

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

ACTION REFERRAL

Relogged from Liggett to Roberts on 11/25/14.

TO <i>Roberts</i>	DATE <i>11-24-14</i>
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DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER 000124	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____
2. DATE SIGNED BY DIRECTOR <i>cc: Ma Ky, Liggett</i> <i>* See attached e-mail from Byron Roberts, no response needed... just FYI.</i>	<input 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.			
2.			
3.			
4.			

Brenda James

From: Byron Roberts
Sent: Tuesday, November 25, 2014 2:34 PM
To: Brenda James; Jan Polatty
Subject: FW: Message from JSM_BIC_01
Attachments: SJSM_BIC_0114112412390.pdf

We don't need to respond. Just fyi.

Byron Roberts

General Counsel

Robertsb@scdhhs.gov

803.898.2795

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From: jsmbic01@scdhhs.gov [mailto:jsmbic01@scdhhs.gov]
Sent: Monday, November 24, 2014 12:40 PM
To: Byron Roberts
Subject: Message from JSM_BIC_01

PATRICIA L. HARRISON
ATTORNEY AT LAW
811 HOLLY STREET
COLUMBIA, SOUTH CAROLINA 29205

TELEPHONE (803) 256-2017

FAX (803) 256-2213

November 21, 2014

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NOV 24 2014

Department of Health & Human Services
OFFICE OF THE DIRECTOR

Kenneth P. Woodington, Esquire
Davidson and Lindemann, PA
PO Box 8568
Columbia, SC 29202-8568

Damon C. Wlodarczyk, Esquire
Riley Pope & Laney, LLC
PO Box 11412
Columbia, SC 29211

**Re: Jane Harrison v. Fred Owens
Fourth Circuit, 14-1789**

Dear Ken and Damon:

We are requesting a status report on the pending application for the licensing of the home of Jane Wecker Harrison as a CTH I. UCP filed with DDSN an application to license her home on or about November 26, 2013. Ms. Harrison completed all of the required training and she obtained all necessary inspections of her home so as to be licensed as a CTH I. According to the information provided to me, the only reason given by DDSN for not completing the processing of her application was the pending lawsuit against Tana Vanderbilt, Sam Davis, Andy Laurent and DDSN. If there is some other reason why the application to license Ms. Harrison's home as a CTH I has not been processed in the normal course of business, please share those reasons with us.

We are requesting that you proceed promptly to process the application for licensure of Ms. Harrison's home as a CTH I operated by UCP so that arrangements can be made for Ms. Makins to return to live there. I am attaching affidavits signed by Ms. Makins' guardian, the statement of Dr. Lovelace, and the report of the psychological services provider who was appointed by the Probate Court to examine Ms. Makins (also the affidavit this provider signed after Newberry DSN filed new allegations that Jeannie's current CTH I provider abused another consumer).

DDSN terminated the license of Ms. Harrison's CTH I after then director Laurent assured us that her CTH I license had not been terminated and that she would be provided with an opportunity for a hearing before her license was terminated. Of course, that opportunity for due process was never provided. DDSN terminated the license based on the grounds that the

Newberry DSN Board decided to terminate the license.

We have offered to dismiss Ms. Vanderbilt and Sam Davis as defendants in the pending lawsuit once the requested CTH I license application is approved. Please confirm that this offer has been conveyed to the individual defendants. We would also be willing to discuss a resolution of all of the allegations Ms. Harrison has made related to retaliation for disclosing information about the rape of Ms. Makins and Ms. Vanderbilt's involvement in resolving that pregnancy, with both sides neither admitting nor denying the allegations.

We would also like to put on the record our offer to settle all pending claims against all state agencies and individual defendants for a total of \$300,000.00, in addition to the relicensure of Ms. Harrison's home as a CTH I. Please confirm for me that this offer has also been conveyed to all persons named individually in the Amended Complaint. Damon, although, DHHS and its director have not been named as defendants in the pending case, please advise them that we will likely be filing a new complaint for retaliation resulting from its agent, DDSN, refusing to process the 2013 application. Since DHHS is responsible for the administration of the waiver program, it may be necessary to include DHHS and its director as defendants in that new litigation.

This offer will remain on the table until December 12, 2014.

Sincerely,



Patricia Logan Harrison

Attachments

c: Jane Harrison Wecker
Anthony Keck
George Maky
Representative Walt McLeod
Pat White

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Department of Health & Human Services
OFFICE OF THE DIRECTOR

PATRICIA L. HARRISON
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611 HOLLY STREET
COLUMBIA, SOUTH CAROLINA 29205

TO:

Mr. Anthony Keck
SC Depart. Of Health and Human Services
PO Box 8206
Columbia, SC 29202-8206

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