

Brandy H. Rozier
2605 Duncan Street
Anderson, South Carolina 29625
May 26, 2016

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Division of Appeals and Fair Hearings
State Health and Human Services Finance Commission
P. O. Box 8206
Columbia, South Carolina 29202-8206
Re: Christian D. Baker
Medicaid Number: 6630305489

Dear Sir or Madam,

In a letter dated May 18, 2016, and sent to me by The Medicaid State Plan, I was advised that my son Christian was no longer eligible for The Children's Private Duty Nursing Program. Additionally, skilled nursing hours would be reduced from 84 hours per week to 64 hours per week. This is a letter to appeal that decision.

I would like first to address the reasoning or cause behind this decision as Christian's condition has not changed. In fact, Christian has been experiencing increased seizure activity and bone loss due to immobility. Secondly, I would like more information on the assessment instruments used in making this decision as well as the objective criteria used in evaluating his needs. Thirdly, I would like to request that one of Christian's physicians perform an evaluation for the purpose of clarifying his need for skilled nursing.

Section 1905 (a) of the Social Security Act requires that Medicaid services provide children, age 18 and under, with medically necessary services deemed appropriate to correct, ameliorate, or prevent the worsening of a child's condition. Private nursing is one of the health care services listed, and there are no limits on total cost or number of hours if the need is present. I want you to know how appreciative I am of these services because I live below what is recognized as poverty level in the United States today. A reduction in skilled nursing hours at this juncture would drastically hamper Christian's rehabilitative process.

Christian attempted to hang himself on May 26, 2013, because of gang-type bullying at McCants Middle School in Anderson, South Carolina. I am a single mother and at the time of this tragedy, my family of seven lived in government housing which was so small that Christian had to be placed where the dining table would have gone. It was difficult to keep skilled nurses because of that situation. Since then, I have gone to work and moved out of government housing, increasing my expenditures by approximately \$1200.00 per month. Christian now has his own bedroom and two registered nurses, one that has been with him for two years, and the other, one year.

The result of this hanging was anoxic brain injury, lack of oxygen to the brain, causing cell death. Certainly, the most complex of all creation known to man is the human brain; I do not believe that doctors have even begun to tap into the potential therein. Because of this injury and because of the brain's involvement in every other system of the human body, Christian has a myriad of medically complex problems and is therefore medically fragile. The situation would not, however, be so difficult if it were not for the fact that he is absolutely aware of his surroundings. For example, Christian has bonded with his nurses. He has confidence in these women; and, when placed in a foreign environment

such as the weekly therapy visits, exhibits extreme anxiety from the stress of not knowing where his nurses are, which always results in an extreme panic attack and accelerated heart rate. The therapists immediately suspend therapy when this happens. Christian's nurses must talk to him and be visually present in order for him to feel safe and secure. I cannot tell you how many times these nurses have prevented what might have developed into a major problem resulting in hospitalization, by the simple intervention and utilization of their skilled training and knowledge. Each and every time that Christian has an appointment with his pediatrician Dr. Jones, he comments on the exceptional care that Christian is receiving, care that is preventing bed sores (not one in two year's time), only one hospitalization in the past year, and other routine care that only a skilled professional can administer. Christian is healthy because of his skilled nursing care, and a Medicaid program that exists for the right reasons and serves the least in our society. Yes, Christian is afflicted, but he is also a very important boy for Christian has the capacity to become Christian again with the expert care that he has been receiving.

My concern with the reduction in skilled nursing hours is the fact that I work during the hours that have been cut. Even though CNA hours have been authorized, will that CNA be able to tell when Christian is having a seizure? Christian had a seizure this past Saturday morning that lasted five minutes before his emergency medications were administered. She won't be able to administer any medication. DHEC prohibits her from doing so. She would have to call an ALS ambulance which is quite a bit more expensive than a BLS ambulance. Will the CNA have the skills to turn Christian without fracturing any bones? Two months ago Christian suffered a fracture to his leg by skilled professionals and had to be hospitalized for 10 days. What might happen if a CNA were handling him? Would a CNA be able to use the "Ambu bag" for resuscitation if necessary? It has been determined however, that Christian needs an "Ambu bag" by his physicians. Would a CNA be able to replace a G or J tube if it were to become displaced? No. The irony of the situation is that I sent my child to public school where he was so brutally bullied that he felt the need to take his own life, and then, the State doesn't want to provide adequate governmentally guaranteed care for my child; care to correct any of his deficits if possible; care that will make him better and improve his condition; care that will prevent further injury and impairment; care that can only be provided by a skilled professional nurse. To be perfectly candid here, Christian could use both a skilled nurse and a part-time CNA during the day for transfer to his wheelchair because one person cannot transfer Christian. Will the care that you are proposing by a CNA in place of a professional nurse result in any real savings for your Medicaid program given the fragility of Christian's condition? The continuum of care that Christian has been receiving has without a doubt avoided the much more costly medical interventions of hospitalization.

I may be wrong about this, but I have been under the assumption that up to 16 hours daily could be allocated for skilled nursing care, and no less than 10 hours a day if the family caregiver worked. I also thought that there were other State programs that are available to Christian for his care. Please give my appeal your utmost consideration and I pray that you look intently for those other 20 skilled nursing hours that you have found necessary to take away.

Sincerely,

 Brandy H. Rozier /ph

Brandy H. Rozier

CC

Nikki Haley

Barack Obama

Jeff Duncan