

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR

ACTION REFERRAL

TO <i>Myers</i>	DATE <i>9-27-07</i>
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DIRECTOR'S USE ONLY		ACTION REQUESTED	
1. LOG NUMBER 000168		<input checked="" type="checkbox"/> Prepare reply for the Director's signature DATE DUE <i>10-4-07</i>	
2. DATE SIGNED BY DIRECTOR <i>Cleaved 10/4/07, letter attached.</i>		<input type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____ <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.			

Ket log 114
122

Alan D. Clemmons
District No. 107 - Horry County
610 18th Avenue North
Myrtle Beach, SC 29577



518-A Blatt Building
Columbia, SC 29211
Tel. (803) 734-2994
clemmons@scstatehouse.net

Committees:

Judiciary, 2nd Vice Chairman
Special Laws
Sub-Committee

House of Representatives

State of South Carolina

September 24, 2007

RECEIVED

S.C. 1-73 Assn., Chairman
Majority Caucus, Treasurer

SEP 27 2007

Emma Forkner, Director
SC Dept. Of Health & Human Services
PO Box 8206
Columbia SC 29202

Katie Felicity
die mgs

Department of Health & Human Services
OFFICE OF THE DIRECTOR

Dear Director Forkner:

Please find enclosed a copy of correspondence received from Myrtle Beach residents Gail Collins and Marcia Williamson. As you read the letter I am sure that you will be as shocked as I am in the senselessness to require a disable citizen to change day care service, at greater expense both fiscally and emotionally, because she resided "too close" to her caregiver. The regulation that resulted in this tragedy seems to me to be nonsensical.

I would like your help in resolving this situation for Katie as well as in preventing a future occurrence of this nature for other disabled citizens of South Carolina.

I look forward to hearing from you at your earliest convenience. Kindly forward a copy of your correspondence to Ms. Collins and Ms. Williamson.

Thank you for your assistance,

Alan D. Clemmons

Alan D. Clemmons

ADCCdkm
adc/disabledcitiz.wpd
cc: Marcia Williamson
Gail Collins

August 27, 2007

Marcia Williamson
705 Rose Drive
Myrtle Beach, SC 29588
843-293-8038

SC State Rep. Alan D. Clemmons
518 A. Blatt Building
Columbia, SC 29211

Dear State Representative Clemmons:

This is a plea for HELP in behalf of good friends of ours living here in the Myrtle Beach area. I am enclosing a copy of her letter written by Gail Collins, which has been sent to many of our South Carolina dignitaries. Her letter is to the point, as she knows and understands the Medicaid system. This letter from me, however, is just to let you know how much this transaction on transporting Katie to Loris has upset the whole apple cart!!!

I have seen Katie grow from a baby into a sweet young lady who adjusts well to regular routines. She has been enrolled in the Conway Adult Day Care facility for over two years now. Gail recently stated how things are finally becoming somewhat "normal" for their family, as Katie's entire life has been such a challenge every day for them.

Two weeks ago, a nightmare come-true occurred. Katie was sent to Loris for her first day. She was confused and became agitated when the bus went to the Conway site first and she was not permitted to get off. She had to remain on the bus to Loris (a straight shot from her house is a 45 minute drive!) That afternoon, while Katie was on the porch of the center, somehow she just up and disappeared! There was a search party organized that night, and we were there to help. I have never been so worried in my life, and to watch her parents and family go through this ordeal was devastating! Thank God, someone found Katie in the morning light, and she is now home, safe and sound.

Please, please, please If you could see this young girl and know the entire situation, providing funds to pay for the distance of less than 2 miles to keep her in Conway is just an absolute necessity. This family has done a remarkable job raising Katie and it's such an injustice to all of them to have to bus her to Loris.

I am begging you to please read Gail's enclosed letter. She was actually composing this letter while Katie was at the day care in Loris her first day!!! (mother's intuition) Please, whatever help you can give this family will be so very appreciated. I can't tell you how much it means to them and to all of us who love them and especially on Katie's behalf.

With sincere hope and appreciation,


Marcia Williamson

Enclosures

6091 Renata Lane

Myrtle Beach, South Carolina 29588

August 13, 2007

The Honorable Fletcher N. Smith, Jr.

Post Office Box 11867

Columbia, South Carolina 29211

Dear Representative Smith,

My name is Gail Collins. My husband John and I have lived in Horry County all our lives where he works as a mechanic for a rental company and I teach language arts at Forestbrook Middle School. We have raised two sons and one daughter in the Socastee community and have seen tremendous growth and change in the area over the last several decades.

I am writing in reference to a great injustice that is being done to the disabled and elderly population of our state. It is highly probable that you and others in similar positions are not aware of this situation; as a fellow South Carolinian, I feel certain that when it is brought to your attention, steps will be taken to correct this unfairness.

Many elderly and handicapped South Carolinians must depend on our Medicaid system for assistance with medical and transportation needs. My own twenty-five year old daughter is physically and mentally handicapped, and although I have managed to maintain Blue Cross Blue Shield coverage for her through my job, Medicaid also helps with the great expenses that are a part of caring for a special-needs person. One area of great expense is her day care costs while I am working during the school year. Since graduating from the South Carolina School for the Deaf, Blind, and Multihandicapped in 2004, Katie has attended Atlantic Health Care, a fine adult day care facility located in Conway. CRPTA provides transportation, picking up Katie at home in the morning and returning her to me at Forestbrook Middle School in the afternoon, and therein lies the problem.

According to CRPTA's calculations, Katie lives 13.7 miles from the day care facility. A clause in the Medicaid law states that Medicaid will pay transportation costs only for persons who live 15 or more miles from the provider. The day care provider enters into a contract with Medicaid agreeing that they will pay for or provide transportation for persons who live within a 15 mile radius of the day care center. Part of the agreement is that the provider will use a portion of the forty-five dollar per diem rate that they receive for a Medicaid client to provide this service. At some time in the past this may have been a workable concept; Atlantic Health Care has been in business for approximately sixteen years, so the owners apparently have been able to provide their services for both Medicaid and non-Medicaid clients, despite the discriminatory nature of this law. After all, it only seems fair that all individuals who qualify for Medicaid services should receive the same services with no stipulations.

In addition to the unfairness of this part of the law, it creates a financial impossibility for those who operate the facilities. For example, Katie lives just over thirteen miles from the day care center, but she rides a circuitous route as the bus picks up other clients so the transportation provider bills the day care provider for every mile that she is on the bus which is far more than 13.7. Of course, costs for the transportation company are rising, so recently their rates increased as well; the new proposed rate to transport Katie to and from day care is just over \$43.00 (forty-three dollars) daily. Of course, one need not be a mathematician to quickly figure out that the day care provider cannot possibly pay workers to care for Katie, serve a nutritious lunch, and organize suitable activities for two dollars a day. It is preposterous to even propose this to the day care center. Yes, they entered into a contract with the Department of Health and Human Services, but obviously this contract is no longer viable for the day care center and certainly not for the needy citizens of South Carolina.

The owner of Atlantic Health Care also owns a facility in Loris, South Carolina, which is sixteen miles from Conway. As I prepare to begin a new school year, the only solution we could find to this problem is to bus Katie and five other special needs clients this additional sixteen miles to a totally new center with completely new caregivers. Aside from the emotional turmoil this creates for my daughter, it doesn't strike me as a cost-effective answer to the problem. Is it logical to spend more Medicaid money to transport Katie to Loris when it would cost less for Medicaid to pay for her to simply stay where she is?

This law must be reviewed and revised. Perhaps at one time it worked for all involved, including DHHS, the day care providers, and the vulnerable people that it affects. Perhaps even now the concept "looks good on paper." However, it is no longer working for the people of our great state. These are not all mentally or physically disabled individuals. Some of them are elderly people who worked hard all their lives, paid their taxes, lived decent lives, and who now need a secure place to be while their families continue that tradition. Perhaps their families use day care as an alternative to nursing home placement, but if those day care providers cannot operate in the black, the doors will be closing and then where will the fine people of South Carolina turn?

I am asking you to investigate this great injustice. There should not be "conditions" that recipients must meet in order to receive the same benefit that the person sitting beside them on the bus receives. Medicaid benefits must be fair and equitable to all who qualify. I hope to hear from you soon regarding this matter. You may contact me at my home phone 843-236-7155 or my cell phone 843-421-2155 after school hours, or you may e-mail me at mrsgec@msn.com.

Sincerely,

Gail Collins



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Posted on Thu, Aug. 16, 2007

Missing young woman found at local bank

By Jonathan Tressler
The Sun News

A missing 24-year-old woman was found Wednesday morning not far from the spot where she disappeared Tuesday afternoon.

A passing motorist spotted Katrina "Kate" Collins at Anderson Brothers Bank about 7 a.m., Loris police Chief Herbert Blake said.

The bank is next door to Loris Adult Daycare Services, located at 3701 Main St. in Loris, where she was last seen Tuesday.

Collins was dirty and paint covered her clothes, but she looked unharmed, Blake said. Emergency personnel checked her out after she was found. Police say it's possible that Collins was in the area the entire time.

"We really don't know for sure," Blake said.

Police, fire and volunteers combed Loris and its outskirts for more than 12 hours Tuesday.

Police said a representative from the adult day care reported Collins missing around 2:05 p.m. Blake said she had been missing about 30 minutes before the report, during which time workers from the agency looked for her briefly, before notifying police.

Collins was last seen outside the adult day care facility, where she was a client, Blake said.

He said officials from the agency reported that she had been transferred to the Loris facility from another similar location Tuesday, which he said was her first time at Loris Adult Daycare.

A bus driver did bring her to Loris, police confirmed, and she was assisted into the building around 9:30 a.m., Blake said. A worker at the facility reported seeing her on the porch, then didn't see her, Blake said.

Tuesday's search was conducted using bloodhounds from the Horry County Police Department, a helicopter from the State Law Enforcement Division, in addition to volunteers from Loris Police Department, Horry County Police Department, fire rescue officials from Loris and Horry County and several residents from the community.

Contact JONATHAN TRESSLER at 444-1723 or jtressler@thesunnews.com.

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SC State Senator Luke A. Rankin
508 Gressette Building
Columbia, SC 29202

SC State Senator Raymond E. Cleary III
501 Gressette Building
Columbia, SC 29202

SC State Senator Dick Elliott
601 Gressette Building
Columbia, SC 29202

SC State Rep. Liston D. Barfield
320 B. Blatt Building
Columbia, SC 29211

SC State Rep. Thad T. Viers
434 C. Blatt Building
Columbia, SC 29211

SC State Rep. Tracy R. Edge
503 B. Blatt Building
Columbia, SC 29211

SC State Rep. William D. Witherspoon
411 Blatt Building
Columbia, SC 29211

SC State Rep. Nelson L. Hardwick
320 C. Blatt Building
Columbia, SC 29211

SC State Rep. Alan D. Clemmons
518 A. Blatt Building
Columbia, SC 29211

** My letter and enclosures were sent to all of the above. Thank you.



State of South Carolina

Department of Health and Human Services

Mark Sanford
Governor

Emma Fortner
Director

October 4, 2007

The Honorable Alan D. Clemmons
Member, House of Representative
District No. 107 - Horry County
610 18th Avenue North
Myrtle Beach, South Carolina 29577

Dear Representative Clemmons:

Thank you for your recent letter on behalf of Mrs. Gail Collins and the concerns she noted regarding policy involving Adult Day Care (ADC) and Medicaid transportation. We regret this unfortunate incident with Katie Collins and appreciate the opportunity to be of assistance in this matter.

As you know, South Carolina's Medicaid Program is operated on the basis of policies that are promulgated by the Department of Health and Human Services (SCDHHS). SCDHHS uses policies rather than state laws to manage beneficiary healthcare resources. ADC centers contract with SCDHHS to provide services that include transportation that is limited to ADC beneficiaries living within a 15-mile radius of the center. Since this transportation is a component of the ADC service, a center may elect to subcontract transportation services with a transportation provider(s) of their choice. However, when a beneficiary lives outside the 15 mile radius, a regional Medicaid transportation broker is responsible for transportation to the ADC center.

It was not the intention of the 15 mile rule to place an undue burden in families, and we are troubled by recent reports that this provision has apparently motivated at least one family to change from a preferred facility to one much further from their home. We convened a meeting of interested parties on September 11, 2007, with the express goal of ameliorating problems this rule may have caused. I will update you as soon as we come to an agreement solution. In the interim, Logisticare, the transportation Broker for Ms. Collins' region of the state, is providing transportation for Ms. Collins to the ADC that she has been attending in the past.

The Honorable Alan D. Clemmons
October 4, 2007
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SCDHHS is continuously reviewing feedback received from citizens and beneficiaries regarding recent changes in the way Medicaid services are arranged and provided. Thank you for your valuable feedback; it is an important step towards improvements to Medicaid services.

Thank you again for your interest in the Medicaid program and support of beneficiary transportation services. If you need additional information, please contact Felicity Myers, Ph.D., Deputy Director at (803) 898-2501. If I can be of further assistance, please contact me directly.

Sincerely,

A handwritten signature in cursive script, appearing to read "Emma Forkner".

Emma Forkner
Director

EF/mhw

cc: Ms. Marcia Williamson
Ms. Gail Collins