

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF DIRECTOR

**ACTION REFERRAL**

TO <i>Jacobs</i>	DATE <i>10-30-08</i>
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<b>DIRECTOR'S USE ONLY</b>	<b>ACTION REQUESTED</b>
1. LOG NUMBER  <i>100230</i>	<input checked="" type="checkbox"/> Prepare reply for the Director's signature DATE DUE <i>11-6-08</i>
2. DATE SIGNED BY DIRECTOR  <i>Cleared 11/4/08 by attached e-mail.</i>	<input type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____ <input type="checkbox"/> FOIA DATE DUE _____ <input 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.			

JOE WILSON  
2ND DISTRICT, SOUTH CAROLINA

ASSISTANT REPUBLICAN WHIP

COMMITTEES:  
ARMED SERVICES  
EDUCATION AND LABOR  
FOREIGN AFFAIRS  
HOUSE POLICY

Congress of the United States  
House of Representatives

October 27, 2008

*Loy Jacobs  
Dir. Sign.*



OCT 29 2008

Department of Health & Human Services  
OFFICE OF THE DIRECTOR

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

RE: Mr. Gaylon Kyzer  
SSN 251-96-4034

Dear Ms. Forkner,

I am writing to you on behalf of the above named constituent who has contacted me seeking assistance from Health and Human Services. Enclosed is a copy of all correspondence for your perusal. Any assistance that you could offer would be most appreciated.

It is an honor to represent the people of the Second Congressional District, and I value your input.

Please respond to the Midlands District Office at 1700 Sunset Blvd., West Columbia, South Carolina 29169; Fax number 803-939-0078. Thank you for your time and concern in this and all other matters.

Yours very truly,

JOE WILSON  
Member of Congress

JW/jmc  
Enclosure

COUNTIES:  
AIKEN\*  
ALLENDALE  
BARNWELL  
BEAUFORT  
CALHOUN\*  
HAMPTON  
JASPER  
LEXINGTON  
ORANGETBURG\*  
RICHLAND\*  
(\*PARTS OF)  
DINO TERPARA  
CHIEF OF STAFF  
AND COUNSEL

MIDLANDS OFFICE:  
1700 SUNSET BLVD. (US 378), SUITE 1  
WEST COLUMBIA, SC 29169  
(803) 939-0041  
Fax: (803) 939-0078

212 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-4002  
(202) 225-2452  
Fax: (202) 225-2455  
www.joewilson.house.gov

LOWCOUNTRY OFFICE:  
903 PORT REPUBLIC STREET  
P.O. BOX 1538  
BEAUFORT, SC 29901  
(843) 521-2530  
Fax: (843) 521-2535

TOLL FREE 1-888-381-1442

JOE WILSON  
2ND DISTRICT, SOUTH CAROLINA

ASSISTANT REPUBLICAN WHIP

COMMITTEES:  
ARMED SERVICES  
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FOREIGN AFFAIRS  
HOUSE POLICY

# Congress of the United States House of Representatives

COUNTIES:

- AIKEN\*
- ALLENDALE
- BARNEVELL
- BEAUFORT
- CALHOUN\*
- HAMPTON
- JASPER
- LEXINGTON
- ORANGEBURG\*
- RICHLAND\*
- (\*PARTS OF)

DINO TEPPARA  
CHIEF OF STAFF  
AND COUNSEL

### Consent for Release of Personal Records by Executive Agencies

Name of Agency: Medial Health HHS - Patrick Harris  
 To Whom It May Concern: Charlie McKinney House

I have sought assistance from Congressman Joe Wilson on a matter that may require the release of information maintained by your agency, and which may be prohibited from dissemination under the Privacy Act of 1974.

I hereby authorize you to release all relevant portions of my records or to discuss information involved in this case with Congressman Wilson or any authorized member of his staff until the matter is resolved.

Name of Claimant- (Please Print) Baylon P. Leizer Date of Birth 12-4-50  
 Address of Claimant 3121 Buckleys Drive City W. Cole Zip 29170  
 Social Security Number 251-96-4034 VA Claim # of OPM # (if applicable)  
 Telephone Number- Home 803-359-3987 Telephone Number- Work  
 Signature of Claimant Baylon Leizer Today's Date 10-16-08  
 Please briefly explain your concern: Need help w/ HHS  
 (use the back if necessary) Wife's name- Dika

MIDLANDS OFFICE:  
1700 SUNSET BLVD. (US 578), SUITE 1  
WEST COLUMBIA, SC 29169  
(803) 899-0041  
Fax: (803) 899-0078

212 CANNON HOUSE OFFICE BUILDING  
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(202) 225-2452  
Fax: (202) 225-2456  
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903 PORT REPUBLIC STREET  
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Fax: (843) 521-2535

end of Oct 2006 or early Nov 2006

Gaylen started becoming fully aware

of having been abused and discriminated against by Patrick Harris and started asking to get help. He felt someone should pay for the suffering he endured due to the neglect,

We were told by the P+D and others

that action could not be taken til

his legal problems were resolved. Gaylen

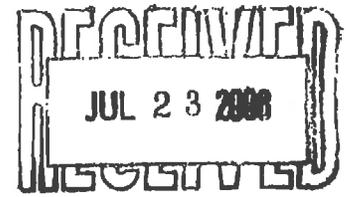
also feels that Lex. Medical Center would have found his problem if they had read the X-rays,

(400 X-Rays in a year) → Radiologist was not reading them bc Doctors said it was chronic stomach pain.

Melissa Edmiston - 796-6080  
(Daughter)

Graylon Kyzer

In May of 2006, after many visits to the Lexington Medical Center, we (the family) were instructed to take Graylon to the Richland Hospital by St. Mental Health. Graylon was making visits to the Lexington Medical Center at least 3 times weekly, usually more.



He complained constantly of excruciating stomach pains. He had seizures, heart problems and blood pressure spikes throughout some of these visits. All of these dates are documented with detailed descriptions of the care he received at Lexington Medical. In many instances, Graylon was put in a holding room in the back of the Lexington ER area to wait on a case worker from Mental Health. Interpreters were rarely called in, which made the visits very confusing for Graylon. Lexington Medical Center told the family that there were no

problems with Graylon's stomach other than scar tissue that had accumulated from past surgeries. Mental Health counselors and Lexington Medical told the family that Graylon would need to "cope" with the discomfort through Mental Health counseling. His mental health did seem to deteriorate because he was in constant pain.

At this point, we took him to Palmetto Richland on May 20<sup>th</sup>. He was put in the back and we were refused the right to see him. Graylon was treated in the ER and transported to Patrick Harris, where he was physically abused. Myrtle J. Kyzer (his wife) filed complaints. Melisa Edmiston (his daughter) contacted the local mental health facility and Protection and Advocacy. From Patrick Harris Graylon was sent to the Charlie McKinney House, where he endured more abuse.

Throughout all of this, Graylon continued to plea for medical attention for his stomach. At the Charlie McKinney House, Graylon requested an ambulance and also the sheriff because he felt that he may die due to stomach pain. The staff brushed it off as part of his mental condition and refused him medical attention. An incident occurred in which a staff member's arm was injured, Graylon was then driven back to Patrick Harris. He remained here. The family was told that he would be transferred to Columbia to receive more care for his mental condition. The family was informed by an inmate at Greenville that Graylon was in jail. Myrthe (the wife) and Melisa (the daughter) drove to see Graylon and to make sure the facility understood

how physically ill Grayton was. He was held in the infirmary there. But due to his lack of communication, he was once again abused. He was stripped of his clothing, his glasses were taken (he is legally blind with glaucoma) and he was allowed only bologna sandwiches for breakfast, lunch and dinner. When the family visited, we were informed that he had seen an attorney through a glass window with no interpreter, ~~writing utensil~~ or glasses, making it impossible for Grayton to understand. He was bailed out by the family & taken to the ER to receive care where he had a partial abdominal obstruction. Soon thereafter, Grayton was finally diagnosed as needing an ileostomy because his bowels did not work. He spent

also no  
writing  
utensils

how physically ill Grayton was. He was held in the infirmary there. But due to his lack of communication, he was once again abused. He was stripped of his clothing, his glasses were taken (he is legally blind with glaucoma) and he was allowed <sup>also, no writing utensils</sup> only bologna sandwiches for breakfast, lunch and dinner. When the family visited, we were informed that he had seen an attorney through a glass window with no interpreter, ~~writing utensil~~ or glasses, making it impossible for Grayton to understand. He was bailed out by the family & taken to the ER to receive care where he had a partial abdominal obstruction. Soon thereafter, Grayton was finally diagnosed as needing an ileostomy because his bowels did not work. He spent

time in ICU recovering. Since his lliostomy, his mental and physical condition has improved greatly. However, he was charged with assault with intent to kill due to the incident at the Charlie McKinney House. The family spent two years awaiting trial, as it was cancelled 10 times due to various reasons. (lack of interpreter, Graylon not understanding - it is all documented). Graylon pled out to simple assault even though he felt he did nothing wrong. The caregiver that was injured had neglected him.

All of this can be verified through hospital records (where complaints of abuse and neglect were also filed at Lexington & Richland), Mental Health records, and through attorneys with

Richland Hospital contacts  
for May 2006

patient Jason - Michelle Birkley  
396 - 2757

family complained about

- patient not bathed or shaven
- filthy room
- no interpreter

interpreter was then called after  
complaints

Deafinitely Taking Requests  
808-1286

Zoe Hoover - nursing supervisor

Bridges - chief operations officer

Katrina Benjamin - counselor  
296-5993

Mike Hedgecock - supervisor  
434-4813

Registration desk -  
Sheannah  
Charnie Baxley

- they would not give the family  
the name of the person in  
charge of psychiatric counseling  
Refused to on May 21, 2006  
at 4:17 pm.

*Log # 230*

**From:** Lena Girgis  
**To:** Denise Epps; Jan Polatty  
**Date:** 11/4/2008 1:02 pm  
**Subject:** Re: Log # 0230 due 11/6/08

**CC:** Brenda James; Jennifer Lynch; Mark Orf; Robe...  
That is fine with me. Thank you. We'll close it.

Lena A. Girgis  
Medicaid Eligibility & Beneficiary Services  
SCDHHS  
1801 Main Street  
Columbia, SC 29201  
(803) 898-2502  
(803) 255-8235 FAX

>>> Denise Epps 11/4/2008 12:17 PM >>>  
Lena, as I mentioned last Friday, this is not an issue for our agency. Joanne Coefield in Cong. Wilson's office knows this and told me that DHHS does not need to respond since she also sent a copy of the Kyzer family's correspondence to DMH.

I doublechecked with Rochelle Caton, DMH's client advocate, who said she is familiar with Mr. Kyzer and his family's complaint and they are handling this and will follow through with Cong. Wilson's ofc.

Mr. Kyzer is alleging a misdiagnosis of his illness and abuse by Lex. Cty. Hospital and the DMH facility, Patrick Harris, in 2006. He doesn't have a complaint re: his Medicaid - open SSI since 1991.

I let the Kyzer family know that DMH is looking into the matter and will be in touch with them. I also gave them my name/# if there's anything else I can do to assist them.

OK to close with this email?

Many thanks,  
Denise