

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR

ACTION REFERRAL

TO	DATE
Singlehu/FOIA	2-23-10

DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER 101350	I I Prepare reply for the Director's signature DATE DUE _____
2. DATE SIGNED BY DIRECTOR cc: <i>Stroland</i> <i>Ref Log # 362</i>	I I Prepare reply for appropriate signature DATE DUE _____ 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.			



NEXSEN | PRUET

FEB 23 2010

Department of Health & Human Services
OFFICE OF THE DIRECTOR

Susan P. McWilliams
Member
Admitted in SC, GA

February 22, 2010

South Carolina Department of Health and Human Services
ATTN: Ms. Emma Forkner, Director
Post Office Box 8206
Columbia, South Carolina 29202-8206

Re: *State of South Carolina ex rel. Henry McMaster, in his capacity as
Attorney General of the State of South Carolina v. AstraZeneca
Pharmaceuticals LP, AstraZeneca LP, AstraZeneca plc, AstraZeneca
AB, and AstraZeneca UK Limited*; Case No. 09-CP-42-00097

Dear Ms. Forkner:

In accordance with the South Carolina Freedom of Information Act, S.C. CODE ANN. §§ 30-4-10 to 30-4-100 (Supp. 2001, as amended), Nexsen Pruet, LLC requests the production of copies of any and all documents or other materials, electronic or otherwise, maintained by the South Carolina Department of Health and Human Services ("DHHS"), relating or pertaining to the following, respectively:

Charleston
Charlotte

Columbia

Greensboro
Greenville

Hilton Head

Myrtle Beach

Raleigh

- A. Any and all documents, databases, or data collections, in whatever format maintained by DHHS, generated or produced by any and all service contractors or providers who assist with the administration of The South Carolina Medicaid Academic Detailing Program ("SCORxPE") that pertain to Serquel® and any other atypical antipsychotic medication, from 1997 through the present.
- B. Any and all documents, databases, or data collections, in whatever format maintained by DHHS, generated or produced any and all budget cuts to mental health agencies in the State of South Carolina, from 1997 through the present.
- C. Any and all documents, databases, or data collections, in whatever format maintained by DHHS, generated or produced by or on behalf of the DHHS for submission to and actually submitted to the Centers for Medicaid and Medicare Services ("CMS") by DHHS or any other South Carolina state agency, from 1997 through the present.

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Attorneys and Counselors at Law

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South Carolina Department of
Health and Human Services
February 22, 2010
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D. Any and all documents, databases, or data collections, in whatever format maintained by DHHS, including without limitation, any and all communications regarding the enactment or amendment of any prior authorization exemptions legislation which allows for DHHS to cover the cost of medications prescribed to Medicaid recipients to treat major depression, schizophrenia, or bipolar disorder without prior authorization requirements, including specifically South Carolina's Mental Health Proviso enacted in 2004, from 2003 to the present.

E. Any and all documents, databases, or data collections, in whatever format maintained by DHHS, including without limitation, any and all communications in whatever format maintained by DHHS, regarding the enactment of or amendments to the voluntary Preferred Drug List from 2003 to the present.

F. Any and all documents, databases, or data collections, in whatever format maintained by DHHS, including without limitation, any and all communications to or from, and minutes of any meetings held by, the Pharmacy and Therapeutics Committee from 2003 to the present.

It is requested that the right to examine and make copies of these records be without charge. In the event the DHHS determines that it is appropriate to collect fees, please advise me if the actual costs of making such copies available will exceed \$250.00.

Access is requested immediately to all records not exempt from disclosure under the provisions of S.C. CODE ANN. § 30-4-40. Please consider this request continuing in nature.

Your assistance in this matter is greatly appreciated. If you have any questions or if I can be of assistance, please telephone me at the number listed above.

Very truly yours,



Susan P. McWilliams

SPM/cwh

cc: Henry D. McMaster, Attorney General
John W. McIntosh, Chief Dep. Atty. General
C. Havird Jones, Jr., Sr. Asst. Attorney General
John B. White, Jr., Esquire
John S. Simmons, Esquire
Michael W. Perrin, Esquire
Fletcher V. Trammell, Esquire
Andrew F. Kirkendall, Esquire



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 8297
Columbia, South Carolina 29202-8297

Please contact _____ should you have any questions.

Signature _____

Date: _____