State of South Carolina
Department of Revenue
P.O. Box 125
Columbia SC 29214

SOUTH CAROLINA DOR DEPARTMENT OF REVENUE

December 16, 2015

Kian Cowans
7753 Eagle Lake Rd
North Charleston SC 29418

Dear Sir or Madam:

We are responding to your recent letter concerning the inquiry of the GEAR debt in which a wage garnishment was issued on May 15, 2015. The levy was issued for a debt due to LRADAC (Lexington Richland Alcohol Drug Abuse Center). We do not have specifics on the service, for more information regarding this you will need to contact the agency directly at (803)726-9437. As far as the levy on your wages is concerned we will be able to work with you on a levy reduction if you're having financial difficulty. Please contact me at (803)898-5380, or you may contact me via email at Kia.Caldwell@dor.sc.gov

Regards,

Kia Caldwell
Central Levy Supervisor

January 14, 2013

COPY

Governor's Office of Ombudsman
1200 Senate St Rm 104
Columbia SC 29201

RE: Assigned by the LEX / RICH Alcohol & Drug Abuse Council (LRADAC), Lexington County Staff to the wrong outpatient treatment program.
SCDOR Assessment through GEAR for Payment on LRADAC ACCT

(LRADAC) ACCT # 80755

Client: Kian C. Cowans (SSN: 248-61-1228)
150 Farm Chase Dr
Lexington, SC 29073-7066
Cell # 803-569-8928

Dear Governor's Ombudsman's Office:

I tried over a year ago to get this bad situation rectified that I continue to find myself in for the payment of a treatment program I was not supposed to be attending through no fault of my own and I thought was rectified last year. Now I received this Notice of Assessment through the SC Dept. of Revenue (SCDOR) that I have been placed in their GEAR program to levy my paycheck, etc. for the payment of a bill that I believe I do not owe most of that amount, but only a portion of that amount.

As I stated in my letter to the LRADAC Director, Ms. Deborah Francis, Ph. 803-726-9301, on December 19, 2011 (enclosed), that the judge, as a condition of my parole, assigned me to attend LRADAC's substance abuse treatment program.

On my initial intake, the staff (Katie Oliver) mistakenly read into my file wrong and had me in the alcohol treatment program even though I was placed by the court for a drug charge only and it was the only reason I was sent to LRADAC was for a substance abuse treatment program. I believe that since I had attended ADSAP in the past they misread my file and thought I was there for a DUI charge which, of course, I was not.

Thankfully, it came to light in November, 2011 when one of the staff at the LRADAC Lexington Office Staff called me and stated that they had placed me in the wrong treatment program back in June, 2011. Of course this meant that I had spent the last three months in the wrong treatment program through no fault of my own due to the LRADAC staff in Lexington misreading my file and placing me in an alcohol treatment program and not a drug treatment program as was ordered by the court. My probation agent back then, Angela Lyons, of the Lexington County Probation office also stated that I should only be in a drug treatment program and not an alcohol treatment program.

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With all this being said, they finally straightened out all this mess and I completed the correct program at the LRADAC, Lexington office. I, of course, should only owe for any treatment fees from the start of the correct drug treatment program on November 22, 2011 until I completed the program. This should also serve as proof positive that I was in the wrong treatment program by their financial records of me being placed in another treatment program starting November 22, 2011 (the correct drug abuse treatment program) right after being removed from the alcohol treatment program I was attending.

The majority of the past due balance ($4,667.75) they state I owe was for the incorrect alcohol treatment program that did not do me any good as far as my required court ordered treatment program for substance abuse and the only reason I was there to attend a treatment program. I had not asked for any additional treatment programs and none was ordered for me to attend. This was a simple mistake that is costing me dearly now.

My probation officer even questioned why the LRADAC, Lexington office location placed me in the wrong treatment program. She stated I should have been out in only a month's time if I was in the correct program. It ended up also costing me more in probation monitoring fees since I had to spend longer on probation than I should have if LRADAC had correctly placed me in the correct treatment program which was about a month's duration. I, as a layman, would not have known they had placed me in the wrong treatment program so I blindly thought that the LRADAC staff had placed me in the correct treatment program until I was told otherwise by their staff.

Since I have yet to receive any help so far from an admitted error on the Lexington County LRADAC's staff part, I am requesting that your office look into the matter for me on the charges for the incorrect treatment program and thus having them removed from my account and that the submitted GEAR account to SCDOR be corrected to reflect the actual amount owed for the correct treatment program started on November 22, 2011 as I stated before for being assigned to the wrong treatment program by LRADAC, Lexington staff. Thank you for your time and attention to this matter.

Sincerely,

Kian C. Cowans

Enclosures

cc: Attn: Taxpayer's Rights Advocate
S.C. Dept. of Revenue
PO Box 125
Columbia, SC 29214
Ph. 803-898-5444

December 29, 2015

S.C. Office of Ombudsman
Wade Hampton Building
1205 Pendleton Street
Columbia, SC 29201

RE: Assigned by the LEX / RICH Alcohol & Drug Abuse Council (LRADAC), Lexington County Staff to the wrong outpatient treatment program.
SCDOR Assessment through GEAR for Payment on LRADAC ACCT

(LRADAC) ACCT # 80755

Client: Kian C. Cowans (SSN: 248-61-1228)
7753 Eagle Lake Rd
North Charleston, SC 29418

(Please note my new address)

Dear Ombudsman:

As you can see the attached correspondence, I notified your office almost two years ago to try to get this bad situation rectified that I continue to find myself in for the payment of a treatment program I was not supposed to be attending through no fault of my own and I thought was rectified three years ago. I did not receive any correspondence back from your office at the time as it may have been lost in the mail or something. I received a Notice of Assessment through the SC Dept. of Revenue (SCDOR) that I have been placed in their GEAR program to levy my paycheck, etc. for the payment of a bill that I believe I do not owe most of that amount, but only a portion of that amount.

The majority of the past due balance ($4,667.75) they state I owe was for the incorrect alcohol treatment program that did not do me any good as far as my required court ordered treatment program for substance abuse and the only reason I was there to attend a treatment program. I had not asked for any additional treatment programs and none was ordered for me to attend. This was a simple mistake that is costing me dearly now. I have to date paid over $2,000.00 out of my paycheck through wage garnishment since May, 2015.

I, as a layman, would not have known they had placed me in the wrong treatment program so I blindly thought that the LRADAC staff had placed me in the correct treatment program until I was told otherwise by their staff.

Since I have yet to receive any help so far from an admitted error on the Lexington County LRADAC's staff part, I am requesting that your office please look into the matter for me on the charges for the incorrect treatment program and thus having them removed from my account and that the submitted GEAR account to SCDOR be corrected to reflect the actual amount owed for the correct treatment program started on November 22, 2011 as I stated before for being assigned to the wrong treatment program by LRADAC, Lexington staff.

Thank you for your time and attention to this matter and any help you can give me is most appreciated.

Sincerely,

Kian C. Cowans

Attachments