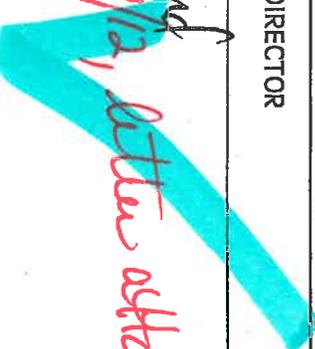


DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR

ACTION REFERRAL

| | |
|------------------|---------|
| TO | DATE |
| Single copy FOIA | 1-23-12 |

| DIRECTOR'S USE ONLY | ACTION REQUESTED |
|---|--|
| 1. LOG NUMBER 101279 | <input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____ |
| 2. DATE SIGNED BY DIRECTOR CC: Stensland cleared 2/7/12, after attack  | <input type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____ <input checked="" type="checkbox"/> FOIA DATE DUE 2-7-12 <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. | | | |



FACSIMILE TRANSMITTAL SHEET

TO: Deidra Singleton Esquire FROM: Nancy Staggs

COMPANY: SC Dept of Health and Human Ser DATE: 2012-01-23 14:38:06 GMT-05:00

FAX NUMBER: 18032558210 TOTAL NO. OF PAGES: 3 including cover page

SENDER'S EMAIL ADDRESS: nstagg@brunepowell.com SENDER'S REFERENCE NUMBER: 7-1628.108

YOUR REFERENCE NUMBER/SUBJECT: FOIA - SC Non-Emergency Medical Transportation SENDER'S FAX NUMBER: (803) 753-0060

NOTES/COMMENTS:

Please see following pages regarding Freedom of Information Act Request.

Please contact us if you have any questions.

Sincerely,

Nancy Y. Staggs
 Legal Assistant to Matthew H. Stabler
 Phone: 803-252-7396

This communication contains confidential or legally privileged information and is intended only for the use of the individual or entity named above. If you received this communication in error, please notify us immediately by telephone collect and return the original message to us at the address below via the U.S. Postal Service. We will be glad to reimburse you for postage. Thank you.

1735 ST. JULIAN PLACE, SUITE 200
 P.O. BOX 61110
 COLUMBIA, SC 29260
 (803) 252-7693

BRUNER, POWELL, WALL & MULLINS, LLC

ATTORNEYS AND COUNSELORS AT LAW

1735 ST. JULIAN PLACE, SUITE 200

POST OFFICE BOX 61110

COLUMBIA, SOUTH CAROLINA 29260-1110

TELEPHONE 803-252-7693

FAX 803-254-5719

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BENJAMIN C. BRUNER
MATTHEW H. STABLER

* Also Admitted in District of Columbia

AUTHOR'S E-MAIL: MSTABLER@brunerpowell.com

January 23, 2012

Via Facsimile and Hand Delivery
South Carolina Materials Management Office

Attn: John Stevens
1201 Main Street, Suite 600
Columbia, South Carolina 29201

South Carolina Department of Health and Human Services
Attn: Deirdra Singleton, Esquire
1801 Main Street
Columbia, South Carolina 29202

**Re: Freedom of Information Act Request
South Carolina Non-Emergency Medical Transportation**

Dear Sir or Madam:

Pursuant to the South Carolina Freedom of Information Act, S.C. Code Ann. § 30-4-10, *et seq.*, we request that you provide us with the following information or in the alternative allow us to inspect the following documents:

1. All documents and correspondence related to American Medical Response, Inc. d/b/a Access2Care's ("AMR's") termination, repudiation, rescission, and/or breach of its contract with the South Carolina Department of Health and Human Services ("SCDHHS") for the Non-Emergency Medical Transportation Program ("NEMT").
2. All documents and correspondence related to AMR's negotiations or attempts to modify provisions of the NEMT contract with SCDHHS.
3. All documents and correspondence related to SCDHHS's decision to award Regions 2 and 3 formerly serviced by AMR under the NEMT program to LogistCare Solutions, LLC ("LogistCare").
4. All documents and correspondence related to the decision to award LogistCare Regions 2 and 3 formerly serviced by AMR under the NEMT program on an emergency procurement basis.

5. All documents and correspondence showing the written determination of the basis for the emergency and for the selection of the particular contractor in compliance with the South Carolina Consolidated Procurement Code in awarding LogistiCare Regions 2 and 3 formerly serviced by AMR under the NEMT program on an emergency basis.
6. All documents and correspondence showing under what "emergency conditions" as defined in regulations promulgated by the board the decision to award LogistiCare Regions 2 and 3 formerly serviced by AMR under the NEMT program on an emergency basis was made in compliance with the South Carolina Consolidated Procurement Code.
7. All documents and correspondence showing or evidencing that "as much competition as is practicable under the circumstances" was used in awarding LogistiCare Regions 2 and 3 formerly serviced by AMR under the NEMT program on an emergency basis in compliance with the South Carolina Consolidated Procurement Code.
8. All documents and correspondence showing compliance with the South Carolina Consolidated Procurement Code in awarding LogistiCare Regions 2 and 3 formerly serviced by AMR under the NEMT program.
9. Copies of any contracts or agreements entered into by LogistiCare and SCDHHS concerning Regions 2 and 3 formerly serviced by AMR under the NEMT program.
10. Copies of any correspondence and communications between SCDHHS (or any other state entity) and LogistiCare concerning or relating to LogistiCare and SCDHHS entering into any contracts or agreements concerning Regions 2 and 3 formerly serviced by AMR under the NEMT program.
11. Any all documents, correspondence, files, and communications concerning or related to awarding LogistiCare Regions 2 and 3 formerly serviced by AMR under the NEMT program.

Pursuant to the FOIA, we will compensate the Materials Management Office and the Department of Health and Human Services for the necessary and appropriate costs incurred in responding to this request. However, if this cost is expected to exceed \$150,00, please notify me before incurring those costs. Time is of the essence. Your immediate and expedited response to the document request will be appreciated.

With my kindest regards, I am,

Sincerely,



Matt Stabler

MHS/lvs



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: _____



dog # 000279

February 7, 2012

Mr. Matt Stabler
Bruner, Powell, Wall & Mullins, LLC
1735 St. Julian Place, Suite 200
Columbia, South Carolina 292260

Dear Mr. Stabler:

Your Freedom of Information Act request dated January 23, 2012, was forwarded to my attention for handling. Enclosed please find the documents responsive to your request including the Emergency Contract entered into with LogistiCare Solutions, LLC for the provision of non-emergency medical transportation brokerage services for Regions 2 and 3. As you will see, the contract incorporates the documents related to Solicitation 5400002201, including the original proposals of LogistiCare Solutions, LLC related to Regions 2 and 3. The documents related to the referenced solicitation can be found at the website: <http://webprod.cio.sc.gov/SCSolicitationWeb/contractSearch.do?solicitationnumber=5400002201>.

The South Carolina Department of Health and Human Services does not have the redacted proposals of LogistiCare Solutions, LLC for Regions 2 and 3, but believes those documents may be found at the State Procurement Office Materials Management Office.

Enclosed are 28 pages which took 1 hour to assemble for a total cost of \$12.80. Please make the check payable to the Department of Health and Human Services and send it to:

Department of Health and Human Services
Department of Receivables
Post Office Box 8297
Columbia, SC 29202-8297

I hope this information is helpful to you. Please contact me if there are any questions.

Sincerely,

Vicki Johnson
Assistant General Counsel

VJ/b
Enclosure
cc: Lynette Wilson, Receivables