

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR

ACTION REFERRAL

TO <i>Singleton/FOIA</i>	DATE <i>3-13-09</i>
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DIRECTOR'S USE ONLY		ACTION REQUESTED	
1. LOG NUMBER <i>100513</i>	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____		
2. DATE SIGNED BY DIRECTOR <i>C: Emma Spakman</i>	<input checked="" type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____ <i>FOIA</i>		
<i>Cleared 4/3/09, letters attached.</i>		<input type="checkbox"/> Necessary Action DATE DUE <i>3-27-09</i>	

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

Ken

From: Patricia L Harrison [mailto:plh.colala@worldnet.att.net]
Sent: Friday, March 13, 2009 2:59 PM
To: Kenneth P. Woodington
Subject: Re: FOIA

Thanks, Ken. I have asked for the names and contact information for the officials at the CMS Baltimore Office which SCDHHS is working with related to Medicaid. To make it easier for HHS, I'll limit my request to those people at CMS/Baltimore who Emma, Felicity, Sam Waldrep or any of the HHS lawyers have communicated with since January 1, 2009. You should be able to ask these people for the names and numbers of CMS/Baltimore employees they have spoken with during this time period.

I would also like to review copies of all written communications between SCDHHS and CMS/Baltimore for the time period 1-1-09 to the present. Once I have reviewed these documents, I'll let you know what I want paper copies of. If this is a problem, please let me know. As I mentioned in my February 24, 2009 e mail, this request is being made pursuant to FOIA.

On another issue, we have just about finished compiling the Record on Appeal in Pruitt v. HHS. You wanted pages in the record which we did not designate and I have located most of those pages. Somehow though, Kathi Lacy's testimony was refilled in the wrong place and I have not been able to locate pages 109 through 232 from the original hearing transcript. I have a call into Stuart, but he does not seem to be there today. Could you please make copies of those pages (109 - 232) you want in the record for us to pick up so that we can complete the Record for the Court of Appeals?

Thanks.

Trisha

----- Original Message -----

From: Kenneth P. Woodington
<mailto:kwoodington@DML-LAW.com>

Handwritten notes:
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RECEIVED

MAR 18 2009

Department of Health & Human Services
OFFICE OF THE DIRECTOR



State of South Carolina
Department of Health and Human Services

Mark Sanford
Governor

Emma Forkner
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 8297
Columbia, South Carolina 29202-8297

Please contact _____ should you have any questions.

Signature _____ Date: _____



State of South Carolina
Department of Health and Human Services

Log # 000513 ✓

Mark Sanford
Governor

Emma Forkner
Director

April 3, 2009

Ms. Patricia L. Harrison
611 Holly St.
Columbia, SC 29205

Re: Eligibility and Other Communication with CMS

Dear Ms. Harrison:

This responds to your March 13, 2009, follow-up request for information originally sent to Ken Woodington. You asked for the contact information of CMS Baltimore officials with whom certain SCDHHS employees have spoken since January 1, 2009. That information is not contained in a "public record" as we understand that term to be used in South Carolina's version of the FOIA. Furthermore, there are occasional conference calls, with numerous participants, not always clearly identified or remembered. Nevertheless, as best we can determine, since January, the attached list of individuals discussed one or more issues with the SCDHHS employees identified. The CMS contact information can be obtained at: <http://directory.psc.gov/employee.htm>.

Your request for all written communications between SCDHHS and CMS/Baltimore is quite broad. We estimate that it will cost between \$500.00 and \$1,000.00 to search the files of all the employees in the agency who would possibly have had such contact. We request a deposit of \$500.00 before beginning such a search. We will ask for an additional payment or initiate a partial refund, depending on the final cost.

If the above request is restricted to questions about eligibility, as indicated in your March 20, 2009, e-mail to Ken and forwarded to us, we estimate that the cost would be in the neighborhood of \$150.00. That would involve a search of the relevant areas of the Department.

Please let us know how you would like to proceed, and thank you for your interest in these matters. My direct is 898-2791.

Sincerely,

Richard G. Hepfer
Deputy General Counsel

Enclosure

cc: Ken Woodington, Esquire

Office of General Counsel
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