

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR

ACTION REFERRAL

See Log # 0114

TO <i>Bowling / Myers</i>	DATE <i>8-29-07</i>
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DIRECTOR'S USE ONLY		ACTION REQUESTED	
1. LOG NUMBER <i>000122</i>	<input checked="" type="checkbox"/> Prepare reply for the Director's signature DATE DUE <i>9-5-07</i> <input type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____ <input type="checkbox"/> Necessary Action DATE DUE _____		
2. DATE SIGNED BY DIRECTOR <i>L: Mrs Ferker Depts. Quinn Stensland, Host? Quinn</i>			
<i>* Note - Same Constituent as Log # 000114</i>			

APPROVALS (Only when prepared for director's signature)	APPROVE	* DISAPPROVE (Note reason for disapproval and return to preparer.)	COMMENT
1. <i>Cleared 9/10/07, letter attached</i>			
2.			
3.			
4.			



HUGH K. LEATHERMAN, SR.

SOUTH CAROLINA STATE SENATE
DISTRICT 31, FLORENCE
AND DARLINGTON COUNTIES

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Florence, South Carolina 29501
(843) 667-1152

August 24, 2007

Emma Forkner, Director
Department of Health & Human Services
1801 Main Street
Columbia, South Carolina 29201

Dear Ms. Forkner:

I am enclosing herewith a copy of a letter that I recently received from Gail Collins, whose daughter, Katie, is physically and mentally handicapped. As you can see, Katie has attended Atlantic Health Care for the past three years. It seems ludicrous to me that Katie will have to transfer to a new center, a move which will disrupt her life and will also result in increased Medicaid expenses.

I would very much appreciate your looking into this to determine how it can best be corrected.

Thank you for your assistance in this matter.

Very truly yours,

A handwritten signature in dark ink, appearing to read "H. K. Leatherman".

Hugh K. Leatherman, Sr.
HKL:dsm

Enclosure
cc: Ms. Gail Collins

13-CO/1

RECEIVED

AUG 29 2007

Department of Health & Human Services
OFFICE OF THE DIRECTOR

8/29
Em -
letter this to
provide log-ht.

6091 Renata Lane

Myrtle Beach, South Carolina 29588

August 13, 2007

The Honorable Hugh K. Leatherman, Sr.

Post Office Box 142

Columbia, South Carolina 29202

Dear Senator Leatherman,

My name is Gail Collins. My husband John and I have lived in Horry County all our lives where he works as a mechanic for a rental company and I teach language arts at Forestbrook Middle School. We have raised two sons and one daughter in the Socastee community and have seen tremendous growth and change in the area over the last several decades.

I am writing in reference to a great injustice that is being done to the disabled and elderly population of our state. It is highly probable that you and others in similar positions are not aware of this situation; as a fellow South Carolinian, I feel certain that when it is brought to your attention, steps will be taken to correct this unfairness.

Many elderly and handicapped South Carolinians must depend on our Medicaid system for assistance with medical and transportation needs. My own twenty-five year old daughter is physically and mentally handicapped, and although I have managed to maintain Blue Cross Blue Shield coverage for her through my job, Medicaid also helps with the great expenses that are a part of caring for a special-needs person. One area of great expense is her day care costs while I am working during the school year. Since graduating from the South Carolina School for the Deaf, Blind, and Multihandicapped in 2004, Katie has attended Atlantic Health Care, a fine adult day care facility located in Conway. CRPTA provides transportation, picking up Katie at home in the morning and returning her to me at Forestbrook Middle School in the afternoon, and therein lies the problem.

According to CRPTA's calculations, Katie lives 13.7 miles from the day care facility. A clause in the Medicaid law states that Medicaid will pay transportation costs only for persons who live 15 or more miles from the provider. The day care provider enters into a contract with Medicaid agreeing that they will pay for or provide transportation for persons who live within a 15 mile radius of the day care center. Part of the agreement is that the provider will use a portion of the forty-five dollar per diem rate that they receive for a Medicaid client to provide this service. At some time in the past this may have been a workable concept; Atlantic Health Care has been in business for approximately sixteen years, so the owners apparently have been able to provide their services for both Medicaid and non-Medicaid clients, despite the discriminatory nature of this law. After all, it only seems fair that all individuals who qualify for Medicaid services should receive the same services with no stipulations.

In addition to the unfairness of this part of the law, it creates a financial impossibility for those who operate the facilities. For example, Katie lives just over thirteen miles from the day care center, but she rides a circuitous route as the bus picks up other clients so the transportation provider bills the day care provider for every mile that she is on the bus which is far more than 13.7. Of course, costs for the transportation company are rising, so recently their rates increased as well; the new proposed rate to transport Katie to and from day care is just over \$43.00 (forty-three dollars) daily. Of course, one need not be a mathematician to quickly figure out that the day care provider cannot possibly pay workers to care for Katie, serve a nutritious lunch, and organize suitable activities for two dollars a day. It is preposterous to even propose this to the day care center. Yes, they entered into a contract with the Department of Health and Human Services, but obviously this contract is no longer viable for the day care center and certainly not for the needy citizens of South Carolina.

The owner of Atlantic Health Care also owns a facility in Loris, South Carolina, which is sixteen miles from Conway. As I prepare to begin a new school year, the only solution we could find to this problem is to bus Katie and five other special needs clients this additional sixteen miles to a totally new center with completely new caregivers. Aside from the emotional turmoil this creates for my daughter, it doesn't strike me as a cost-effective answer to the problem. Is it logical to spend more Medicaid money to transport Katie to Loris when it would cost less for Medicaid to pay for her to simply stay where she is?

This law must be reviewed and revised. Perhaps at one time it worked for all involved, including DHHS, the day care providers, and the vulnerable people that it affects. Perhaps even now the concept "looks good on paper." However, it is no longer working for the people of our great state. These are not all mentally or physically disabled individuals. Some of them are elderly people who worked hard all their lives, paid their taxes, lived decent lives, and who now need a secure place to be while their families continue that tradition. Perhaps their families use day care as an alternative to nursing home placement, but if those day care providers cannot operate in the black, the doors will be closing and then where will the fine people of South Carolina turn?

I am asking you to investigate this great injustice. There should not be "conditions" that recipients must meet in order to receive the same benefit that the person sitting beside them on the bus receives. Medicaid benefits must be fair and equitable to all who qualify. I hope to hear from you soon regarding this matter. You may contact me at my home phone 843-236-7155 or my cell phone 843-421-2155 after school hours, or you may e-mail me at mrsjgc@msn.com.

Sincerely,

A handwritten signature in dark ink, reading "Gail Collins". The signature is written in a cursive, flowing style with a large initial "G".

Gail Collins

Addendum to letter dated August 13, 2007

August 16, 2007

Please note the attached news report about Katie's disappearance from the Loris facility on Tuesday, August 14. It was her first day at the center, and she was gone approximately 19 hours. It was a night of absolute horror for me and my family that would not have happened if we had not transferred her from the Conway center. We thank God that she survived the ordeal.

I ask you to please remember that Medicaid policy is not just about numbers and funds. It affects real people who are just like you and me.

Thank you,

A handwritten signature in black ink that reads "Gail Collins". The signature is written in a cursive, flowing style.

Gail Collins



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Monday is Local's Appreciation Day!




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News Weather Sports News Features Team-15 Community What's On Home

Missing woman back home with family

8/15/2007 8:38:37 PM

The 24-year-old woman who wandered from her adult day care facility Tuesday is home safe with her parents. Her mom doesn't blame the day care, but rather a situation that forced her to send her daughter to a new place.

Katie Collins is energetic and curious. She keeps her parents busy, especially on a day like Tuesday.

Gail Collins is Katie's mom. "I got a call from Katie's day care center that she had wandered away. They were in a panic."

It was Katie's first day at the adult day care center in Loris. She was last seen before 2:00pm Tuesday afternoon on the front porch. Police and around 200 people looked for Katie for hours.

It's a difficult search when you can't just shout for the person and expect them to answer.

"A special needs child, one who is deaf, who cannot communicate with people. A child who has not been able to learn her phone number or learn how to tell people her address," Katie's mom explained.

Searchers went home at midnight and planned to start again Wednesday morning, however Katie came back first. "About 7:00 am, she appeared next door to the day care center, trying to find her way back apparently having spent the night in the very building next door."

Gail Collins said the reason Katie was at the Loris center was because Medicaid wouldn't pay for Katie to continue at the Conway center she was attending. It was too close to their home.

"In order for Medicaid to pay for her transportation costs she must attend a facility 15 or more miles away from her home," explained Katie's mom.

Despite the financial burden, Gail said Katie will go back to her Conway day care on Friday. Katie's parents said she was back to her usual self pretty quickly.

Email: Feedback@WPDE.com

[Return to News](#)

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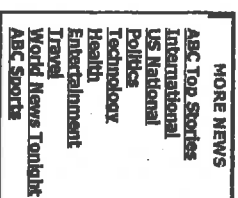
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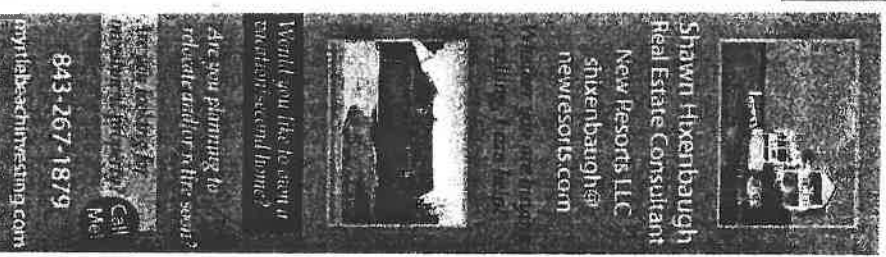
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State of South Carolina
Department of Health and Human Services

Mark Sanford
Governor

Emma Fortner
Director

September 10, 2007

The Honorable Hugh K. Leatherman, Sr.
The Senate of South Carolina
Senatorial District 31
Post Office Box 142
Columbia, South Carolina 29202

Dear Senator Leatherman:

Thank you for your recent letter on behalf of Ms. Gail Collins and the concerns she noted regarding policy involving Adult Day Care (ADC) and Medicaid transportation. We regret this unfortunate incident with Katie Collins and appreciate the opportunity to be of assistance in this matter.

As you know, South Carolina's Medicaid Program is operated on the basis of policies that are promulgated by the Department of Health and Human Services (SCDHHS). SCDHHS uses policies rather than state laws to manage beneficiary healthcare resources. Adult Day Care (ADC) centers contract with SCDHHS to provide services that include transportation that is limited to ADC beneficiaries living within a 15 mile radius of the center. Since this transportation is a component of the ADC service, a center may elect to subcontract transportation services with a transportation provider(s) of their choice. However, when a beneficiary lives outside the 15 mile radius, a regional Medicaid transportation broker is responsible for transportation to the ADC center.

It was not the intention of the 15 mile rule to place an undue burden on families, and we are troubled by recent reports that this provision has apparently motivated at least one family to change from a preferred facility to one much further from their home. You may be pleased to know we are convening a meeting of interested parties next week (September 11) with the express goal of ameliorating problems this rule may have caused. I will update you as soon as we come to an agreeable solution. In the interim, Logisticare, the transportation broker for Ms. Collins' region of the state, is providing transportation for Ms. Collins to the ADC that she has been attending in the past.

The Honorable Hugh K. Leatherman, Sr.
September 10, 2007
Page 2

SCDHHS is continuously reviewing feedback received from citizens and beneficiaries regarding recent changes in the way Medicaid services are arranged and provided. Thank you for your valuable feedback; it is an important step towards improvements to Medicaid services.

Thank you again for your interest in the Medicaid program and support of beneficiary transportation services. If you need additional information, please contact, Ms. Felicity Costin Myers, Bureau Chief at (803) 898-2565. If I can be of further assistance, please contact me directly.

Sincerely,

A handwritten signature in cursive script, appearing to read "Emma Forkner".

Emma Forkner
Director

EF/hmc

114 + (# 122)



State of South Carolina
Department of Health and Human Services

Mark Sanford
Governor

September 10, 2007

Emma Fortner
Director

Ms. Gail Collins
6091 Renata Lane
Myrtle Beach, South Carolina 29588

Dear Ms. Collins:

Thank you for your recent letter regarding policy involving Adult Day Care (ADC) and Medicaid transportation. We regret the unfortunate incident with your daughter, Katie, and appreciate the opportunity to be of assistance in this matter.

As you know, South Carolina's Medicaid program is operated on the basis of policies that are promulgated by the Department of Health and Human Services (SCDHHS). SCDHHS uses policies rather than state laws to manage beneficiary healthcare resources. ADC centers contract with SCDHHS to provide services that include transportation that is limited to ADC beneficiaries living within a 15 mile radius of the center. Since this transportation is a component of the ADC service, a center may elect to subcontract transportation services with a transportation provider(s) of their choice. However, when a beneficiary lives outside the 15 mile radius, a regional Medicaid transportation broker is responsible for transportation to the ADC center.

It was not the intention of the 15 mile rule to place an undue burden on families, and we are troubled by recent reports that this provision has resulted in your need to change from a preferred facility to one much farther from your home. We are convening a meeting of interested parties next week (September 11) with the express goal of addressing problems this rule may cause. In the interim, LogistiCare, the transportation broker for your region of the state, will provide transportation for Katie to the ADC that she has been attending in the past. Once a resolution of the issues of transportation distance to the ADC has been reached, you will be notified of the transportation arrangement available to Katie.

SCDHHS is continuously reviewing feedback received from citizens and beneficiaries regarding recent changes in the way Medicaid services are arranged and provided. Thank you for your valuable feedback; it is an important step towards improvements to Medicaid services.

Ms. Gail Collins
September 10, 2007
Page 2

Thank you again for your interest in the Medicaid program and support of beneficiary transportation services. If you need additional information, please contact Dr. Felicity Costin Myers, Bureau Chief at (803) 898-2555. If I can be of further assistance, please contact me directly.

Sincerely,

A handwritten signature in cursive script, appearing to read "Emma Forkner".

Emma Forkner
Director

EF/hmc

SCDHHS AUTHORIZATION TO DISCLOSE HEALTH INFORMATION

Client Name: Katrina G. Collins Date of Birth: 8-23-82

Record #: _____ Client SS #: 250 51 9667
Gail Collins hereby authorize

I, Gail Collins (Client or Personal Representative)
SC Dept. of Health & Human Services (Name of Provider/Plan/Agency) to disclose specific health information

from the records of the above named client to: Dimmy C. Bogles - District #80;

John M. "Jake" Kneib, Jr. - Senate District 23 (Recipient Name/Address/Phone/Fax)

Hugh K. Leatherman, Sr. - Senate District 31

for the specific purpose(s): Susan Duncan - Office of the Governor

of replying to correspondence regarding Medicaid law

Specific information to be disclosed: _____

Medicaid services provided to Katrina G. Collins

I understand that this authorization will expire on the following date, event or condition: _____

I understand that if I fail to specify an expiration date or condition, this authorization is valid for the period of time needed to fulfill its purpose for up to one year, except for disclosures for financial transactions, wherein the authorization is valid indefinitely. I also understand that I may revoke this authorization at any time and that I will be asked to sign the *Revocation Section* on the back of this form. I further understand that any action taken on this authorization prior to the rescinded date is legal and binding.

I understand that refusal to sign this authorization will not condition or limit my access to treatment, payment, enrollment or eligibility for benefits available to me.

I understand that my information may not be protected from re-disclosure by the requester of the information; however, if this information is protected by the Federal Substance Abuse Confidentiality Regulations, the recipient may not re-disclose such information without my further written authorization unless otherwise provided for by state or federal law.

I further understand that I may request a copy of this signed authorization.

Katrina Collins 9-8-07 (Signature of Client) (Date)

Gail Collins 9-8-07 (Signature of Personal Representative) (Date)

mother (Witness-If Required) (Personal Representative Relationship/Authority)

NOTE: This Authorization was revoked on _____ (Date) (Signature of Sign)

* I authorize any SC senator or representative contacted by me on Aug. 16, 2007 to request information from DHS regarding Katrina Collins. Jan 10 11 AM