



ADVANCED COSMETIC Surgery

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29 Rocky Slope Road
Greenville, SC 29607
TEL (864) 242-FACE (3223)
TOLL FREE (866) 454-NEWU (6398)
FAX (864) 297-9184
EMAIL drmfadden@acs-sc.net
www.advancedcosmeticsurgery-se.com

October 10, 2016

COSMETIC SURGERY
of the FACE and BODY
Facelift/Necklift/Threadlift
Forehead/Brow lift
(Open and Endoscopic)
Eyelid Surgery
Nose Surgery
(Rhinoplasty)
Body Contouring
(Liposuction)
Abdominoplasty
(Tummy Tuck)
Laser Assisted Liposuction
(SmoothLipo)
Lip Augmentation
Otoplasty (Ear Surgery)
Facial Implants

BREAST SURGERY
Endoscopic Breast
Augmentation
Breast Reduction
Breast Reconstruction
Breast Lift (Mastopexy)

**NON-SURGICAL
REJUVENATION**
Laser Skin Resurfacing/
Rejuvenation
Laser Treatment for Cellulite
(SmoothShapes)
Chemical Peels
Dermabrasion
Laser Hair Removal
Laser Vein Removal
Tattoo Removal

Rita Melton, DMD
Investigator
Office of Investigations and Enforcement
SC Department of Labor, Licensing and Regulation
110 Centerview Drive
Post Office Box 11329
Columbia, SC 29211-1329

Re: OIE# 2015-237

Dear Dr. Melton,

Purpose

I am writing in response to the above inquiry. This case involves Corinne Szczepanski, RN who I had hired to begin work on May 11, 2015. Prior to her start date at my office, Ms. Szczepanski, on her own accord (and without my knowledge or intervention), made an anonymous telephone inquiry to the Department of Labor, Licensing and Regulation (LLR) to determine the boundaries of nursing practice in a cosmetic setting per South Carolina regulations.

Background

I understand that Ms. Szczepanski made her phone call in early May 2015. She was told that there was nobody available and that she could not make a telephone inquiry, but instead that she would have to make an email inquiry and she did so. The emails were sent to the nursing board director, Carol Moody, RN. Ms. Moody did not finish responding to the scope of practice questions before she began asking where Ms. Szczepanski worked. Ms. Szczepanski replied that she would rather not share that information as these were hypothetical inquiries only attempting to gather information. Ms. Moody then looked up Ms. Szczepanski's email address and connected her email to her name, which is absolutely a breach of trust, unethical, and a violation of federal privacy standards and subject to federal penalties. Then, Ms. Moody surprisingly initiated an investigation against Ms. Szczepanski, sent to her via certified mail on the next business day, May 8, 2015. Ms. Szczepanski was accused by the nursing director of practicing the hypothetical inquiries. This abuse of privilege certainly does not serve the public interest to safely and legally participate in the healthcare environment.

Furthermore, a subpoena request was sent to me, which requested:
Thomas C. McFadden, Jr., MD, FACS

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1. Copies of personnel action documents and disciplinary action documents concerning Corinne Szczepanski, RN, South Carolina Nursing Credential #215430.

Reply: I have only a Form W4 in Ms. Szczepanski's file. I remember seeing a copy of her resume but I do not have it any longer. There is nothing else. She was employed under preceptorship for FOUR DAYS. During this time, Ms. Szczepanski did not treat anyone.

2. Policies and procedures for any and all nursing staff at Advanced Cosmetic Surgery.

Reply: Enclosed are copies of standing orders for nurses, nurse practitioners and physician assistants (there are no PAs currently working but have worked in the past) regarding the use of botox, fillers and light therapy procedures.

Objection

I strongly object to the basis of the inquiry. The investigation involves only Ms. Szczepanski, as she made the inquiry on her own BEFORE she was employed. Ms. Szczepanski was sent the letter stating that she was being investigated on May 8, 2015. She BEGAN employment May 11, three days AFTER her investigation began. Therefore, she could not have DONE anything wrong yet at the time the investigation letter was sent. Further, she was employed for four days until she resigned May 15. During this time, she only observed other employees at work and had no opportunity to do anything yet, especially unattended work. Her initial inquiries made before employment involved theoretical questions only. This was made clear to Ms. Moody, but she obviously ignored fact that to suit her purpose. Any statements that Ms. Szczepanski made to Ms. Moody were plainly theoretical as she had not even begun employment yet. Ms. Szczepanski was NOT AN EMPLOYEE YET. She could not have known how we operate specifically at that point. In addition, different states have different standards for practice. Why is it unreasonable to ask about boundaries of the scope of practice for clarification? Asking me for information about anyone else is outside the purview of the initial investigation. There is no basis for further inquiry except as a fishing expedition.

I insist that the LLR (from the initiating complaint) provide me with the rationale for the inquiry including all notes, emails, verbal and written communications, stored electronic information, summaries of phone calls and any other form of communication that makes them believe that something was not being done correctly. I have the right to know who the accuser is and how that information was obtained. Slander, innuendo, false assumptions based on queries from a novice nurse and fishing expeditions do not constitute a basis for an investigation. I wish to know the basis of the investigation and/or charges, both from an informational and statutory basis. I look forward to your timely reply.

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Respectfully,

Thomas C. McFadden, Jr., MD, MBA, FACS

cc: Governor Nikki Haley

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