

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

ACTION REFERRAL

TO	DATE
<i>Forster</i>	<i>1/8/09</i>

DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER 100371	<input checked="" type="checkbox"/> Prepare reply for the Director's signature DATE DUE <i>1-15-09</i>
2. DATE SIGNED BY DIRECTOR <i>Ms. Forster</i>	<input type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____
<i>Cleaned 1/10/09, letter attached.</i>	<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.	<i>letter dated 1/29/09 signed</i>		
2.	<i>by Ms. Forster also attached</i>		
3.			
4.			



DANNY VERDIN

SOUTH CAROLINA STATE SENATE

DISTRICT 9, LAURENS AND GREENVILLE COUNTIES

404 GRESSETTE SENATE OFFICE BUILDING

POST OFFICE BOX 142

COLUMBIA, SOUTH CAROLINA 29202

(803) 212-6230

DBV@SCSENATE.ORG

COMMITTEES

Agriculture and Natural Resources

Finance

Invitations

Labor, Commerce and Industry

Medical Affairs

Operations and Management

Transportation

SENATE DISTRICT

P.O. Box 272

Laurens, South Carolina 29360

January 6, 2009

JAN 08 2009

RECEIVED

Department of Health & Human Services
OFFICE OF THE DIRECTOR

Mr. Bryan Kost
Public Information Officer
SC Department of Health and Human Services
1801 Main Street
P. O. Box 8206
Columbia, SC 29202-8206

RE: Mrs. Betty Williams

Dear Mr. Kost,

Enclosed you will find correspondence which I have received from Mrs. Cindy Bradley, of 841 McKelvey Road, Pelzer, South Carolina, 29669.

You will find the letter self-explanatory. I would appreciate any assistance that you could provide that would be helpful to my constituent. I am grateful for your help and look forward to your earliest possible response. Thank you in advance for your help.

Sincerely,

A handwritten signature in dark ink, appearing to read "Danny Verdin".

Danny Verdin

SC Senate District 9

Laurens and Greenville Counties

Enclosures

DBV/vbm

Mrs. Richard Bradley
841 McKelvey Rd
Pelzer, SC 29669
864-243-3714

The Honorable Danny Verdin
404 Gressette Byilding
Columbia, SC 29201

Honorable Sen. Verdin:

I am writing on behalf of my parents. I feel a sense of urgency and desperation. I am an only child, my parents are both infirm and require care.

My mother, Betty Williams, who was officially diagnosed with dementia in Jan. 2006, has deteriorated to the point of being bedridden, requiring total care. She is currently residing at Summit Place Nursing Home in Simpsonville. SC. We are seeking Medicaid funds to help provide for the cost of her care.

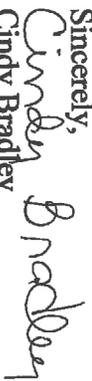
My father and I took care of her at home until her health declined. On July 23rd. 2008 she was admitted to Fountaininside Eldercare, on August 1st she fell and broke her hip and was hospitalized for surgery.

She has been penalized certification of Medicaid funds until Dec. 2009. The reason, I feel, the penalty occurred was because in Aug. 2005 my parents estate was transferred to my name and then in Dec 2006 it was transferred to a life estate for my father, Roy Williams. I am not trying to defraud the government in applying for Medicaid funds for my mother, Betty Williams. I am only asking for help. My father is on a fixed income, he is paying out most of his life's savings in my mother's care.

The reason these changes of estate were made was because my father was at the point of death, and my mother, who was already showing signs of dementia, needed constant care. My father's wishes were for this to be done for her benefit and welfare. My father did recover enough to return home. He remains in poor health; his disabilities include crippling rheumatoid arthritis, renal disease, emphysema-requiring oxygen, heart disease, colon cancer survivor. His last hospitalization was in Jan. 2007, when he again was near death, but again recovered to come home. He is no longer able to care for his wife. I currently care for my father's needs; but it would be impossible to care for both parents.

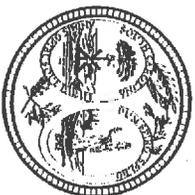
I am sure you hear of many hardship situations at your office. I do not know who else to turn to for help. I would appreciate your consideration in reviewing this situation, and hopefully, prayerfully assisting my mother, Betty Williams, in the granting of Medicaid funds. I do request a reply.

Sincerely,



Cindy Bradley

POA of Roy and Betty Williams



Handwritten signature and number
1371

State of South Carolina
Department of Health and Human Services

Mark Sanford
Governor

Emma Forkner
Director

January 16, 2009

The Honorable Garry Smith
South Carolina House of Representatives
312-C Blatt Building
Columbia, South Carolina 29201

Dear Representative Smith:

Thank you for contacting our agency on behalf of Mrs. Cindy Bradley regarding Medicaid eligibility and the healthcare needs of her mother, Mrs. Betty Williams.

A member of our staff has been in direct contact with Mrs. Bradley the rules and regulations governing the Medicaid program, as well as the rules for undue hardship.

Nursing home eligibility requires that we look at an applicant's income and the amount of assets that they have available. Eligibility rules also require state Medicaid programs to determine if there were assets transferred or disposed of in the 3-year period preceding the month of the nursing home application. We are required to determine the Fair Market Value of the asset that was disposed of and treat that value like it could be used to pay for the applicant's care. This period is referred to as a penalty period.

When we apply a penalty period, we are able to provide a Medicaid card that covers doctor's visits, prescriptions and other general services. Until the penalty period expires we are not able to pay for the room, board or other nursing home services.

Thank you for your continued interest and support of the South Carolina Medicaid program. If I may be of further assistance on this or any other matter, please let me know.

Sincerely,

Handwritten signature of Emma Forkner in cursive script.

Emma Forkner
Director

EF/jcl



State of South Carolina
Department of Health and Human Services

Mark Sanford
Governor

Emma Forkner
Director

January 16, 2009

The Honorable Danny Verdin
Member, South Carolina Senate
District No. 9 – Laurens and Greenville Counties
Post Office Box 142
Columbia, South Carolina 29202

Dear Senator Verdin:

Thank you for contacting our agency on behalf of Mrs. Cindy Bradley regarding Medicaid eligibility and the healthcare needs of her mother, Mrs. Betty Williams.

A member of our staff has been in direct contact with Mrs. Bradley the rules and regulations governing the Medicaid program, as well as the rules for undue hardship.

Nursing home eligibility requires that we look at an applicant's income and the amount of assets that they have available. Eligibility rules also require state Medicaid programs to determine if there were assets transferred or disposed of in the 3-year period preceding the month of the nursing home application. We are required to determine the Fair Market Value of the asset that was disposed of and treat that value like it could be used to pay for the applicant's care. This period is referred to as a penalty period.

When we apply a penalty period, we are able to provide a Medicaid card that covers doctor's visits, prescriptions and other general services. Until the penalty period expires, we are not able to pay for the room, board, or other nursing home services.

Thank you for your continued interest and support of the South Carolina Medicaid program. If I may be of further assistance on this or any other matter, please let me know.

Sincerely,

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

Emma Forkner
Director

EF/fcl

Log # 371



State of South Carolina
Department of Health and Human Services

Mark Sanford
Governor

Emma Forkner
Director

January 15, 2009

Mrs. Cindy Bradley
841 McKelvey Road
Pelzer, South Carolina 29669

Dear Ms. Bradley:

Senator Danny Verdin and Representative Garry Smith contacted our agency on your behalf regarding assistance with your mother, Mrs. Betty Williams, and her healthcare needs.

Mrs. Williams has been found financially eligible for medical coverage through Medicaid's Nursing Home program effective August 1, 2008; however, she is ineligible for vendor payment to a facility until December 2009 due to a penalty incurred when Mr. and Mrs. Williams' home was transferred to you.

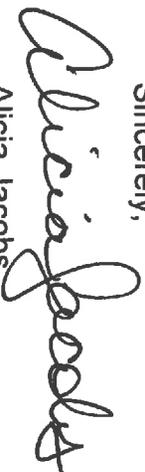
Mrs. Williams' eligibility is being negatively affected because it appears that she transferred her home without receiving the appropriate value. Nursing home eligibility requires that we look at an applicant's income and the amount of assets that they have available. Eligibility rules also require state Medicaid programs to determine if there were assets transferred or disposed of in the 3-year period preceding the month of the nursing home application. We are required to determine the Fair Market Value of the asset that was disposed of and treat that value like it could be used to pay for her care. This period is referred to as a penalty period.

When we apply a penalty period, we are able to provide a Medicaid card that covers doctor's visits, prescriptions and other general services. Until the penalty period expires we are not able to pay for the room, board or other nursing home services.

You requested to apply for an undue hardship on behalf of your mother and her eligibility worker. Ms. Tiffani Stone, has requested that you return a letter from Mrs. Williams' physician verifying that a discharge from the facility would result in a life-threatening situation. Once this information is received and a decision is made, we will notify you.

If you have any questions about Medicaid's Nursing Home program, please contact Ms. Donna Ellis, Medicaid eligibility supervisor, at (864) 454-8187, and she will be happy to assist you.

Sincerely,

A handwritten signature in cursive script that reads "Alicia Jacobs". The signature is written in black ink and is positioned above the printed name and title.

Alicia Jacobs
Deputy Director

AJ/cl

C: Ms. Donna Ellis, Greenville Local Eligibility Processing



To go with log # 0371

State of South Carolina
Department of Health and Human Services

Mark Sanford
Governor

Emma Forkner
Director

January 29, 2009

The Honorable Shane Martin
Member, South Carolina Senate
District No. 13—Greenville, Spartanburg, and Union Counties
501 Gressette Building
Columbia, South Carolina 29201

Dear Senator Martin:

Thank you for contacting our agency on behalf of Mrs. Cindy Bradley regarding Medicaid eligibility and the healthcare needs of her mother, Mrs. Betty Williams.

A member of our staff has been in direct contact with Mrs. Bradley the rules and regulations governing the Medicaid program, as well as the rules for undue hardship.

Nursing home eligibility requires that we look at an applicant's income and the amount of assets that they have available. Eligibility rules also require state Medicaid programs to determine if there were assets transferred or disposed of in the 3-year period preceding the month of the nursing home application. We are required to determine the Fair Market Value of the asset that was disposed of and treat that value like it could be used to pay for the applicant's care. This period is referred to as a penalty period.

When we apply a penalty period, we are able to provide a Medicaid card that covers doctor's visits, prescriptions and other general services. Until the penalty period expires, we are not able to pay for the room, board, or other nursing home services.

Thank you for your continued interest and support of the South Carolina Medicaid program. If I may be of further assistance on this or any other matter, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Emma Forkner".

Emma Forkner
Director

EF/fcl

FAX COVER SHEET

Ref Log # 371



S. C. SENATE
SENATE CLERK
FAX # (803) 212-6299

DATE: January 29, 2009
TO: Mr. Bryan Kost
FROM: Senator Shane Martin
FAX NUMBER: 803 - 255 - 8235
PAGES 1 of 2 (Including this page)

MESSAGE: Bryan,

Please look into attached constituent's request and let us know. You may e-mail her with a cc to me.

Thanks so much for all your great help

Marianne

IF YOU DO NOT RECEIVE ALL OF THE SHEETS INDICATED, PLEASE
CONTACT THE SENATE CLERK'S OFFICE: (803) 212-6200

Mrs. Richard Bradley
841 McKeivey Rd
Pelzer, SC 29669
864-243-3714

The Honorable Shane Martin
501 Gressette Byilding
Columbia, SC 29201

Honorable Sen.Martin:

I am writing on behalf of my parents. I feel a sense of urgency and desperation. I am an only child, my parents are both infirm and require care.

My mother, Betty Williams, who was officially diagnosed with dementia in Jan. 2006, has deteriorated to the point of being bedridden, requiring total care. She is currently residing at Summit Place Nursing Home in Simpsonville, SC. We are seeking Medicaid funds to help provide for the cost of her care.

My father and I took care of her at home until her health declined. On July 23rd, 2008 she was admitted to Fountainside Eldercare, on August 1st she fell and broke her hip and was hospitalized for surgery.

She has been penalized certification of Medicaid funds until Dec. 2009. The reason, I feel, the penalty occurred was because in Aug. 2005 my parents estate was transferred to my name and then in Dec 2006 it was transferred to a life estate for my father, Roy Williams. I am not trying to defraud the government in applying for Medicaid funds for my mother, Betty Williams. I am only asking for help. My father is on a fixed income, he is paying out most of his life's savings in my mother's care.

The reason these changes of estate were made was because my father was at the point of death, and my mother, who was already showing signs of dementia, needed constant care. My father's wishes were for this to be done for her benefit and welfare. My father did recover enough to return home. He remains in poor health; his disabilities include crippling rheumatoid arthritis, renal disease, emphysema-requiring oxygen, heart disease, colon cancer survivor. His last hospitalization was in Jan. 2007, when he again was near death, but again recovered to come home. He is no longer able to care for his wife. I currently care for my father's needs, but it would be impossible to care for both parents.

I am sure you hear of many hardship situations at your office. I do not know who else to turn to for help. I would appreciate your consideration in reviewing this situation, and hopefully, prayerfully assisting my mother, Betty Williams, in the granting of Medicaid funds. I do request a reply.

Sincerely,

Cindy Bradley
POA of Roy and Betty Williams

SENATE BANKING AND INSURANCE
SENATOR DAVID L. THOMAS, CHAIRMAN

Ref Log #371

FACSIMILE TRANSMITTAL SHEET

TO: Bryan Kost

FROM: Sarah S. Gilbert

FAX NUMBER:
803-255-8235

DATE:
February 2, 2009

COMPANY:
DHHS

TOTAL NO. OF PAGES INCLUDING COVER:
2

PHONE NUMBER:
803-898-2865

SENDER'S REFERENCE NUMBER:
YOUR REFERENCE NUMBER:

RE: Medicaid Coverage for Constituent

- URGENT
- FOR REVIEW
- PLEASE COMMENT
- PLEASE REPLY
- PLEASE RECYCLE

Dear Bryan,

One of Senator Thomas' constituents has been penalized certification of Medicaid funds until Dec. 2009. The following letter explains the situation. Is there anything that can be done to help her?

Thanks,

Sarah S. Gilbert

RECEIVED

FEB 03 2009

Department of Health & Human Services
OFFICE OF THE DIRECTOR

RECEIVED

FEB 03 2009

Mrs. Richard Bradley
841 McKelvey Rd
Pelzer, SC 29669
864-243-3714

Department of Health & Human Services
OFFICE OF THE DIRECTOR

The Honorable David Thomas
23 Wade Hampton Blvd.
Greenville, SC 29609

Honorable Sen. Thomas:

I am writing on behalf of my parents. I feel a sense of urgency and desperation. I am an only child, my parents are both infirm and require care.

My mother, Betty Williams, who was officially diagnosed with dementia in Jan. 2006, has deteriorated to the point of being bedridden, requiring total care. She is currently residing at Summit Place Nursing Home in Simpsonville, SC. We are seeking Medicaid funds to help provide for the cost of her care.

My father and I took care of her at home until her health declined. On July 23rd, 2008 she was admitted to Fountainside Eldercare, on August 1st she fell and broke her hip and was hospitalized for surgery.

She has been penalized certification of Medicaid funds until Dec. 2009. The reason, I feel, the penalty occurred was because in Aug. 2005 my parents estate was transferred to my name and then in Dec 2006 it was transferred to a life estate for my father, Roy Williams. I am not trying to defraud the government in applying for Medicaid funds for my mother, Betty Williams. I am only asking for help. My father is on a fixed income, he is paying out most of his life's savings in my mother's care.

The reason these changes of estate were made was because my father was at the point of death, and my mother, who was already showing signs of dementia, needed constant care. My father's wishes were for this to be done for her benefit and welfare. My father did recover enough to return home. He remains in poor health; his disabilities include crippling rheumatoid arthritis, renal disease, emphysema-requiring oxygen, heart disease, colon cancer survivor. His last hospitalization was in Jan. 2007, when he again was near death, but again recovered to come home. He is no longer able to care for his wife. I currently care for my father's needs, but it would be impossible to care for both parents.

I am sure you hear of many hardship situations at your office. I do not know who else to turn to for help. I would appreciate your consideration in reviewing this situation, and hopefully, prayerfully assisting my mother, Betty Williams, in the granting of Medicaid funds. I do request a reply.

Sincerely,
Cindy Bradley
Cindy Bradley
POA of Roy and Betty Williams



Refer to log 0371

State of South Carolina
Department of Health and Human Services

Mark Sanford
Governor

Emma Forkner
Director

February 9, 20

The Honorable David Thomas
Member, South Carolina Senate
District No. 8—Greenville
410 Gressette Building
Columbia, South Carolina 29201

Dear Senator Thomas:

Thank you for contacting our agency on behalf of Medicaid eligibility and the healthcare needs of the community. A member of our staff has been in direct contact with you regarding your concerns, and we have notified her of our decision.

File

Thank you for your continued interest and support of the South Carolina Medicaid program. If I may be of further assistance on this or any other matter, please let me know.

Sincerely,

Emma Forkner
Director

EF/jcl

February 9, 2009



The Honorable David Thomas
Member, South Carolina Senate
District No. 8—Greenville
410 Gressette Building
Columbia, South Carolina 29201

Dear Senator Thomas:

Thank you for contacting our agency on behalf of Mrs. Cindy Bradley regarding Medicaid eligibility and the healthcare needs of her mother, Mrs. Betty Williams.

A member of our staff has been in direct contact with Mrs. Bradley to discuss her concerns, and we have notified her of our decision.

Thank you for your continued interest and support of the South Carolina Medicaid program. If I may be of further assistance on this or any other matter, please let me know.

Sincerely,

Emma Forkner
Director

EF/fcl

From: Jennifer Lynch
To: Lena Girgis
Date: 2/4/2009 12:28 PM
Subject: Re: Fwd: Re: Fwd: Re: Transfer

** Confidential **
I sure will, thanks!!

** hardship and approved penalty reduced.*

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

>>> Lena Girgis 2/4/2009 12:21 PM >>>
Great!!! Wow! So they were approved for the undue hardship? I've got to draft a response to Senator Thomas. Would you mind proofing before I do?

>>> Jennifer Lynch 2/4/2009 12:18 PM >>>
It actually was good news for this family- see below. Let me know if you need anything additional from me at this time. Thanks!!

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

9-1-08

>>> **Tiffani Stone 2/4/2009 12:16 PM >>>**
The family sent in the information we requested, and the penalty period was reduced. This allowed the vendor payment to be approved effective the application month. I have already spoken with the family and let them know, so everything is taken care of. Have a great day!

Tiffani Stone
Greenville County DHHS - Patewood
stonet@scdhhs.gov
(864) 454-8274
Fax: (864) 454-2290

>>> Jennifer Lynch 02/04/09 8:43 AM >>>
Have you gotten a decision regarding the undue hardship? Anything else new on this one? They've written another legislature and I need to update the 11th floor with any changes. Thanks!!

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

>>> Tiffani Stone 1/16/2009 10:00 AM >>>
Eligibility beginning 08/01/2008 has now been entered into MEDS.

>>> Jennifer Lynch 01/14/09 2:55 PM >>>
Gotcha. Thanks!!

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

>>> Tiffani Stone 1/14/2009 2:35 PM >>>
The client had GAPS coverage which prevented me from adding eligibility, so I had to send for a MEDS correction. I will let you know when it is showing in the system. Thanks!

Tiffani Stone
Greenville County DHHS - Patewood
stonet@scdhhs.gov
(864) 454-8274
Fax: (864) 454-2290

>>> Jennifer Lynch 01/14/09 1:41 PM >>>
Will you be able to add this today? I've got to get it up for Alicia signature, but can't send it until MEDS is updated. Thanks so much!!!

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

>>> Tiffani Stone 1/12/2009 4:31 PM >>>
Her effective date will be 08/01/2008, however, there has been a problem adding it to MEDS. I will have to finish it tomorrow, but it will begin 08/01/2008.

Tiffani Stone
Greenville County DHHS - Patewood
stonet@scdhhs.gov
(864) 454-8274
Fax: (864) 454-2290

>>> Jennifer Lynch 01/12/09 11:34 AM >>>
I need to have my response letter ready today and would like to include her effective date for medical assistance only approval. Will you be able to key this in today? Thanks!!

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

>>> Donna Ellis 1/9/2009 1:12 PM >>>
Actually this case should have been approved without a vendor payment a long time ago. We have been going

back and forth with this family for some time. The letter from the doctor was requested on a Form 1233 the first time on December 4, it was requested a second time on a Form 1233 December 23. We have not received it as of today. Policy states that a letter from a physician verifying that a discharge from the facility would result in a life threatening situation is what is needed to accompany the undue hardship request (Section 304.08.03). But like I said before the information we received from Betty Moses previously made it sound as if undue hardship would not be approved. If undue hardship is not approved the family is looking at a penalty. The case would be approved without a vendor payment until December 2009. The family indicated that the property was originally transferred to avoid having Medicaid take it so I am not sure what bearing this will have on the case with Policy and Oversight. The option of transferring the property back to Mr. and Mrs. Williams and avoiding the penalty was given to the daughter and her husband but it seems that they are not willing to do this. Mr. and Mrs. Williams could then transfer the property to just Mr. Williams since transfers are allowed between spouses.

Since this case has been pending since August, we are anxious to get it completed. Would it be alright for us to go ahead and approve the case without a vendor payment while we are waiting on the outcome of the undue hardship?

Donna Ellis
Human Services Supervisor I
DHS Medicaid-Greenville LEP
Patewood Location
Phone: 864-454-8187
EllisDo@scdhhs.gov

>>> Jennifer Lynch 01/09/09 11:24 AM >>>

Thanks Donna. I want to be clear, the only thing needed is a letter from the doctor? What should the letter include? Did you give a due date? Also is it correct that as of now she is not eligible due to the penalty until December 2009? Thanks and sorry for all the questions. I just need to know what to include in our response letter.

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

>>> Donna Ellis 1/9/2009 11:21 AM >>>

Tiffani has not received any documents from the family. She just talked with them Monday and they said they would send a letter from the doctor. If they mailed it out on Monday, we should have received it by now. When she gets the letter we will forward it to Betty Moses. Betty already indicated in a previous email that it did not look like the undue hardship would be approved. If the appraisal value is the same as tax assessed then there will be a penalty if the undue hardship is denied.

Donna Ellis
Human Services Supervisor I
DHS Medicaid-Greenville LEP
Patewood Location
Phone: 864-454-8187
EllisDo@scdhhs.gov

>>> Jennifer Lynch 01/08/09 4:10 PM >>>

I hate to bother you again, I realize you just provided me with an update. However, we've received correspondence from Senator Verdin's office regarding this situation and my written response is due by 1/14. Have you received the documents you needed from the family? Thanks!

Jennifer Lynch
Supervisor, Division of Constituent Services

Department of Health and Human Services
(803) 898-3965
(803) 255-8350 FAX
lynchjen@scdlhhs.gov

>>> Tiffani Stone 1/5/2009 3:12 PM >>>
They have sent a request for undue hardship, but they have not sent in the letter from that doctor that I will need to send with it. Although in an email from Betty Moses received 12/29/2009, there will not be a waiver of the penalty. I spoke with them today, and they should be sending the appraisal value this week, and then I should be able to proceed.

Tiffani Stone
Greenville County DHHS - Patewood
stonet@scdlhhs.gov
(864) 454-8274
Fax: (864) 454-2290

>>> Jennifer Lynch 01/05/09 11:44 AM >>>
Have you heard back from the family regarding their decision? Thanks!

Jennifer Lynch
Supervisor, Division of Constituent Services
Department of Health and Human Services
(803) 898-3965
(803) 255-8350 FAX
lynchjen@scdlhhs.gov

>>> Tiffani Stone 12/9/2008 10:14 AM >>>
They were thinking about transferring the home back to the parents, just accepting the penalty, or applying for undue hardship.

Tiffani Stone
Greenville County DHHS - Patewood
stonet@scdlhhs.gov
(864) 454-8274
Fax: (864) 454-2290

>>> Jennifer Lynch 12/09/08 9:36 AM >>>
What are their options? Thanks!

Jennifer Lynch
Supervisor, Division of Constituent Services
Department of Health and Human Services
(803) 898-3965
(803) 255-8350 FAX
lynchjen@scdlhhs.gov

>>> Tiffani Stone 12/9/2008 9:32 AM >>>
I spoke with the family about the transfer penalty, and they are trying to decide now how they want to proceed. They are supposed to let me know as soon as they make a decision.

Tiffani Stone
Greenville County DHHS - Patewood
stonet@scdlhhs.gov
(864) 454-8274

Fax: (864) 454-2290

>>> Jennifer Lynch 12/09/08 9:06 AM >>>
Could I please get an update on this? The Governor's office has called to follow-up. Thanks!!

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

>>> Tiffani Stone 12/4/2008 12:58 PM >>>
I spoke with Mrs. Bradley this morning.

Tiffani Stone
Greenville County DHHS - Patewood
stonet@scdhhs.gov
(864) 454-8274
Fax: (864) 454-2290

>>> Jennifer Lynch 12/04/08 11:03 AM >>>
Would one of you please contact Ms. Bradley today if you haven't already and just update her, even if there is not a final answer? Thanks so much!! Please let me know once contact has been made.

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

>>> Donna Ellis 12/3/2008 10:25 AM >>>
We sure will.
Thanks!

Donna Ellis
Human Services Supervisor I
DHHS Medicaid-Greenville LEP
Patewood Location
Phone: 864-454-8187
EllisDo@scdhhs.gov

>>> Jennifer Lynch 12/03/08 8:45 AM >>>
Once the case is reviewed using this information and a decision is made would you please contact Ms. Bradley and notify her of the decision and then update me? Thanks so much!!

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

>>> Betty Moses 12/2/2008 4:13 PM >>>
Donna, this question was answered when I was out on vacation, but I am thinking from the answer that was

given on 9/10/08 that they assumed they answered your questions. The other questions they were asking were about the value of the home to figure out if the transfer penalty was over because it began 8/15/05, but Mark answered the question stating that the worker had figured out the penalty period and that it will not expired until 12/09. I then sent a response on 9/18/08 stating that I was not questioning the worker, but that the home must have been expensive and he answered \$255,206.00. So I thought well, if the value was amount then the penalty could be that long, I didn't do any calculations at that point, I assume the calculations were correct. From this we were thinking all of your concerns were answered, so now I don't know what answer you are waiting for. Please advise.

Betty B. Moses, Department Head
Bureau of Eligibility Policy and Oversight
Department of Technical Assistance and Oversight
Post Office Box 8206
1801 Main Street/J328
Columbia, S. C. 29202
mosesby@scdhs.gov
Phone #803-898-3949
Fax # 803-255-8350

>>> Donna Ellis 12/2/2008 12:39 PM >>>

My worker Tiffani Stone received an email from you on her pending NH case for Betty Williams HH#100962159. Our Region I trainer Mark Tannery sent a question to Medical Support asking how to treat this life estate, however, Betty Moses did not know the name of the applicant. The original email is attached. Our trainer Mark Tannery sent them the information for the value of the home (which they said they needed) but we have not received an answer on this. I will copy this email to Betty and hopefully we will receive an answer so Ms. Stone can make a determination on the case.
Thanks very much for following up on this case!

Donna Ellis
Human Services Supervisor I
DHHS Medicaid-Greenville LEP
Patewood Location
Phone: 864-454-8187
EllisDo@scdhs.gov

JIM DEMINT
SOUTH CAROLINA

Ref Log # 371

COMMITTEES:
COMMERCE, SCIENCE AND
TRANSPORTATION

CHAIRMAN, SENATE STEERING COMMITTEE

340 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-6121
demint.senate.gov

United States Senate

February 4, 2009

ENERGY AND NATURAL RESOURCES
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Department of Health & Human Services
OFFICE OF THE DIRECTOR

Ms. Emma Forkner
Director
South Carolina Department of Health and Human Services
PO Box 8206
Columbia, SC 29202-8206

Dear Friend,

I am writing to refer a matter involving my constituent, Mrs. Cindy Bradley, and her concerns obtaining Medicaid for her mother, Betty Williams. Enclosed is a copy of her letter for your review.

I would greatly appreciate your responding directly to Mrs. Bradley about this issue. I have informed Mrs. Bradley that I would refer her to your agency in an effort to be helpful.

Thank you for your attention to this matter. Best regards.

Sincerely,



Jim DeMint
United States Senator

CHARLESTON
112 CUSTOM HOUSE
200 EAST BAY STREET
CHARLESTON, SC 29401
(843) 727-4525

GREENVILLE
105 NORTH SPRING STREET
SUITE 109
GREENVILLE, SC 29601
(864) 233-5366

COLUMBIA
1901 MAIN STREET
SUITE 1475
COLUMBIA, SC 29201
(803) 771-6112

Mrs. Richard Bradley
841 MacKelvey Rd
Pelzer, SC 29669
864-243-3714

The Honorable Jim DeMint
340Russell Senate Office Building
Washington, DC 20510

Honorable Senator DeMint:

I am writing on behalf of my parents. I feel a sense of urgency and desperation. I am an only child, my parents are both infirm and require care.

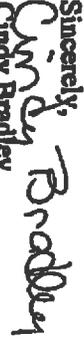
My mother, Betty Williams, who was officially diagnosed with dementia in Jan. 2006, has deteriorated to the point of being bedridden, requiring total care. She is currently residing at Summit Place Nursing Home in Simpsonville. SC. We are seeking Medicaid funds to help provide for the cost of her care.

My father and I took care of her at home until her health declined. On July 23rd. 2008 she was admitted to Fountainside Eldercare, on August 1st she fell and broke her hip and was hospitalized for surgery.

She has been penalized certification of Medicaid funds until Dec. 2009. The reason, I feel, the penalty occurred was because in Aug. 2005 my parents estate was transferred to my name and then in Dec 2006 it was transferred to a life estate for my father, Roy Williams. I am not trying to defraud the government in applying for Medicaid funds for my mother, Betty Williams. I am only asking for help. My father is on a fixed income, he is paying out most of his life's savings in my mother's care.

The reason these changes of estate were made was because my father was at the point of death, and my mother, who was already showing signs of dementia, needed constant care. My father's wishes were for this to be done for her benefit and welfare. My father did recover enough to return home. He remains in poor health; his disabilities include crippling rheumatoid arthritis, renal disease, emphysema-requiring oxygen, heart disease, colon cancer survivor. His last hospitalization was in Jan. 2007, when he again was near death, but again recovered to come home. He is no longer able to care for his wife. I currently care for my father's needs; but it would be impossible to care for both parents.

I am sure you hear of many hardship situations at your office. I do not know who else to turn to for help. I would appreciate your consideration in reviewing this situation, and hopefully, prayerfully assisting my mother, Betty Williams, in the granting of Medicaid funds. I do request a reply.

Sincerely,

Cindy Bradley
POA of Roy and Betty Williams