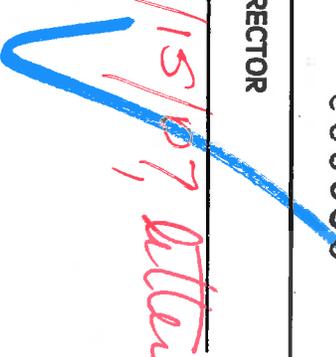


**DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR**

ACTION REFERRAL

Relogged from Bowling to Singleton on 5/2/07 per

TO *Singleton* DATE *Subm B. Due date change to 5/14/07*
4-30-07

DIRECTOR'S USE ONLY		ACTION REQUESTED	
1. LOG NUMBER	000686	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____	
2. DATE SIGNED BY DIRECTOR	<i>Cleaved 5/15/07, letter attached.</i> 	<input checked="" type="checkbox"/> Prepare reply for appropriate signature DATE DUE <i>5-14-07</i> <input type="checkbox"/> FOIA DATE DUE _____ <input type="checkbox"/> Necessary Action	

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.			

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

ACTION REFERRAL

TO <i>Bowling</i>	DATE <i>4-30-07</i>
-----------------------------	-------------------------------

DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER 000686	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____
2. DATE SIGNED BY DIRECTOR _____	<input checked="" type="checkbox"/> Prepare reply for appropriate signature DATE DUE <i>5-9-07</i>
	<input type="checkbox"/> FOIA DATE DUE _____
	<input type="checkbox"/> Necessary Action

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.			

LINSEY O. GRAHAM
SOUTH CAROLINA



200 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-5872

UNITED STATES SENATE
Fax Transmittal Sheet

RECEIVED

APR 27 2007

TO: SCDHHS, Director's Office

FROM: Emily McGarry

DATE: 4/27

Department of Health & Human Services
OFFICE OF THE DIRECTOR

COMMENTS: Re: Joyce C. Gregory

Log-Bowling
Wagner. Sign.!!

Thanks!

PAGE(S) TO FOLLOW

IF THERE IS ANY PROBLEM RECEIVING THIS FAX, PLEASE
CALL (803) 933-0112.

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508 Hampton Street
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140 East Main Street
Suite 110
Rock Hill, SC 29730
(803) 967-3076

128 Eagles Nest Drive
Suite B
Spartanburg, SC 29578
(803) 584-1111
04/27/2007 12:19PM

Senator Lindsey O. Graham

United States Senate

290 Russell Senate Office Building
Washington, D.C. 20510
(202)224-5972
(202)224-3808 Fax

101 E. Washington St.
Suite #210
Greenville, SC 29601
(864)250-1417
(864)250-4922 Fax

By providing the following information below and signing this form, I hereby authorize the appropriate agency to furnish the office of Senator Lindsey Graham information pertaining to my claim or request. This authorization is in accordance with the Privacy Protection Act of 1974.

Name: Terje L. Gregory Phone: _____
Address: 3449 Silver Bluff Rd Aiken, SC Mailing: P. O. Box 749
City: Clemens State: SC Zip: 29822
Social Security Number: 248-86-0594

In the space below, briefly describe the problems that you are experiencing and explain exactly what you would like Senator Graham to do on your behalf. Without this information, it will be impossible for Senator Graham to adequately assist you. (If you need more space, please use the back of this form.)

I currently own and operate a residential care facility for the chronically mentally ill. I have operated a facility for more than 28 years and have been conducting just the local mental health care (Federal Sub of Mental Health Services) since 1986. The SCDHHS has revoked the local job. Our facility is considered an IMD (Institution for Mental Diseases). The state now own approximately 10 year ago and it was determined at that time that our facility was not an IMD.

Signed: Terje L. Gregory Date: 4-13-07

Note: Those requesting assistance from Senator Graham should note that if they are represented by an attorney, the attorney should be advised that you have contacted our office. If represented by an attorney, please give the attorney's name:

Please return to:

Senator Lindsey Graham
101 E. Washington St.
Suite #210
Greenville, SC 29601

pg. 2

from all that I have remembered, we do not meet the classification of an IMD. I would like to receive a copy of the federal law that describes what an IMD is and what components are used to determine whether or not a facility can be considered an IMD. It is my understanding that this law was passed so that the federal government would not be paying for state mental hospitals. During the deinstitutionalization of our state hospitals, we were approached by local mental health centers to build a facility that would help with their inpatient and would provide a safe, supervised environment for the mentally ill. From the state (DHS) was trying to classify the facility as an IMD even though this was not its original purpose I quoted the facility as such. I would like that Shaker to help clarify this issue and provide copy of legislation pertaining to this issue.



State of South Carolina
Department of Health and Human Services

803-#686
✓

Mark Sanford
Governor

Susan B. Bowling
Acting Director

May 15, 2007

Ms. Joyce C. Gregory
3449 Silver Bluff Road
Clearwater, South Carolina 29822

Re: Congressional Inquiry

Dear Ms. Gregory:

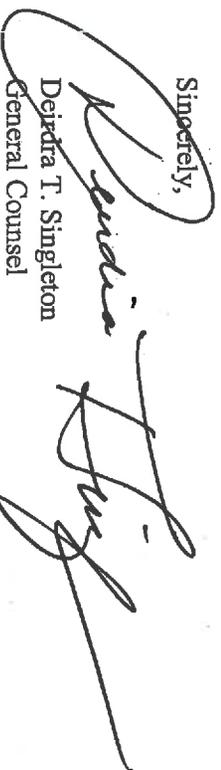
Your question to Senator Graham was referred to this agency for a response. We have enclosed the federal statutes and regulations that seem to apply to your question. Also included is the relevant section from the State Medicaid Manual, a federal publication that provides guidance to the states. We know you are familiar with the state regulations for Community Residential Care Facilities at S.C. Code R. 61-84.

As you no doubt have realized from Mr. Kerr's earlier letter, Department of Health and Human Services believe that the state would be in some jeopardy of losing federal funds if any Community Residential Care Facilities (CRCF) are reviewed and determined to be IMDs. The letter was meant to again caution facility operators to screen admissions and carefully evaluate the services provided at the facility to be sure that patients are not admitted who require such extensive in-facility care. Extensive care provided in the facility could lead an observer to believe that the facility was "...providing diagnosis, treatment or care of persons with mental diseases, including medical attention, nursing care and related services..." and that the facility or institution would be providing care at the level of an IMD.

We know that this issue has arisen in the past, and CRCF operators have been very responsive and sensitive to this concern and have cooperated with the Department by carefully managing their resident populations so that only individuals who can be cared for in accordance with the state regulations are admitted. We appreciate these efforts and hope that you all will not object to periodic reminders.

If you would like to discuss this further, please do not hesitate to contact me at (803) 898-2647.

Sincerely,


Deirdra T. Singleton
General Counsel

DTS/hb
Enclosures

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