

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR

ACTION REFERRAL

TO <i>Myers</i>	DATE <i>6-19-08</i>
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DIRECTORS USE ONLY		ACTION REQUESTED	
1. LOG NUMBER <i>000665</i>	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____	<input checked="" type="checkbox"/> Prepare reply for appropriate signature DATE DUE <i>6-30-08</i>	<input type="checkbox"/> Necessary Action DATE DUE _____
2. DATE SIGNED BY DIRECTOR <i>Per Bob Lining, already working on. Cleared 7/2/08, letter attached.</i>			

APPROVALS (Only when prepared for director's signature)	APPROVE	* DISAPPROVE (Note reason for disapproval and return to preparer.)	COMMENT
1.			
2.			
3.			
4.			

06/19/2008 10:13 8037340799

OMBUDSMAN

PAGE 01



State of South Carolina
Office of the Governor

MARK SANFORD
GOVERNOR

Office of Executive
Policy and Programs

FAX TRANSMITTAL COVER

DATE:	June 19
FAX TO:	Bob Liming
FAX #:	255-8350
FROM:	Denise Riley

Total number of pages:

(including this cover sheet)

If you have any problems receiving this document, please contact:

Office of Consultant Services
Post Office Box 12287
Columbia, SC 29211
TELEPHONE: (803) 734-0449 • FAX: (803) 734-4798

06/19/2008

10:49AM

06/19/2008 10:13 8037340799 OMBUDSMAN
06/17/2008 14:04 PRL HEMATOLOGY DR CURRAN → 918037340396

PAGE 02
NO. 295 D02



380 Serpentine Drive, Suite #200
Spartanburg, SC 29303
(864) 560-7050 FAX: (864) 560-7057

James D. Bearden, III, M.D., F.A.C.P.
Bris C. Nelson, M.D.
Astin R. Parr, M.D.
Steven W. Corro, M.D.
Colin P. Curran, M.D.

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PATIENT: WHITEHILL, JUDITH N.

D.O.B.: 07/10/45

06/17/08

The Honorable Mark Sanford
Governor's Office
Columbia, South Carolina

Dear Governor Sanford,

Ms. Judith Whitehill is a 62-year-old female under my care with metastatic esophageal cancer. I am writing to ask your assistance with her care. Ms. Whitehill is covered by Medicaid, but under Medicaid rules I am unable to treat her with the commonly accepted chemotherapy regimens used for her disease. The reason for this is that Medicaid will only cover medications for their specifically approved indications. As you probably are aware, there are many medications which are generally accepted for use in medical practice for purposes other than their originally approved indication.

Currently, two of the most effective chemotherapy drugs for metastatic esophageal cancer do not have specific indications from the FDA for this usage. Oxaliplatin and irinotecan are both widely recognized as two of the most effective agents for this situation. These drugs are both recommended under the guidelines of the National Comprehensive Cancer Network which is a consortium of experts from the top cancer centers around the country. (www.nccn.org) I have treated many esophageal cancer patients with these medications with good results and I have recommended them for Ms. Whitehill as well.

Thank you for any assistance you can provide to Ms. Whitehill so that I can provide her with the most effective and least toxic therapy available for her unfortunate situation.

Please do not hesitate to contact me directly with any questions concerning this matter.

06/19/2008 10:49AM

06/19/2008 10:13 8037340799

OMBUDSMAN

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NO. 35
003

06/17/2008 14:04 PRL HEMATOLOGY DR CURRAN → S18037340396



Palmetto
Hematology Oncology, P.C.

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Page: - 2 -

PATIENT: **WHITEHILL, JUDITH N.**

D.O.B.: 07/10/45

Sincerely,

Colin P. Curran, M.D.

AEDHMS54 P S.C. DEPARTMENT OF HEALTH AND HUMAN SERVICES DATE: 06/19/08
MEDSPROD RECIPIENT INFORMATION ACTION:
MEMBER PERIOD START: 05/28/08 END: PAGE: 0001

NAME: WHITEHILL JUDITH N HH NAME: WHITEHILL JUDITH N
RCP NUMBER: 8780857310 HH NUMBER: 101253977 ACTION TYPE: MAINTENANCE
SSN: 250-74-9822 VC: V APL STATUS: ACTION DATE: 04/02/08
PRIMARY INDIVIDUAL: APL CO: 42 WORKER ID: JGOSS LOCATION: 003
407 LAKEWINDS BLVD. SSCN: 250749822A RRN:

INMAN SC 29349-
CORRECT RCP NUMBER: _____ PROVIDER:
LIV ARRANGEMENT: HOME INCOME TRUST:

BG	BEG	END	BENEFITS	QMB	RETRO	% OF	POV	SPONSOR		
S	NUMBER	ELIG	ELIG	PCAT	QCAT	TYPE	IND	IND	LEVEL	
-	70040807	06/01/2008	32	50	FULL	Y	Y	Y	.93	4200
-	70040807	01/01/2008	06/01/2008	32	50	FULL	N	Y	.93	4200

UPDATED: USER ID: JGOSS DATE: 04/02/08 SYSTEM ID: TTR1001 DATE: 04/07/08
ME900063 RECIPIENT RECORD FOUND
PF2->HH BG PF3->HH MBR DTL PF4->REFH PF5->ELD02 PF6->RETURN PF7->PREV
PF8->NEXT PF9->HH NOTES PF15->RCP SEARCH PF17->ELD00 PF18->HH MBR BGS

Jenova Vaughn



State of South Carolina
Department of Health and Human Services

log # 665 ✓

Mark Sanford
Governor

Emma Forkner
Director

July 2, 2008

Colin P. Curran, M.D.
Palmetto Hematology Oncology, P.C.
380 Serpentine Drive, Suite #200
Spartanburg, South Carolina 29303

Dear Dr. Curran:

Thank you for your letter to Governor Sanford on behalf of your patient regarding coverage of oxaliplatin and irinotecan. My research indicates that a member of our Hospital Services staff, Mr. Ervin Yarrell, has already contacted you. Prior approval was granted for the use of the medications in question.

Medicaid does rely on FDA approved indications as well as generally accepted medical practices supported by recognized practice specialty groups and organizations supported by peer review literature. Most physician administered drugs do not require prior approval at all. They are reimbursable by J-codes when administered by physicians.

I hope this information is helpful. Should you need any additional information regarding this matter, please contact Mr. Yarrell at (803) 898-2690. Your continued support of the Medicaid program and the citizens we serve is appreciated.

Sincerely,

A handwritten signature in cursive script that reads "BZ Giese".

Melanie "BZ" Giese
Bureau Director for Health Services

MG/ad

Colin P. Curran, M.D.

July 2, 2008

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bcc: Robert Liming

Ervin Yarrell

Denise Riley, Office of the Governor