

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR

ACTION REFERRAL

TO	DATE
<i>Baskin/FOIA</i>	<i>9-13-06</i>

DIRECTOR'S USE ONLY		ACTION REQUESTED	
1. LOG NUMBER	<i>000236</i>	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____	
2. DATE SIGNED BY DIRECTOR	<i>cc: Singleton, Stensland Cleveland, Glazer, Ritter attached</i>	<input checked="" type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____ <i>X</i> FOIA DATE DUE <i>9-27-06</i>	
		<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.			

Ros. Bowling
"FOIA"
Re: Smileyton
Sturlesand

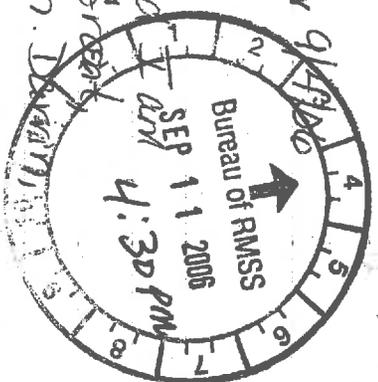
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HEALTH & HUMAN
SERVICES

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Department of Health & Human Services
OFFICE OF THE DIRECTOR
PREVENTIVE & ANCILLARY
HEALTH SERVICES



My name is Engrid L. Grant and I am writing on behalf of my son, Darrin C. Brent regarding his Medicaid Transportation. Darrin is physically and mentally disabled, uses a motorized wheelchair and is a 9th grade student at Dutten Fork High School. We don't have transportation and have been using Medicaid Transportation for years to take Darrin to and from medical appointments, transportation picks us back up and then takes Darrin to School. Medicaid Transportation is now refusing to take Darrin to Dutten Fork High School after his medical appointments.

August 29, 2006, I called Spencer Scott (Richland County DSS Transportation Scheduler (803) 714-7536) to schedule a ride for Darrin for September 19, 2006. Mrs. Scott called me back to say the ride has been scheduled, but Medicaid Transportation will not take Darrin to school afterwards, that he has to go home. I never received a letter about this decision.

I spoke with Karen Wright (Department of Health, and Human Services (803) 898-2655) about Medicaid Transportation refusing to take Darrin to Dutten Fork High School after his medical appointments. Mrs. Wright said Transportation is following "Jacob's Law". Mrs. Wright then went on to say that the Department of Health and Human Services is waiting to see if the Medicaid vans meet the state requirements as a school bus.

"The law provides an exception for certain state agencies transporting parents and children together."

1. Is Medicaid Transportation exempt from the law, since Darin and I are transported together?
2. What is the exception provided to state agencies under the law?
3. What state agencies are excluded from the law?

I feel that this law is being misinterpreted by a lot of people. Jacob's Law addresses transportation on school buses for school-related activities. Since we don't have transportation, Medicaid Transportation is the only way for me to get Darin to Dutten Fork High School after his medical appointments.

I am requesting this information under the Freedom of Information Act.

Your time and assistance are greatly appreciated.

Thank You,
Engnd L. Grant
(503) 749-0139



State of South Carolina
Department of Health and Human Services

Mark Sanford
Governor

Robert M. Kerr
Director

TO:
FROM:

SUBJECT: Cost of Processing FOIA Request

The South Carolina Department of Health and Human Services has received and processed your FOIA request. The cost for processing this information is as follows:

Staff processing time at \$10.00 per hour	_____ Hours	\$ _____
Pages copied at \$.10 per page	_____ Pages	\$ _____
Pages faxed at \$.20 per page	_____ Pages	\$ _____
Shipping and Handling Costs		\$ _____
Other costs associated with the FOIA request:	_____	\$ _____
Total Amount Due SCDHHS:		\$ _____

Please remit the above amount to the following address:

Bureau of Fiscal Affairs
South Carolina Department of Health and Human Services
Post Office Box 8355
Columbia, South Carolina 29202-8355

Please contact _____ should you have any questions.

Signature _____

Date: _____

Finance and Administration
P. O. Box 8206 Columbia South Carolina 29202-8206
(803) 898-2503 Fax (803) 898-4515



State of South Carolina
Department of Health and Human Services

log # 236
✓

Mark Sanford
Governor

Robert M. Kerr
Director

September 22, 2006

Ms. Engrid L. Grant
105 Hill Pine Road, Apt. No. G-1
Columbia, South Carolina 29210

Dear Ms. Grant:

This letter is in response to your recent request under the Freedom of Information Act regarding the impact of Jacob's Law on Medicaid transportation. The Department of Health and Human Services (DHHS) is conducting a review of the impact that Jacob's Law has on non-emergency medical transportation.

The three questions you posed related to matters of legal interpretation. DHHS has requested an opinion from the South Carolina Attorney General's Office regarding the application of Jacob's Law to providers of Medicaid non-emergency transportation. In addition, we are working with state and federal authorities to ensure Medicaid compliance with Jacob's Law. Upon completion of our review, DHHS policy will be publicly available.

Please note that DHHS wants to relieve any imminent hardship for transportation services you may be facing. In the interim, DHHS is willing to assist you in securing adequate Medicaid transportation arrangements to assist with your son's transportation from home to medical appointments.

If you have any questions or need additional assistance, please contact Ms. Shirley Carrington, Team Leader for Transportation at (803) 898-2655.

Sincerely

Susan B. Bowling
Susan B. Bowling
Deputy Director

SBB/mac