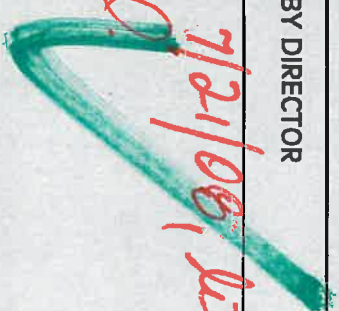


DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF DIRECTOR

ACTION REFERRAL

TO <i>Myers</i>	DATE <i>7-7-08</i>
--------------------	-----------------------

DIRECTOR'S USE ONLY		ACTION REQUESTED	
1. LOG NUMBER  000010	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____		
2. DATE SIGNED BY DIRECTOR  <i>Cleared 7/21/08, letter attached</i> 		<input checked="" type="checkbox"/> Prepare reply for appropriate signature DATE DUE <i>7-16-08</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.			

Loy. Hygie  
Apple Sign. 813800

**From:** <sbrooks91@comcast.net>  
**To:** <mark@gov.sc.gov>  
**Date:** Tue, Jun 24, 2008 5:36 PM  
**Subject:** Steven E. Brooks, M.D. Pediatric Ophthalmology

Contact the Office of the Governor

Name | Melissa Hastings  
Company | Eye Consultants of Augusta, P.C.  
Address1 | 503 Furys Ferry Rd.  
Address2 |  
City | Martinez  
State | GA  
Zip | 30907  
County | Out of State  
Phone | 706-860-8899  
Email | sbrooks91@comcast.net  
IP | 66.35.131.49  
Date | 6/24/2008 5:35:37 PM  
Subject | Steven E. Brooks, M.D. Pediatric Ophthalmology

Dear Governor Sanford:

I am the practice manager of a pediatric ophthalmology practice in Martinez, GA. Dr. Steven Brooks is a board certified, fellowship trained pediatric ophthalmologist, who has been in network with S.C. Medicaid since 2001. During this time, Dr. Brooks has treated patients who live in Edgefield and Aiken counties and to a lesser extent, the Columbia area.

Dr. Brooks has been participating with the state plan via its Pediatric Sub-Specialist Program. I believe this program was implemented when the state experienced a shortage in enrolled pediatric specialists. The criterion for eligibility in this program is that the physician's practice be 85% pediatric.

We had met this criterion in prior years, but beginning in 2007, Dr. Brooks' percentage of adult patients exceeded 15% for his overall patient population, but not for S.C. Medicaid. I need to explain what's unique about "pediatric" ophthalmology. These surgeons specialize in eye muscles, and the majority of pathology related to eye muscles is diagnosed and treated during the first 18 years of life; however, adults of all ages may also require the services of an eye muscle surgeon. For example, a risk factor of cataract surgery is crossed eyes and/or double vision, both of which are treated by "pediatric" ophthalmologists. For this reason, Dr. Brooks is in network with Medicare. In addition, trauma can cause double vision, so adults with this problem also are referred to a "pediatric" ophthalmologist. I am attempting to point out that the criteria utilized for the Pediatric Sub-Specialist Program doesn't fit for pediatric ophthalmologists. A reverse example is this: an adult patient never requires the services of a pediatrician or of any pediatric sub specialist I can think of, except for pediatric ophthalmology. Finally, the reason Dr. Brooks sees more adult eye muscle patients than other pediatric ophthalmologists is because he's been practicing in the Augusta

RECEIVED

JUN 25 2008

Referred to Duncan  
Answered

Note:  
Already spoke  
to  
Felicity

(ps. 2)

RECEIVED

JUL 03 2008

Department of Health & Human Services  
OFFICE OF THE DIRECTOR

market more than twice as long as any other pediatric ophthalmologist so he's by far referred the most eye muscle patients by private practice doctors. Also, he's a truly proficient surgeon so referring doctors who treat both children and adults refer their eye muscle patients to Dr. Brooks. Funny that the state of S.C. is penalizing Dr. Brooks for being a great doctor.

The fact is that Dr. Brooks remains a pediatric ophthalmologist no matter what. The patients we have seen want to continue to see him. Referring pediatricians want Dr. Brooks to stay in the program. Finally, Dr. Brooks wants to continue on as a S.C. Medicaid physician and surgeon, but via the Pediatric Sub-Specialist Program, not the regular reimbursement program.

I have already contacted Director Emma Forkner's office and Felicity Myers informed me, after conferring with management, that they couldn't change the criteria of the Pediatric Sub-Specialist Program. I now ask you as Governor and head of the state health program the same question I posted to Ms. Myers: can anyone can think outside the box and realize that this Johns Hopkins educated physician is an asset to the state of South Carolina, but even more importantly, to its citizens who are enrolled in this program.

Again, the criterion doesn't fit this one very specialized area of medicine. Finally, I point out that Columbia is 60 miles from North Augusta so patients don't want to travel that far to see a pediatric ophthalmologist, who by the way, only works part time in Columbia. Another concern is that the one other pediatric ophthalmologist in the C.S.R.A. is at the Medical College of Georgia and only sees patients a couple of days a week due to research, teaching, and administrative duties. Dr. Brooks is the only full-time clinical pediatric ophthalmologist practicing in a very wide radius. To find his equivalent in terms of clinical hours per week, patients would have to travel to Atlanta or Charleston. Patient will not be seen in a timely manner if Dr. Brooks terminates with this plan.

Please call Dr. David Allen in N. Augusta, S.C. (803)510-0007 or the doctors at Southside Pediatrics in Aiken, S.C. (803) 642-9204 to verify how available Dr. Brooks makes himself to them in terms of seeing emergency eye patients for them in a timely manner. Ask them how the Medical College of Georgia compares to Dr. Brooks in terms of triaging S.C. Medicaid patients for eye care.

In closing, we're asking for you as the Governor to allow Dr. Brooks to remain enrolled in the state's Pediatric Sub-Specialist Program. Yes, I realize that this is an exception to the criteria, but I truly believe that I have successfully shown how this criterion should not apply to Dr. Brooks. Obviously, we can't turn away adult eye muscle patients who require Dr. Brooks' skills in order to meet this criterion.

Why have I taken the time to write this lengthy email - for the patients. Dr. Brooks has more than enough patients to see whether he continues with S.C. Medicaid nor not. When we started to call

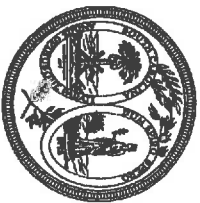
the parents of his S. C. Medicaid patients to say we are terminating our contract with the state I was struck by how upset the parents were to learn that he would no longer be their child's pediatric eye doctor. After several of these phone calls, I decided to write to you. Again, Dr. Brooks remains a Pediatric Ophthalmologist, no matter what criteria are applied, and as such he should be eligible for reimbursement based on the Pediatric Sub-Specialist Program. In closing, I suggest that the criteria itself be questioned because the State would be best served to base participation on the credentials of the physician. Board certification and pediatric fellowship training are what truly matter and this physician has both.

Dr. Brooks and I appreciate you consideration of this matter.

Sincerely,

Melissa Hastings  
Practice Manager

CC. Steven E. Brooks, M.D.



## State of South Carolina

### Department of Health and Human Services

Mark Sanford  
Governor

Emma Forkner  
Director

July 21, 2008

Ms. Melissa Hastings  
Practice Manager  
Eye Consultants of Augusta, PC  
503 Furys Ferry Road  
Martinez, Georgia 30907

Dear Ms. Hastings:

Thank you for your continued commitment to the children of South Carolina. We are in receipt of your letter to Governor Mark Sanford regarding the removal of Dr. Steven Brooks from the Pediatric Physicians Sub-specialist program. We appreciate your dedication to your patients and our recipients and recognize your concerns.

In February 2006, the South Carolina Department of Health and Human Services (SCDHHS) took over the Pediatric Physicians Sub-specialist Program from the Children's Collaborative. This program allows providers who meet certain qualifications the opportunity to be reimbursed at an enhanced rate. One of the three criteria for the program asks if at least 85% of your total practice, including after-hours patients, is dedicated to children 18 years and under. All providers who entered the program certified that they qualified based on the aforementioned criteria. The regulations and guidelines of this program are administered equitably to ensure that each provider follows the policy outlined. During an audit of the program, which began in November of 2007, we asked providers enrolled to verify that they continue to meet the criteria of the program and supply SCDHHS with data to support continued participation in the program. Dr. Brooks' office submitted figures indicating 56.45% of his total practice was dedicated to children 18 years and under, which does not meet our guidelines to receive the higher reimbursement rate.

We understand your unique circumstances; however, we must maintain our standards for participation. Dr. Brooks is still a South Carolina Medicaid provider and will be reimbursed at our current physician fee schedule. In the future, if Dr. Brooks practice patterns change and he again meets the requirements for participation, he should submit an attestation form and demographics for review and approval.

If you have any additional questions, please do not hesitate to contact Ms. Valeria Williams, Division Director of Physicians Services, at (803) 898-2660

Sincerely,

Felicity Myers  
Deputy Director

FM/gwds

cc: Steven E. Brooks, M.D.

Log # 10  
✓