

From: Alan Powell <RAP24@SCDMH.ORG>
To: 'Ashley Ellis' AEllis@longsrx.com
CC: Christi Epps CEpps@longsrx.com
Rebecca Gillespie RGillespie@longsrx.com
Pisarik, Holly HollyPisarik@gov.sc.gov
Maley, Patrick PatrickMaley@oig.sc.gov
Smith, Austin AustinSmith@gov.sc.gov
Date: 11/25/2015 3:19:03 PM
Subject: RE: SCDMH Medication and PAP Services Contract with Qualified Providers

Ashely,

The report I received from our pharmacy outlet consultant about continued auto refills by Longs pertained to Columbia Area Mental Health Center patients.

For your other concerns, this is the first I have been notified. Please identify the specific MHC and I will follow up and make sure that it is addressed promptly.

Thanks.

Alan

R. Alan Powell, SCDMH General Counsel
2414 Bull St., Rm 402
P.O. Box 485
Columbia, SC 29202
803.898.8557 Fax 803.898.8554
rap24@scdmh.org S.C. Bar No.: 7948

From: Ashley Ellis [mailto:AEllis@longsrx.com]
Sent: Wednesday, November 25, 2015 3:09 PM
To: Alan Powell
Cc: Christi Epps; Rebecca Gillespie; 'Pisarik, Holly'; 'PatrickMaley@oig.sc.gov'; Smith, Austin
Subject: RE: SCDMH Medication and PAP Services Contract with Qualified Providers

Alan,

Thank you for the update and we look forward to receiving your email this afternoon.

With regard to Long's providing automatic refills, we do not know what you are referencing. Due to the referenced clinics moving all of the business to APS, Long's is no longer servicing these clinics so automatic refills are not possible. Do you have any specific examples of this?

I will share with you that just in the last couple of weeks we have had several patients contact us asking to come back to Long's and asking us to fill their prescriptions and send the medications the next time they are available to fill. We have also had nurses from SCDMH ask Long's to fill prescriptions due to the fact that APS was not filling them timely to get to the patient when needed, however, at least one of the nurses was prohibited by her clinic director from moving any business away from APS. Further evidence of the illegal mandate continuing at SCDMH. We do plan to bring this to the attention of legislators and the SCDMH Board next week.

Regards,

Ashley

Ashley Long Ellis
Corporate Counsel
Tel: (803) 254-5884 ext 2309
Fax: (866) 550-7461



Confidentiality Notice

This transmission and attachments may contain confidential or legally privileged company, employee or protected patient health information that is intended only for the individual or entity named in the address. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or reliance upon the contents herein is strictly prohibited, may violate local, state or federal law and incur serious penalties, including imprisonment. If you have received this transmission in error, please reply to the sender, so that arrangements can be made for proper delivery or immediate destruction. Thank you.

From: Alan Powell [<mailto:RAP24@SCDMH.ORG>]
Sent: Wednesday, November 25, 2015 10:08 AM
To: Ashley Ellis <AEllis@longsrx.com>
Cc: Christi Epps <CEpps@longsrx.com>; Rebecca Gillespie <RGillespie@longsrx.com>; 'Pisarik, Holly' <HollyPisarik@gov.sc.gov>; 'PatrickMaley@oig.sc.gov' <PatrickMaley@oig.sc.gov>; Smith, Austin <AustinSmith@gov.sc.gov>
Subject: SCDMH Medication and PAP Services Contract with Qualified Providers

Ashley,

Later this afternoon, I will provide you and others copied here, my reply to the HHS OIG Senior Counsel request for additional information about this matter and my request for an Advisory Opinion from both federal and state OIGs.

I will also provide a very general update on SCDMH ongoing general monitoring of this matter, and specifically the Mental Health Centers (Pee Dee, Catawba and Anderson-Oconee-Pickens) which Long's identified as a primary concern when we first met in August.

In August, one of the primary matters that Long's brought to our attention about the contract was that it allowed auto refills. I understood from Long's, and we agreed, that clause was potentially in conflict with some payer and other standards. So, SCDMH changed the contract to remove that section. However, I have been told that in at least one MHC, Long's still provides automatic refills.

Help me understand this.

Thanks.

Alan

R. Alan Powell, SCDMH General Counsel
2414 Bull St., Rm 402
P.O. Box 485
Columbia, SC 29202
803.898.8557 Fax 803.898.8554
rap24@scdmh.org S.C. Bar No.: 7948

From: Alan Powell
Sent: Friday, September 25, 2015 11:37 AM

To: 'Ashley Ellis'
Cc: Christi Epps (CEpps@longsrx.com); 'Rebecca Gillespie'
Subject: FW: Medication and PAP Services Contract

I understand your position. Just to continue to keep you folks in the loop, see attached and email below. DMH is also reviewing the continued need for this service and the RFP, need for Qualified Providers and contract, including available options and procedures and timing that would not be disruptive to our clients.

Alan

R. Alan Powell, SCDMH General Counsel
2414 Bull St., Rm 402
P.O. Box 485
Columbia, SC 29202
803.898.8557 Fax 803.898.8554
rap24@scdmh.org S.C. Bar No.: 7948

From: Alan Powell
Sent: Wednesday, September 23, 2015 12:53 PM
To: Chris Manos; Charles Roman; Janet Watkins; Geoffrey Mason; Mark Binkley
Cc: Jeffery Ham; Margaret Rhoad; Robert Bank; Teresa Wilson; Kimble Carter
Subject: Medication and PAP Services Contract

Your comments on attached info sheet by Friday noon (Dr. Bank, Jeff Ham and Teresa Wilson at PDMHC have already replied).

This is for MHC clinical and other staff to refer to about Qualified Provider Contractor services at a local MHC clinic/office. A copy may also be provided to clients or anyone else asking about those services.

This is not intended as a detailed summary of the contract, but as a very general guide which may also replace the "Freedom of Choice" poster sent out a couple of weeks ago.

Questions about the details of this contract should be forwarded to the local Contract Monitor. Each clinic office should have a local Contract Monitor as well as an overall MHC Contract Monitor for this contract. If needed, the MHC Contract Monitor may consult with DMH Procurement and/or Office of General Counsel as to any needed action.

R. Alan Powell, SCDMH General Counsel
2414 Bull St., Rm 402
P.O. Box 485
Columbia, SC 29202
803.898.8557 Fax 803.898.8554
rap24@scdmh.org S.C. Bar No.: 7948

PRIVACY NOTICE: THIS COMMUNICATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN SCDMH PATIENT OR OTHER INFORMATION THAT IS PRIVATE AND PROTECTED FROM DISCLOSURE BY APPLICABLE LAW INCLUDING 45 CFR PART 160 (HIPAA), 42 CFR PART 2 (ALCOHOL AND DRUG PROGRAM CONFIDENTIALITY, WHEN APPLICABLE), § 44-22-100, AND S.C. CODE (SCDMH PATIENT CONFIDENTIALITY). IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION, OR THE INFORMATION CONTAINED WITHIN IT, IS STRICTLY PROHIBITED AND MAY SUBJECT THE VIOLATOR TO CIVIL AND/OR CRIMINAL PENALTIES. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY

TELEPHONE, REPLY E-MAIL OR FAX USING THE PHONE NUMBER OR ADDRESS IDENTIFIED IN THIS COMMUNICATION AND DESTROY OR DELETE ALL COPIES OF THIS COMMUNICATION AND ALL ATTACHMENTS.

PRIVACY NOTICE: THIS COMMUNICATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN SCDMH PATIENT OR OTHER INFORMATION THAT IS PRIVATE AND PROTECTED FROM DISCLOSURE BY APPLICABLE LAW INCLUDING 45 CFR PART 160 (HIPAA), 42 CFR PART 2 (ALCOHOL AND DRUG PROGRAM CONFIDENTIALITY, WHEN APPLICABLE), § 44-22-100, AND S.C. CODE (SCDMH PATIENT CONFIDENTIALITY). IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION, OR THE INFORMATION CONTAINED WITHIN IT, IS STRICTLY PROHIBITED AND MAY SUBJECT THE VIOLATOR TO CIVIL AND/OR CRIMINAL PENALTIES. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, REPLY E-MAIL OR FAX USING THE PHONE NUMBER OR ADDRESS IDENTIFIED IN THIS COMMUNICATION AND DESTROY OR DELETE ALL COPIES OF THIS COMMUNICATION AND ALL ATTACHMENTS.