

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

ACTION REFERRAL

TO <i>Myers</i>	DATE <i>10-19-07</i>
---------------------------	--------------------------------

DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER 000213	<input checked="" type="checkbox"/> Prepare reply for the Director's signature DATE DUE <i>10-26-07</i>
2. DATE SIGNED BY DIRECTOR <i>Cleavel 10/31/07, letter attached.</i> 	<input type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____ <input type="checkbox"/> FOIA DATE DUE _____ <input type="checkbox"/> Necessary Action

APPROVALS <small>(Only when prepared for director's signature)</small>	APPROVE	* DISAPPROVE <small>(Note reason for disapproval and return to preparer.)</small>	COMMENT
1.			
2.			
3.			
4.			



RECEIVED

OCT 19 2007

Department of Health & Human Services
OFFICE OF THE DIRECTOR

STATE OF SOUTH CAROLINA
THE SENATE

ROBERT W. HAYES, JR.
SENATOR YORK COUNTY
SENATORIAL DISTRICT NO. 15

SENATE ADDRESS:
SUITE 205
GRESSETTE SENATE OFFICE BLDG.

P.O. BOX 142
COLUMBIA, SC 29202
TEL.: (803) 212-6410
FAX: (803) 212-6499
EMAIL: SET75CSENATE.ORG

HOME ADDRESS:
P.O. BOX 904
ROCK HILL, SC 29731
803-324-2400

COMMITTEES:
ETHICS CHAIRMAN
BANKING AND INSURANCE
CORRECTIONS AND PENOLOGY
EDUCATION
FINANCE
MEDICAL AFFAIRS

October 10, 2007

Mr. Bill Lindsey
Board Chair, Columbia Area Mental Health Center
P. O. Box 4440
Columbia, SC 29240-4440

Dear Mr. Lindsey:

Bill

Thank you for your letter dated October 1, 2007 concerning recent changes to the South Carolina Medicaid program. According to the Senate Finance Committee, yours is not the only concern that has been raised. Efforts are underway to schedule a meeting between the Department of Mental Health and the Department of Health and Human Services to identify and address the specific areas of concern. In the meantime, I am forwarding a copy of your letter to Emma Forkner, Executive Director of the Department of Health and Human Services, with the request that she review your letter and respond to you directly with a copy to me.

Thank you for bringing this to my attention.

With warm regards, I am

Sincerely,

Robert W. Hayes, Jr.

RWHjr:jd

cc: Ms. Emma Forkner, Executive Director
S. C. Department of Health and Human Services
P. O. Box 8206
Columbia, SC 29202-8206

Log Forkner
c. Emma Forkner
dmr

RECEIVED



OCT 19 2007

Department of Health & Human Services
OFFICE OF THE DIRECTOR

STATE OF SOUTH CAROLINA
THE SENATE

ROBERT W. HAYES, JR.
SENATOR YORK COUNTY
SENATORIAL DISTRICT NO. 15

COMMITTEES:
ETHICS; CHAIRMAN
BANKING AND INSURANCE
CORRECTIONS AND PENOLOGY
EDUCATION
FINANCE
MEDICAL AFFAIRS

SENATE ADDRESS:
SUITE 205
GRESETTE SENATE OFFICE BLDG.
P.O. BOX 142

COLUMBIA, SC 29202
TEL.: (803) 212-6410
FAX: (803) 212-6499
EMAIL: SET@SCSENATE.ORG

HOME ADDRESS:
P.O. BOX 904
ROCK HILL, SC 29731
803-324-2400

October 10, 2007

Mr. Bill Lindsey
Board Chair, Columbia Area Mental Health Center
P. O. Box 4440
Columbia, SC 29240-4440

Dear ~~Mr. Lindsey~~: *Bill*

Thank you for your letter dated October 1, 2007 concerning recent changes to the South Carolina Medicaid program. According to the Senate Finance Committee, yours is not the only concern that has been raised. Efforts are underway to schedule a meeting between the Department of Mental Health and the Department of Health and Human Services to identify and address the specific areas of concern. In the meantime, I am forwarding a copy of your letter to Emma Forkner, Executive Director of the Department of Health and Human Services, with the request that she review your letter and respond to you directly with a copy to me.

Thank you for bringing this to my attention.

With warm regards, I am

Sincerely,

Robert W. Hayes, Jr.

RWHJr:jd

cc: Ms. Emma Forkner, Executive Director
S. C. Department of Health and Human Services
P. O. Box 8206
Columbia, SC 29202-8206



**Columbia
Area
Mental
Health
Center**

*Serving adults, children, and their
families in Richland and Fairfield counties.*

Richland County:

P.O. Box 4440
2715 Colonial Drive
Columbia, SC 29240-4440
(803) 898-4800

Fairfield County:

P.O. Box 284
1037 US Hwy 321 Bypass
Winnsboro, SC 29180
(803) 635-4689

Robert L. Bank, M.D.
Executive Director

October 1, 2007

Senator Robert W. Hayes
1486 Cureton Drive
Rock Hill, SC 29732

Dear Senator Hayes:

I am very concerned about recent changes to the South Carolina Medicaid program. The South Carolina Health and Human Services agency is attempting to direct Medicaid recipients to a new group of Health Maintenance Organizations (HMO) that are now under contract.

My specific concerns are:

- Medicaid participants are being sent confusing notices requiring them to choose an HMO or be randomly assigned to one.
- Their right to remain under standard Medicaid benefits is barely addressed.
- The notice does not alert the participant to the very real possibility that their doctor AND medication may NOT be covered by any of these plans.

The mentally ill population of our State has traditionally been exempted by the South Carolina Legislature from any restrictions to the very small number of medications available to treat serious mental disorders. A special menu of clinical services has also been offered with great success. Without these safeguards our hospitals and emergency rooms would be overwhelmed beyond their already limited resources.

The Medicaid HMO plans DO NOT provide these safeguards for this very vulnerable population that counts on you for a voice in their healthcare needs. The plans will tell you that there is an appeal process for denied benefits, but this inevitably results in long delays and arbitrary decisions that have tremendous negative consequences.

The attached study "Medication Access and Continuity:..." published in the American Journal of Psychiatry 2007 pointedly validates the problem.



South Carolina
Department of
Mental Health

I am seeking your support in insisting that HHS require the Medicaid HMO's to offer the same choices for mental health care that the Standard Medicaid Plan must provide to the mentally ill population as mandated by the legislature. I feel strongly that this initiative has not followed the intent of the elected representatives of our state to protect the health care needs of this very vulnerable population.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Lindsey", written in a cursive style.

Bill Lindsey
Board Chair, Columbia Area Mental Center



State of South Carolina
Department of Health and Human Services

213

Mark Sanford
Governor

October 31, 2007

Emma Forkner
Director

Mr. Bill Lindsey, Board Chairman
Columbia Area Mental Health
Post Office Box 4440
2715 Colonial Drive
Columbia, South Carolina 29240-4440

Dear Mr. Lindsey:

Thank you for expressing your concerns about recent changes to the South Carolina Medicaid Program and effects these changes could have for beneficiaries. We understand that the mentally ill population has unique needs, and we are committed to ensuring that these needs are not overlooked as we expand Medicaid Managed Care and allow beneficiaries more choices in how they receive their care. I have addressed each of your concerns below:

- **Concern: Medicaid participants are being sent confusing notices requiring them to choose an HMO or be randomly assigned to one.**

DHHS partnered with Maximus Enrollment Counselor Service and the Center for Health Care Literacy to develop clear and concise information to send to beneficiaries. In addition, DHHS enlisted the assistance of a separate, independent peer consumer focus group comprised of Medicaid beneficiaries to review all materials for readability. While we agree that this is a change in method and there is more need for active involvement from the beneficiaries, we have made every effort to develop the notices, letters and brochures in an easy-to-read format. We will continue to evaluate future mailings and make changes to improve the readability and clarity of these documents.

- **Concern: Their right to remain under standard Medicaid benefits is barely addressed.**
To address this issue, we have changed the enrollment form to add fee-for-services as one of the choices under "Choose a health plan."

- **Concern: The notice does not alert the participant to the very real possibility that their doctor AND medication may NOT be covered by any of these plans.**

The beneficiary receives a packet of information from Healthy Connections Choices, which includes a pamphlet called, "Choosing a Health Plan." A copy of this pamphlet is included for you review. The pamphlet addresses the issue of choosing a primary care physician (PCP) as well as how to identify which plans their present PCP may be enrolled.

Mr. Bill Lindsey
October 31, 2007
Page 2

Beneficiaries are asked specific questions regarding their PCP when calling South Carolina Healthy Connections Choices (SCHCC). Beneficiaries can also access this information through the SCHCC website (www.SCchoices.com). Services provided by the physicians within the Department of Mental Health are "carved out" and should continue with minimal interruption. There will be an increased probability of coordination between the attending mental health provider and the PCP, which we believe is in the best interest of the beneficiary.

We are scheduled to meet with leaders from the Department of Mental Health and the Medical Directors from each of the managed care plans on Wednesday, November 7, 2007. The goal is to establish improved communication channels that will enable physicians to coordinate all health care services, including mental health treatment and medications, for the best outcomes for each beneficiary. We intend to facilitate on-going meetings so issues can be addressed and resolved as the delivery system evolves.

- **Concern:** Insistence that DHHS require the Medicaid HMO's to offer the same choices for mental health care that standard Medicaid Plan must provide to the mentally ill population.

DHHS is evaluating the mental health component of the MCO contract and will discuss best ways to handle issues with the above referenced group. If changes are required to the current MCO contract to better meet the needs of the beneficiaries, notice of these changes will be sent out to all affected providers.

We appreciate your ongoing support provided to South Carolina Medicaid beneficiaries. If you should have additional questions, please contact Ms. Jennifer Campbell, Managed Care Department Head, at (803) 898-4614.

Sincerely,



Emma Forkner
Director

EF/mghc

Enclosures