

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR

ACTION REFERRAL

TO <i>Jacobs</i>	DATE <i>2-8-08</i>
---------------------	-----------------------

DIRECTOR'S USE ONLY		ACTION REQUESTED	
1. LOG NUMBER 000415	<input checked="" type="checkbox"/> Prepare reply for the Director's signature DATE DUE <u>2-15-08</u>		
2. DATE SIGNED BY DIRECTOR <i>Claudia B/20/09, after attached.</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.			



HUGH K. LEATHERMAN, SR.

SOUTH CAROLINA STATE SENATE
DISTRICT 31, FLORENCE
AND DARLINGTON COUNTIES

111 GRESSETTE SENATE OFFICE BUILDING
COLUMBIA, SOUTH CAROLINA 29202

(803) 212-6640

February 6, 2008

FLORENCE ADDRESS
1817 Pineland Avenue
Florence, South Carolina 29501
(843) 667-1152

COMMITTEES
Chairman, Finance
Chairman, Operations and Management
Ethics
Interstate Cooperation
Labor, Commerce and Industry
Rules
State House
Transportation

REMOVED

FEB 08 2008

Department of Health & Human Services
OFFICE OF THE DIRECTOR

Log: Jacobs
Dir Sign.

Emma Forkner, Director
Department of Health & Human Services
1801 Main Street
Columbia, South Carolina 29201

Dear Ms. Forkner:

I am enclosing herewith a copy of an e-mail that I recently received from my constituent, Clarence G. Sutherland, relative to a Medicaid penalty assessed against his wife. I would appreciate it if you would ask your staff to look into this to see if anything can be done to help the Sutherlands under the governing statutes and regulations.

Thank you for your assistance in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "H.K. Leatherman, Sr.", written over a horizontal line.

Hugh K. Leatherman, Sr.

HKL:dsm

Enclosure

cc: Mr. Clarence G. Sutherland

13-su/1

SENATE FINANCE COMMITTEE MAILBOX - help with penalty of 29.56 months from getting wife in nursing home

From: <Seventyseventy@aol.com>
To: <SF1@scsenate.org>
Date: 2/5/2008 11:40 AM
Subject: help with penalty of 29.56 months from getting wife in nursing home
CC: <Seventyseventy@aol.com>

My name is Clarence G Sutherland, tried to get my wife signed up for Medicaid last year. In April 2007 I transferred my home to my children, it was in my name she had no part in ownership, did not know it would have anything to with getting her on medical. Filed for medical in August for her and put a waiting penalty period until January 24, 2010. . They have no maximum penalty period and am not being fairly treated. I am 82 years of age, cannot take care of her at home. You have spoke to my Kiwanis club (Pee Dee Kiwanis club) on several occasions. could you help me get this penalty taken off, Please let know.

Who's never won? Biggest Grammy Award surprises of all time on AOL Music.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR

ACTION REFERRAL

closed 2/20/08



TO <i>Jacobs</i>	DATE <i>2-8-08</i>
---------------------	-----------------------

DIRECTOR'S USE ONLY		ACTION REQUESTED	
1. LOG NUMBER <i>000415</i>		<input checked="" type="checkbox"/> Prepare reply for the Director's signature DATE DUE <i>2-15-08</i>	
2. DATE SIGNED BY DIRECTOR		<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. <i>[Signature]</i>	<i>2/14/08</i>		
2. <i>[Signature]</i>	<i>2/15/08</i>		
3.			
4.			



log 6415

State of South Carolina
Department of Health and Human Services

Mark Sanford
Governor

Emma Forkner
Director

February 20, 2008

The Honorable Hugh Leatherman
South Carolina Senate
111 Gressette Senate Office Building
Columbia, South Carolina 29202

Dear Senator Leatherman:

Thank you for referring Mr. Clarence G. Sutherland to our agency regarding concerns about his wife's Medicaid application.

A member of our staff has been in direct contact with Mr. Sutherland. We were pleased to address his questions regarding his wife's Medicaid application and the rules and regulations governing the program.

We appreciate your continued interest and support of the South Carolina Medicaid program. If I may be of further assistance on this or any other matter, please let me know.

Sincerely,

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

Emma Forkner
Director

EF/jcod

Log 0415



State of South Carolina
Department of Health and Human Services

Mark Sanford
Governor

Emma Forkner
Director

February 20, 2008

Ms. Francis E. Sutherland
1618 South Beltline
Columbia, South Carolina 29205

Dear Ms. Sutherland:

Senator Hugh Leatherman contacted our agency on behalf of your husband regarding your concerns about Medicaid eligibility.

Your application for Medicaid's Home and Community Based Services (HCBS) waiver program was denied on September 28, 2007, due to a transfer of your homestead property. If there is a transfer for less than fair market value by either spouse, the value of the property is used to determine the length of the penalty period. In your situation, we have determined that the penalty period is 29.56 months; therefore, under the HCBS program, you will not qualify for Medicaid services until January 24, 2010.

On February 8, 2008, you applied for Medicaid coverage through our Nursing Home program, and your application is currently pending. Your penalty period of 29.56 months will apply to this application as well. You may be eligible to receive Medicaid for covered medical expenses, but the earliest date Medicaid will pay the nursing home will be January 24, 2010.

Medicaid policy does allow the homestead property to be transferred back and no longer considered a penalty-liable transfer. Should your situation change, please contact Mr. Jim Hampton, Richland County Medicaid Supervisor, at (803) 714-7561.

If you have additional questions about the Medicaid program, please contact Jennifer Dabbs at (803) 898-3965. We hope this information is helpful to you.

Sincerely,

A handwritten signature in cursive script that reads "Alicia Jacobs".

Alicia Jacobs
Interim Deputy Director

AJ/od

Log 0415



State of South Carolina
Department of Health and Human Services

Mark Sanford
Governor

Emma Forkner
Director

February 20, 2008

Mr. Clarence G. Sutherland
1521 Hunter Street
Florence, South Carolina 29505

Dear Mr. Sutherland:

Senator Hugh Leatherman asked our agency to respond to your concerns regarding Medicaid eligibility for your wife, Francis E. Sutherland.

Ms. Sutherland's application for Medicaid's Home and Community Based Services (HCBS) waiver program was denied on September 28, 2007, due to a transfer of the homestead property. If there is a transfer for less than fair market value by either spouse, the value of the property is used to determine the length of the penalty period.

In her situation, we have determined the penalty period is 29.56 months; therefore, under the HCBS waiver program, she will not qualify for Medicaid services until January 24, 2010 at the earliest. However, we made Ms. Sutherland aware that Medicaid policy allows the homestead property to be transferred back and no longer be considered a penalty-liable transfer.

If you have additional questions about the Medicaid program, please contact Jennifer Dabbs at (803) 898-3965. We hope this information is helpful to you.

Sincerely,

A handwritten signature in cursive script that reads "Alicia Jacobs".

Alicia Jacobs
Interim Deputy Director

AJ/od