this service is implemented.

CTB only provides true case management services with or without Medicaid wavier enrollment, but most service delivery systems here in South Carolina provide a variety of services which could potentially be viewed as conflicted case management. Additionally, I do realize that many systems are challenged to change the way that services have been delivered here in South Carolina in order to comply with a number of federal regulations.

I have an invested interest in learning about proposals pertaining to care coordination processes, person centered planning, organizational structures, cost structures, roles in the proposed ACO and PCMH models, quantitatively measuring program outcomes, and a number of other elements as it pertains to care coordination. I am aware of the federal mandate to provide conflict free case management. I do not believe that the type of supports that CTB is attempting to provide will pose any problems in regards to this ruling. If we need to change the way we are delivering services, then this can reviewed. It appears that CTB's mission and vision aligns with CLTC, other state departments and federal mandates.

While CTB will serve those in South Carolina please understand that I have an invested interest in learning what other states are doing in order to comply with these mandates.

Please let me know if I can be of any further assistance. I look forward to your follow up. Have a great week!

Johnette Simmons, DHAc  
Director

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**From:** Roy Smith  
**Sent:** Wednesday, October 15, 2014 4:00 PM  
**To:** [jsimmons@channelthebeacon.org](mailto:jsimmons@channelthebeacon.org)

Thanks for your e-mail. We met this afternoon and I am still attempting to get more information. When I do, I will be in touch with you.

---

**Roy Smith**  
*Program Manager II*  
[SMITHROY@scdhhs.gov](mailto:SMITHROY@scdhhs.gov)  
803.898.2590  
[www.scdhhs.gov](http://www.scdhhs.gov)



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**From:** [jsimmons@channelthebeacon.org](mailto:jsimmons@channelthebeacon.org) [<mailto:jsimmons@channelthebeacon.org>]  
**Sent:** Wednesday, October 15, 2014 3:52 PM  
**To:** Roy Smith  
**Subject:** Re: Enrollment application

Good Afternoon Mr. Smith,

I hope that your week is off to a great start! I am briefly following up with you regarding Channel The Beacon's enrollment in the CLTC program. I was previously informed that the next training opportunity for this program will take place sometime in December. If Channel The Beacon will be allowed to participate as a case management provider, then I would like to receive additional information regarding the training so that I may plan accordingly. If Channel The Beacon will not be able to participate in the CLTC program, then I would like additional information regarding the enrollment fee refund. If you have questions or concerns do free feel to contact me. Have a great afternoon and rest of the week.

Johnette Simmons, DHAc  
Director

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**From:** jsimmons@channelthebeacon.org  
**Sent:** Thursday, October 9, 2014 11:16 AM  
**To:** Roy Smith

FYI... the email below is for your reference. Please note that I did not meet with Ms. Carter on yesterday as indicated in this email. I simply received and responded to the email below. Take care!

Johnette Simmons, DHAc  
Director

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**From:** Debora D Carter

**Sent:** Wednesday, October 8, 2014 9:18 AM

**To:** [jsimmons@channelthebeacon.org](mailto:jsimmons@channelthebeacon.org)

**Cc:** Vanessa Busbee, Ann H Coker, TONY MATTHEWS

Ms. Simmons, after meeting with you today and learning of your association with the Department of Disabilities and Special Needs (DDSN) as a provider we have determined that your agency does not meet the qualifications to be a CLTC case management provider. Please refer to the Scope of Services for Case Management page 1, section B – Conditions of Participation # 3 – *“The Provider and provider staff must provide conflict free case management. This is defined as being independent of the service delivery system and not a provider of services which could be incorporated into a CLTC participant's plan of care, including but not limited to CLTC waiver services, home health services, mental health services and hospice services.”*

Because your agency is a provider for DDSN, you do not meet the “conflict-free” requirement. We will terminate your enrollment application due to not meeting provider qualifications.

Let us know if you have any questions or concerns.

Thank you.

---

**Debora D Carter**

*Program Coordinator II*

[CarterDB@scdhhs.gov](mailto:CarterDB@scdhhs.gov)

803.898.2612 Office

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1801 Main Street

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OCT 29 2014

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Anthony Keck  
State Director  
PO Box 8206  
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November 13, 2014

Johnette Simmons, Director  
Channel The Beacon  
6650 Rivers Avenue, Suite 1408  
Post Office Box 41294  
Charleston, South Carolina 29423

Dear Ms. Simmons:

We have received your letter dated October 24, 2014 requesting an appeal. We are forwarding this request to the Division of Appeals and Hearings. Someone from that Division will be in touch with you.

Sincerely,

  
Pete Liggett  
Deputy Director

cc: Shealy Reibold, DHHS

PL/rp