

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

**ACTION REFERRAL**

TO <i>Single fax</i>	DATE <i>9-29-09</i>
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DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER <i>1000045</i>	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____
2. DATE SIGNED BY DIRECTOR <i>cc: Stenlund cleared 10/9/09, letter attached.</i>	<input checked="" type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____ <input checked="" type="checkbox"/> FOIA DATE DUE <i>10-13-09</i> <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.			

**BAKER**  
**DONELSON**  
BEARMAN, CALDWELL  
& BERKOWITZ, P.C.

**RECEIVED**

SEP 29 2009

NORTH CHASE TOWER  
20<sup>TH</sup> FLOOR  
450 LAUREL STREET  
BATON ROUGE, LOUISIANA 70801  
PHONE: 225.381.7000  
ALT. PHONE: 901.526.2000  
FAX: 225.343.3612

Department of Health & Human Services  
OFFICE OF THE DIRECTOR

www.bakerdonelson.com

SEAN FINAN  
Direct Dial: 225.381.7003  
Direct Fax: 225.382.0203  
E-Mail Address: sfinan@bakerdonelson.com

September 24, 2009

**RECEIVED**

SEP 29 2009

SCDHHS  
Office of General Counsel

South Carolina Department of Health and Human Services  
Office of General Counsel  
Deirdre Singleton  
1801 Main Street  
Columbia, SC 29201

Re: FOIA Request

Dear Ms. Singleton:

Pursuant to the State of South Carolina's Freedom of Information Act (South Carolina Statute, Title 30, § 30-4-10 *et seq.*), this firm hereby requests from the South Carolina Department of Health and Human Services ("SCDHHS") copies of the following information:

All documentary materials, regardless of physical form, format, or characteristics which (1) were created or obtained by or (2) are under the control of SCDHHS from January 1, 2008 to the present, which relate to adjudicated bid protests and which involve contracts for the State of South Carolina's procurement of health or medical-related products or services.

Please be advised that the information requested encompasses the entire protest case files, including:

- a. Official documentation of the solicitation, bidding and award of the protested contracts;
- b. External correspondence, including e-mail between and among the parties of interest to the protests;
- c. Briefing materials, including exhibits, submitted by the interested parties;
- d. Opinions or orders adjudicating the protestor's claims; and
- e. All other documentation kept or obtained in the normal course of official business which relates to the adjudication of the protests.

To the extent that information otherwise responsive to this request is located in an office or agency other than that to which this request has been sent, we respectfully request that the receiving information officer refer the request to the office or agency that, to the best of his/her knowledge, has or is likely to have responsive records.

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September 24, 2009

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In the case that the processing of this request will result in copying or other charges, please contact Sean Finan at 225-381-7003 with an estimate of charges in order to receive approval for these costs. Upon approval of any applicable costs, please remit the requested information to:

Sean Finan  
Baker Donelson Bearman Caldwell & Berkowitz, P.C.  
555 11<sup>th</sup> St. NW, Sixth Floor  
Washington, D.C. 20004

Thank you for your assistance in this matter. If you have any questions or require any further information, please feel free to contact me at the listed number.

Respectfully submitted,

BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, P.C.



Sean Finan



log # 000 145 ✓

October 9, 2009

Mr. Sean Finan  
Baker Donaldson Bearman  
Caldwell & Berkowitz, P.C.  
555 11<sup>th</sup> St. NW, Sixth Floor  
Washington, D.C. 20004

Re: FOIA Request, of September 24, 2009

Dear Mr. Finan:

This is in response to your referenced request. This Department administers the South Carolina Medicaid Program. As such, we do let requests for proposals for bids involving certain medical related products or services. However, we have no documents that are responsive to your request. Most of our bids are let through the State's Materials Management Office at 1201 Main St., Suite 600, Columbia, SC 29201.

As you requested, I have, under cover of this letter, forwarded your inquiry to that Office. Although we think they will not have any responsive documents relative to our agency, they may have, with respect to medical-related products or services procured for other State entities.

We have spoken with our usual contact, Mr. John Stevens of the MMO, and have forwarded your request directly to him, for appropriate disposition. Thank you for your interest and please contact me if we have misunderstood your request or can be of other assistance.

Sincerely,

Richard G. Hepfer  
Deputy General Counsel

Cc: Mr. John Stevens, MMO (w/enclosure)