

From: Christian L. Soura <Christian.Soura@scdhhs.gov>
To: Schimsa, RebeccaRebeccaSchimsa@gov.sc.gov
CC: Pisarik, HollyHollyPisarik@gov.sc.gov
Byron RobertsRobertsb@scdhhs.gov
Date: 3/10/2016 3:08:17 PM
Subject: RE: Patricia Harrison - Rob Levin

Brief update below from the HHS Legal Eagles...as I said earlier today, though, my first position is that I'm right because the U.S. District Court says I'm right. Thanks.

CLS

*This case is on appeal to the 4th Circuit Court of Appeals from a South Carolina District Court decision upholding the Department's determination that the individual was not in danger of institutionalization, because he had been authorized sufficient services through the Department of Disabilities and Special Needs.

*During the pendency of the appeal, the individual's step father who had been participating to some degree in his care, had a stroke, and is no longer involved at the same level.

*This change in circumstances may necessitate a change in the level of services authorized to prevent institutionalization.

*One of the individual's attending physicians has submitted an affidavit indicating that the individual should be authorized 84 hours a week of private duty nursing.

*The Department would like to conduct its own assessment to verify the attending physician's determination. Such an assessment can be done quickly, but requires the permission of the individual (preferably in the form of a written authorization).

*As we understand it, the individual's attorney has placed conditions on the implementation of the assessment (such as a pre-assessment interview with the assessment team) before the assessment by the State's professionals can be completed.

-----Original Message-----

From: Schimsa, Rebecca [mailto:RebeccaSchimsa@gov.sc.gov]
Sent: Wednesday, March 09, 2016 4:27 PM
To: Christian L. Soura
Cc: Pisarik, Holly
Subject: Patricia Harrison - Rob Levin

Director Soura,

We received the attached letter today, which we are referring to you for review. Please provide us with an update when you can.

Thank you,

Rebecca

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