

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR

RECEIVED

JUL 11 2013

SCDHHS
Office of General Counsel

ACTION REFERRAL

TO Roberts	DATE 7-10-13
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DIRECTOR'S USE ONLY		ACTION REQUESTED	
1. LOG NUMBER 000010		<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____	
2. DATE SIGNED BY DIRECTOR cc: Mr. Heck cleared up 7/19/13, letter attached		<input checked="" type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____	
		<input type="checkbox"/> FOIA DATE DUE _____	
		<input checked="" type="checkbox"/> Necessary Action	

APPROVALS (Only when prepared for director's signature)	APPROVE	* DISAPPROVE (Note reason for disapproval and return to preparer.)	COMMENT
1.			
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cc: Mr. Kuch closed on 7/19/13, letter attached		1 I FOIA DATE DUE	
		X Necessary Action DATE DUE	

APPROVALS (Only when prepared for director's signature)	APPROVE	* DISAPPROVE (Note reason for disapproval and return to preparer.)	COMMENT
1.			
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David Downie IV, M.D., P.A.

1327 Richland St. • Columbia, SC 29201 • Tel 803 252-4882 • Fax 803 252-2233

David Downie IV, M.D.
Diplomate, American Board of
Psychiatry and Neurology
Child, Adolescent, and Adult Psychiatry

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Department of Health & Human Services
OFFICE OF THE DIRECTOR

Dear Ms. Snider:

Upon returning to work this week from vacation, I am disappointed to find your office continues its investigation of my medical practice. Though previously I was assured I would receive a response from you by end of June, I have received two further notifications that your office continues its review. Your office notes that more copies of more records are required. No doubt you have policies and procedures you must follow, but note your staff had full access to all of my medical files after I was provided one hour advance notification and your staff failed to evidently copy all records you wanted, which I've enclosed.

Additionally, as you know I have provided you with copies of records of patients seen in the past two months to enable you to evaluate my practice.

Enclosed are copies of records of most recent evaluations of your patients. Please note that hospitalized patients under my care receive professional services which differ from outpatients from a time standpoint. I spend typically 80-90 minutes for initial evaluation and 50-60 minutes daily on hospital unit attending to care of patient. Child psychiatric care of a hospitalized patient is much more intensive as requires ongoing interaction with hospital staff, family and others throughout the day and often evening. If you request, I am able to specify all services I provide on behalf of hospitalized patients, but note that my services are significantly more than typical as my standard is to provide the level of care I would expect my child to receive. Though your office may review content of records, you do not obtain what I consider most important, which is outcome of patient treatment. I provide ongoing follow up of my patients, monitor progress, call when they miss appointments (which your patients do significantly more often than my other patients), and provide increasing amount of "precertifications" for medications and treatment.

As you have been unable to conclude my practice provides acceptable care, documentation and billing despite my openness,

Ref Log # 3494
403

and in a timely manner. Until you do I will continue to limit my contact with your patients.

Without a favorable conclusion to your investigation, I am unable to consider participation in your managed care programs and require from you details on procedure to cease being a provider to your patients, if that becomes necessary.

I remain available to meet with you at your convenience to resolve any issues, so that we may be able to continue our professional relationship.

Respectfully,

David Downie

David Downie IV, M.D.

Board Certified Child and Adolescent Psychiatry

Board Certified Adult Psychiatry

Clinical Professor, Department of Pediatrics

University of South Carolina

Clinical Professor, Department of Neuropsychiatry

and Behavioral Sciences, University of South Carolina

Fellow of American Psychiatric Association

Fellow of American Academy of Child and Adolescent Psychiatry

DD/je

cc Janice Gardner, RN

Byron Roberts, General Council

Anthony E. Keck, Director

June 19, 2013

Certified Mail
David Downie, IV, MD
1327 Richland Street
Columbia, S.C. 29201-2521

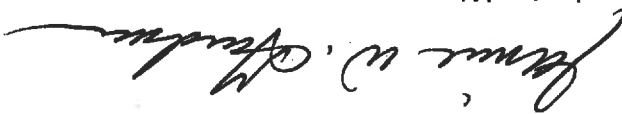
Provider ID#: 112942
Case #: P7538

Dear Dr. Downie,

Our Bureau Chief of Program Integrity, Ms. Kathleen Snider, sent you a letter explaining the purpose of our program and giving you an approximate date for the completion of your Program Integrity review. The initial plan was to have our preliminary findings to you by the end of this month. However, there are two factors which are delaying the results of the review until the first week of July. First, we requested and received documentation from Palmetto Baptist on three beneficiaries, but we were missing records for several dates of service on one of the beneficiaries. This required sending another request for the missing documentation and we are still waiting on those records. Secondly, I will be out of the office from June 21, 2013 until July 1, 2013. The plan is to review the additional documentation, complete our determination of the preliminary findings and send you a letter with those results as soon as possible.

Thank you for your understanding regarding this delay. You may call our Director of Program Integrity, Ms. Betty Jane Church, at (803) 898-2678 if you have any questions regarding this delay.

Sincerely,



Janice W. Gardner, RN, BSN

JUN 20 2013

DAVID DOWNIE, M.D., PA.

Anthony E. Keck - Director
Nikki R. Haley - Governor

South Carolina Department of Health & Human Services



July 5, 2013

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JUL 08 2013

DAVID DOWNIE, M.D., P.A.
PROVIDER ID#: 112942
CASE #: P7538

David Downie IV, M.D., P.A.
1327 Richland Street
Columbia, S.C. 29201

Dear Dr. Downie,

We are in the process of completing your review. However, we are missing documentation on three dates of service for three individual beneficiaries. Please, send the requested information, on the documentation list, so that we may complete our review. We are also still waiting on some missing documentation from Palmetto Baptist Hospital.

All physician notes for each date of service on the enclosure should be addressed to the Division of Program Integrity, Department of Health and Human Services, Attention: Janice W. Gardner, RN, Post Office Box 100210, Columbia, South Carolina 29202-3210. If you prefer, you may fax the information to: 255-8224, attention Janice W. Gardner, RN.

Please send copies of requested documentation to our office by July 12, 2013. If you have any questions, please contact me at (803) 898-2032.

Sincerely,

Janice W. Gardner

Janice W. Gardner, R.N., BSN

Department of Medical Service Review

Enclosure

Note: See 45 C.F.R. § 164.506 and 45 C.F.R. § 164.508 (a)(2)(ii) as permitted in 45 C.F.R. § 164.512 (d).

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PROVIDER NAME: David Downie, IV, M.D. PROVIDER ID#: 112942 PAGE 1 OF 1 JUL 08 2013

DAVID DOWNIE, M.D. PA.					COMMENTS
RECIPIENT NAME	DATE OF BIRTH	DATE(S) OF SERVICE	CODE PROCEDURE VISIT		
Medicaid ID: 1780199836 FLOWERS, KIRSTEN VICTORIA SSN: 382270464	5/7/2002	4/16/2012	99215	MD notes for this date of service	
Medicaid ID: 3922082703 Lemons, Tameka SSN: 251917541	6/24/1993	11/30/2012	99337	MD notes for this date of service	
Medicaid ID: 9552741601 Taylor, Jacob Eugene SSN: 655266741	4/16/1999	11/30/12	99337	MD notes for this date of service	



South Carolina Department of
Health & Human Services

Anthony E. Keck • Director
Nikki R. Haley • Governor

July 19, 2013

David Downie IV, M.D., P.A.
1327 Richland Street
Columbia, South Carolina 29201

Dear Dr. Downie:

Please be assured that we have finished the Program Integrity review of your patient records and are in the process of determining the preliminary results. You should expect written notification of the outcome of your review in the form of a letter from Janice Gardner, RN, the nurse reviewer who conducted this review. The letter should be mailed the week of July 22nd. As you were informed in a letter dated July 5, 2013, from Ms. Gardner, we could not finalize our review until we ensured that we had obtained all available patient records needed to substantiate the claims you submitted for Medicaid reimbursement. There was a delay in obtaining some of the records for your hospitalized patients from Palmetto Baptist. Also, there is no need to send us any more copies of patient notes or other records, as we have the documentation we need for the patients in our sample. The records you recently sent were outside of the time frame for our review and therefore not applicable to this audit.

We hope you will contact Ms. Gardner as soon as you receive the Program Integrity letter to arrange for an informal conference. This is an important part of the audit process during which we can go over the results of your review in depth. It will give you the opportunity to bring any additional material you think will support your billings, and allow both parties to discuss the details of the review. After the informal conference, we will issue a final letter on the results of the Program Integrity review.

I hope this answers your concerns, and we do appreciate your openness and cooperation during the review process. Please don't hesitate to contact me at (803) 898-1050 should you have any further questions.

Sincerely,

Kathleen C. Snider, Bureau Chief
Compliance and Performance Review

KCS/m

cc: Anthony E. Keck, Director
Byron Roberts, General Counsel
Janice Gardner, RN

DEPARTMENT OF HEALTH AND HUMAN SERVICES
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July 9, 2013

Ms. Kathleen C. Snider
Chief of Compliance and Review
S.C. Department of Health and Human Resources
P.O. Box 8206
Columbia, S.C. 29202-8206

Dear Ms. Snider:

Upon returning to work this week from vacation, I am disappointed to find your office continues its investigation of my medical practice. Though previously I was assured I would receive a response from you by end of June, I have received two further notifications that your office continues its review. Your office notes that more copies of more records are required. No doubt you have policies and procedures you must follow, but note your staff had full access to all of my medical files after I was provided one hour advance notification and your staff failed to evidently copy all records you wanted, which I've enclosed.

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Anthony E. Keck, Director

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David Downie, IV, MD
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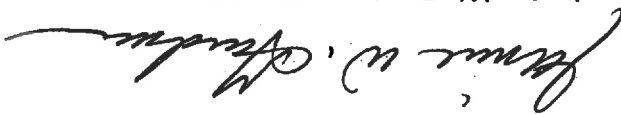
Provider ID#: 112942
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Anthony Keek, Director
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