


DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF DIRECTOR

ACTION REFERRAL

TO <i>Single staff FOIA</i>	DATE <i>3-26-10</i>
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DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER <i>0011404</i>	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____
2. DATE SIGNED BY DIRECTOR <i>cc: Stenslund cleared 4/16/10, letter attached</i> 	<input checked="" type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____ <input checked="" type="checkbox"/> FOIA DATE DUE <i>4-9-10</i> <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.			

  
Parker Poe

David B. Summer, Jr.

*Partner*

Telephone: 803.253.8910

Direct Fax: 803.255-8017

davidsummer@parkerpoe.com

Charleston, SC

Charlotte, NC

Columbia, SC

Myrtle Beach, SC

Raleigh, NC

Spartanburg, SC

March 26, 2010

**RECEIVED**

MAR 26 2010

Department of Health & Human Services  
OFFICE OF THE DIRECTOR

Via Hand Delivery

Emma Forkner, Director

South Carolina Department of Health and Human Services

1801 Main Street, 6<sup>th</sup> Floor

Columbia, SC 29201

**Re: Freedom of Information Act Request**

Dear Ms. Forkner:

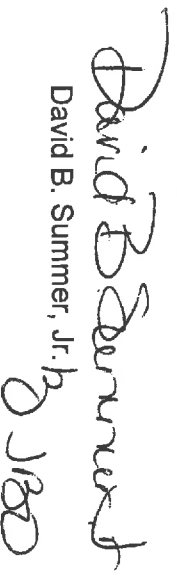
Pursuant to S.C. Code Ann. § 30-4-10, *et. seq.*, the South Carolina Freedom of Information Act, I hereby request that your Department provide the following information:

Please provide copies of the Department's final and/or proposed Medicaid Disproportionate Share summary schedule that reflect provider specific distribution of the State's disproportionate share funds. Please provide the schedules which reflect data from Disproportionate Share Hospital Surveys for years FY2009-10, FY2008-09, and FY2007-08.

We agree to pay the Department's usual and customary charges for this information. However, should you anticipate the charges will exceed \$200, I ask that you have your staff contact me to discuss the request.

With best regards, I am

Sincerely,

  
David B. Summer, Jr.

DBSjr/suj

cc : Deirdra T. Singleton, Deputy Director

PPAB 1670735v1

CP

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DBSjr/suj

cc: ✓ Deirdra T. Singleton, Deputy Director

PPAB 1670735v1

08040404 ✓

April 16, 2010

Mr. David B Summer, Jr.  
PARKER POE  
P. O. Box 1509  
Columbia, SC 29202-1509

Re: Freedom of Information Act Request

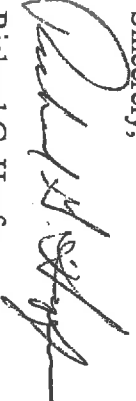
Dear Mr. Summer:

Your FOIA Request to Ms. Forkner was forwarded to this Office for a response. Enclosed, as you requested, are the FY 2007-08 and FY 2008-09 Disproportionate Share distribution schedules.

As to the FY 2009-10 schedule, we have neither a final nor a proposed schedule. As you probably know, the Department has made two (2) quarterly DHS payments this fiscal year. Those, however, were just based upon the FY 2008-09 aggregate hospital-specific DSH limits reduced proportionately in order to stay within the total available FY 2009-10 base DSH funds. Our original intent was to implement the provisions of the December 19, 2008 final regulations into the calculation of the FY 2009-10 DSH payments. However, due to the recently discovered financial impact of the final regulations on state owned and operated hospitals, the agency must now re-determine the FY 2009-10 DSH payments using the FY 2008-09 definitions of uninsured as well as limiting the eligible classes to uninsured and Medicaid managed care enrollees.

Thank you for your inquiry, and please do not hesitate to contact me if you have any questions. My direct is (803) 898-2791.

Sincerely,

  
Richard G. Hefner  
Deputy General Counsel

Enclosure