

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF DIRECTOR

**ACTION REFERRAL**

TO <i>Majors</i>	DATE <i>10-22-10</i>
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DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER <i>101194</i>	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____
2. DATE SIGNED BY DIRECTOR <i>cc: Ms. Forkner See hand log until 11/12/10, see attached.</i>	<input checked="" type="checkbox"/> Prepare reply for appropriate signature DATE DUE <i>11-12-10</i> 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. <i>Cleared 11/4/10, letter attached.</i>			
2.			
3.			
4.			



# Carolina Orthopaedic

& Sports Medicine Center, P.A.

*for fitness. for fun. for life.*

October 13, 2010

**RECEIVED**

OCT 22 2010

Department of Health & Human Services  
OFFICE OF THE DIRECTOR

#### Physicians

Ian D. Archibald, MD

Erik C. Johnson, MD

Charles J. Niemeyer, MD

Christopher A. Prato, MD

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Robert C. Olson, DPM

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William H. Jamman, Jr., MD

Glendall L. King, MD

George R. Miller, MD

Edward S. Whitesides, MD

#### Practice Administrator

T. Chad Ghorley

620 SUMMIT CROSSING PLACE

SUITE 108

GASTONIA, NC 28054

Phone: 704-865-0077

Fax: 704-867-6401

www.CarolinaOrthopaedic.com

Dear Ms. Forkner:

Linda Shaw is a 44 year old female patient of mine that was admitted to my orthopaedic service at Gaston Memorial Hospital, Gastonia, NC in the early hours of 10/7/10 with extensive injuries to her right leg. She is a resident of Clover, South Carolina and was injured in the vicinity of Clover, South Carolina. She was allegedly run over by her boyfriend.

The exact nature of the incident is under investigation by the police. She presented to Gaston Memorial Hospital Emergency Department as we are the closest hospital that can handle these types of extensive injuries. Her other option would have been to have a rescue squad take her to hospitals in the Rock Hill area. We however routinely handle this type of orthopaedic trauma and are equipped to do so. Her injuries included a severely fractured proximal femur in the sub-troch/intertrochanteric area, extensive ligamentous damage to her right knee with ruptures of the anterior cruciate ligament and the medial collateral ligament, a crush injury to her right foot and ankle, and a mildly displaced bimalleolar right ankle fracture. She has other multiple bumps and bruises none of which appear to be of any consequence.

On 10/7/10 she underwent approximately four hours of surgery to repair her right femur and her right ankle. She was subsequently hospitalized until 10/12/10 when at that time she was able to use a walker and a wheelchair with assistance.

Our hospital social workers and discharge planners attempted to obtain services for Ms. Shaw in South Carolina. We were told that had the patient gone to a South Carolina hospital she would have been able to obtain some services which would have included emergency medical assistance, access to short-term rehab, and home health physical therapy. Because she came to a North Carolina hospital none of those services are available to her and she is essentially left to fend for herself.



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Page 2

RE: Linda S. Shaw

The patient would have been most appropriately treated with at least a 10 to 14 day stay in a short-term rehab facility so that she can gain strength to be ambulatory with full reliance on a walker and her left leg for support. Following that home therapy would have been appropriate to make the adjustment to functioning at home. It is likely that it will be two to three months before she will be able to independently ambulate on both legs and she may require significant knee ligament surgery in the future.

I am deeply concerned by the failure of the State of South Carolina to assume any responsibility for this patient's injuries. As best as we know, at the present time those injuries that she sustained are not at all her fault. They are extensive and will require continued treatment for the foreseeable future. Simply ignoring this resident of South Carolina seems blatantly unfair when the services that she is in need of would be provided had she been taken to a South Carolina hospital. Any assistance you can provide this unfortunate patient would be greatly appreciated.

Yours sincerely,

Ian D. Archibald, M.D.  
IDA:jm

cc: Ms. Linda S. Shaw, 1202 Mt. Holly Rd., Rock Hill, SC 29730

Governor Mark Sanford, PO Box 12267, Columbia, SC 29211  
Representative Herb Kirsh, District 47 – York Co.  
503A Blatt Bldg., Columbia, SC 29201

Ms. Valinda Rutledge, CEO, Gaston Memorial Hospital  
2525 Court Drive, Gastonia, NC 28054

**Brenda James - Log 0194**

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**From:** Jennifer Lynch  
**To:** Brenda James  
**Date:** 11/1/2010 10:43 AM  
**Subject:** Log 0194

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Valeria and Zenovia brought this log to me as it is pertaining to an eligibility issue. It has a due date of 11/2, but I just received it today. Would you please make note of this?

Thanks!

Jennifer Lynch  
Supervisor, Division of Constituent & Beneficiary Services  
Department of Health and Human Services  
(803) 898-3965  
(803) 255-8350 FAX  
[lynchjen@scdhhs.gov](mailto:lynchjen@scdhhs.gov)

*Sent e-mail to extend log until 11/12/10. by*



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October 13, 2010

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Phone: 704-665-0077

Fax: 704-667-6401

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November 4, 2010

Ian D. Archibald, M. D.  
620 Summit Crossing Place, Suite 108  
Gastonia, North Carolina 28054

Dear Dr. Archibald:

Thank you for your recent letter regarding Medicaid eligibility for South Carolina resident, Linda S. Shaw. I appreciate you bringing your concerns to our attention.

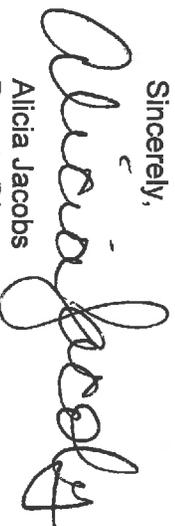
To qualify for South Carolina Medicaid benefits, an individual must meet certain state and federal financial guidelines, non-financial requirements, and fit into one of the categories listed below:

- Individual receiving cash assistance such as Supplemental Security Income (SSI)
- Individual age 65 or older, blind or disabled (as defined by the Social Security Administration)
- Child under age 19
- Pregnant woman
- Family with a dependent child(ren)
- Woman diagnosed and found in need of treatment for breast and/or cervical cancer
- Woman qualifying for family planning services only

If Ms. Shaw is interested in applying for Medicaid coverage, she or her representative should complete the enclosed application and return it to the York County Medicaid Office. Their mailing address is Post Office Box 710, Rock Hill, SC 29731. The Regional Administrator for York County Medicaid is Jill Bryant. Ms. Bryant may be reached at (803) 366-1900, Ext. 418 if you have additional questions or concerns regarding the application process.

I apologize if you or your staff received any conflicting information regarding the Medicaid application process. I hope this information is helpful.

Sincerely,



Alicia Jacobs  
Deputy Director

AJ/jgl  
Enclosures

cc: Ms. Linda S. Shaw, 1202 Mt. Holly Road, Rock Hill, SC 29730



Log No. : 0914

November 4, 2010

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620 Summit Crossing Place, Suite 108  
Gastonia, North Carolina 28054

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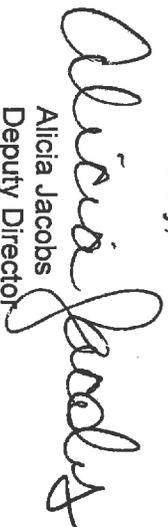
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Alicia Jacobs  
Deputy Director

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Enclosures

cc: Ms. Linda S. Shaw, 1202 Mt. Holly Road, Rock Hill, SC 29730