

From: Danny Varat <DannyVarat@scstatehouse.gov>
To: Catherine McNicollCatherineMcNicoll@scstatehouse.gov
Date: 8/24/2017 8:15:29 AM
Subject: Re: Possible Proviso for LGOA - Ombudsman Program

You'll keep me posted?

From: Catherine McNicoll
Sent: Monday, August 21, 2017 10:32 AM
To: Ken Moffitt
Cc: Danny Varat; 'darryl.broome@aging.sc.gov'
Subject: Possible Proviso for LGOA - Ombudsman Program

Good Morning Ken,

Per our conversation on Friday, I confirmed that I can share this language for feedback. Our goal is to exclude the Ombudsman from mandatory reporting and referring under 43-35-5 through 43-35-90. We would like to do that without interfering with the duties of other programs in those statutes. The federal law and regulation that are in conflict are 42 USC § 3058g (b) and 45 CFR § 1324.11(e)(3)(iv). Attached is a draft of two ideas I've had for how to draft the proviso. I think the first one presents some issues with the line between suspending and amending.

Thank you for your help.

Bests, Catherine