

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR**

ACTION REFERRAL

TO <i>Singlehan / FOIA</i>	DATE <i>5-12-09</i>
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DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER <i>100536</i>	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____
2. DATE SIGNED BY DIRECTOR <i>cc: Ms. Forben Stensland</i> <i>Cleared with/for better adherence.</i>	<input type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____
	<input type="checkbox"/> Necessary Action DATE DUE <i>5-26-09</i>

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

Samuel I. Svalina*
Samuel S. Svalina

Jennifer I. Campbell



SVALINA
Law Firm, P.A.

May 6, 2009

(Via-Certified Mail-Return Receipt United States Mail)

601 Bladen Street
P.O. Drawer 1207
Beaufort, SC 29901-1207
Telephone (843) 524-0333
Fax (843) 524-4233
E-mail: svalinalaw@islc.net

ROBERTS

MAY 12 2009

Department of Health & Human Services
OFFICE OF THE DIRECTOR

Mr. Tony Matthews
Mr. George Howk
South Carolina Department of Health and Human Services
Division of Community Long Term Care – Waiver Management
Post Office Box 8206
Columbia, South Carolina 29202

Re: **Freedom of Information Act Request**

Dear Gentlemen:

We represent Celissa Roberts and Isaac Varnish in their potential lawsuit against Caring Hands Healthcare, Inc., for the wrongful death of their child, Iyanah Damia Varnish, which occurred on November 1, 2007, (State Certificate of Death Number 08-038715). We make this request pursuant to the Freedom of Information Act, *South Carolina Code Annotated* § 30-40-10 *et seq.*

Please find below the pertinent information regarding the alleged wrongful death of Iyanah Damia Varnish. We respectfully request that you provide a copy of and/or make available the documents containing the information described on Page Two (2) of this letter.

Date of Incident:

November 1, 2007

Place of Incident:

**800 Preserve Avenue East, Apartment 8112
Port Royal, South Carolina 29935
&
Beaufort Memorial Hospital**

Deceased:

**Iyanah Damia Varnish
Date of Birth: February 6, 2007
Social Security Number: 655-26-1005
Date of Death: November 1, 2007**

Mr. Tony Matthews
Mr. George Howk
South Carolina Department of Health and Human Services
Division of Community Long Term Care – Waiver Management
May 6, 2009
Page Two

Home Care Entity:

Caring Hands Healthcare, Inc.
107D East Main Street
Ridgeland, South Carolina 29936

RECORDS, DOCUMENTS AND/OR OTHER INFORMATION SOUGHT:

A COMPLETE CERTIFIED COPY AND/OR COPIES OF:

1. The entire files maintained by the South Carolina Department of Health and Human Services' Offices regarding Caring Hands Healthcare, Inc., 107D East Main Street, Ridgeland, South Carolina, 29936.
2. Any and all applications, along with attachments, to provide services submitted by Caring Hands Healthcare, Inc. to the South Carolina Department of Health and Human Services, Inc., including, but not limited to the South Carolina Department of Health and Human Services form entitled Application to Provide Personal Care II Services.
3. Any and all inspections performed by the South Carolina Department of Health and Human Services, along with the investigation records of said inspections.
4. Any and all correspondence, notes, records, reports, and/or other documentation received from Caring Hands Healthcare, Inc. and/or any agent or employee of Caring Hands Healthcare, Inc., including, but not limited to Obie Bacon and/or Mary Barber, L.P.N. as it pertains to the incident of November 1, 2007 and/or their care and treatment of Iyanah Damia Varnish for the time period of February, 2007 until November 1, 2007.

Our law firm will send representatives to review and copy the requested documents. We would ask that these documents be made available at a mutually convenient office of the South Carolina Department of Health and Human Services. Also, we ask that a representative of the South Carolina Department of Health and Human Services is present on the date these documents are made available to certify the records that are copied.

Mr. Tony Matthews
Mr. George Howk
South Carolina Department of Health and Human Services
Division of Community Long Term Care – Waiver Management
May 6, 2009
Page Three

If you deny any part of this request, please provide specific reasons that justify your refusal to release the information, and please notify us of the available appeal procedures.

If you have any questions or concerns, please do not hesitate to contact us at the telephone numbers listed above. Thank you for your consideration of our request.

Sincerely,

SVALINA LAW FIRM, P.A.



Samuel L. Svalina

SLS:ltb

cc: Ms. Celissa Roberts

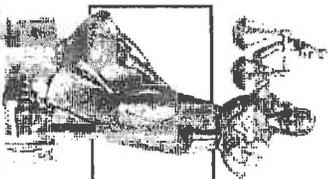
Mr. Isaac Varnish

Deidra Singleton, Esquire, General Counsel, SCDHHS

Mr. Obie Bacon, Registered Agent of Caring Hands Healthcare, Inc.

Samuel I. Svalina*
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Law Firm, P.A.

May 6, 2009

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RECEIVED

MAY 12 2009

Department of Health & Human Services
OFFICE OF THE DIRECTOR

Mr. Tony Matthews
Mr. George Howk
South Carolina Department of Health and Human Services
Division of Community Long Term Care – Waiver Management
Post Office Box 8206
Columbia, South Carolina 29202

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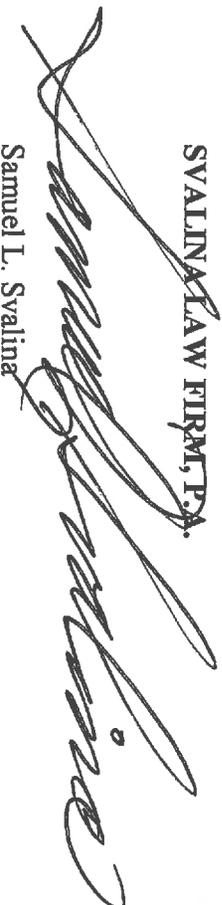
Mr. Tony Matthews
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Sincerely,

SVALINA LAW FIRM, P.A.



Samuel L. Svalina

SLS:ttb

cc: Ms. Celissa Roberts

~~Mr. Isaac Varnish~~

~~Debra Singleton, Esquire, General Counsel, SCDHHS~~

Mr. Obie Bacon, Registered Agent of Caring Hands Healthcare, Inc.



State of South Carolina
Department of Health and Human Services

Mark Sanford
Governor

Emma Forkner
Director

TO:

FROM:

SUBJECT: Cost of Processing FOIA Request #

The South Carolina Department of Health and Human Services has received and processed your FOIA request. The cost for processing this information is as follows:

Staff processing time at \$10.00 per hour	_____	Hours	\$ _____
Pages copied at \$.10 per page	_____	Pages	\$ _____
Pages faxed at \$.20 per page	_____	Pages	\$ _____
Shipping and Handling Costs			\$ _____
Other costs associated with the FOIA request:	_____		\$ _____
Total Amount Due SCDHHS:			\$ _____

Please remit the above amount to the following address:

Bureau of Fiscal Affairs
South Carolina Department of Health and Human Services
Post Office Box 8297
Columbia, South Carolina 29202-8297

Please contact _____ should you have any questions.

Signature _____

Date: _____



State of South Carolina
Department of Health and Human Services

Mark Sanford
Governor

Emma Forkner
Director

June 1, 2009

Samuel I. Svalina
Svalina Law Firm, P.A.
P. O. Drawer 1207
Beaufort, SC 29901-1207

Re: FOIA on Caring Hands Healthcare, Inc.

Dear Mr. Svalina

This is in response to your Freedom of Information Request received on May 12, 2009. As you requested, we can assemble the files on this provider in our offices at 1801 Main Street in Columbia South Carolina.

We will need a little time to separate the personally identifiable health information from the general material. Please give us a few days advance notice of your visit. My direct is (803) 898-2791. However, I will be out of the office next week. If you cannot get me, ask for Byron Roberts, another lawyer in the Office. He knows of your request and can help you arrange to review the files.

Sincerely,

Richard G. Hepfer
Deputy General Counsel

cc: Debra Carter
Byron Roberts

Office of General Counsel
P. O. Box 8206 Columbia South Carolina 29202-8206
(803) 898-2795 Fax (803) 255-8210

Log # 000636 ✓