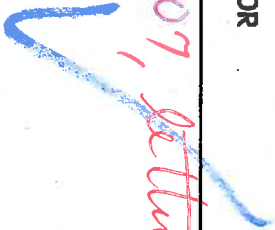


**DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR**

ACTION REFERRAL

TO	DATE
<i>Bouding</i>	<i>4-11-07</i>

DIRECTOR'S USE ONLY		ACTION REQUESTED	
1. LOG NUMBER	000641	<input type="checkbox"/> Prepare reply for the Director's signature	DATE DUE _____
2. DATE SIGNED BY DIRECTOR	<i>Cleared 6/5/07, action attached</i> 	<input checked="" type="checkbox"/> Prepare reply for appropriate signature	DATE DUE <i>4-20-07</i>
		<input type="checkbox"/> FOIA	DATE DUE _____
		<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.			

RECEIVED

Department of Health & Human Services
OFFICE OF THE DIRECTOR

APR 10 2007

State of South Carolina
Office of the Governor

MARK SANFORD
GOVERNOR

OFFICE OF EXECUTIVE
POLICY AND PRIORITIES

FAX TRANSMITTAL COVER

DATE:	April 10 th , 2007
FAX TO:	Jan Polkitt
FAX #:	255-8235
FROM:	Smilly Jackson

Ask Sullivan
W. H. King
7:08 PM

Total number of pages:

03

(including this cover sheet)

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

(803) 734.0081

Office of Constituent Services
Post Office Box 12267
Columbia, SC 29211
TELEPHONE: (803) 734-5049 - FAX: (803) 734-0799

April 9, 2007

Dear Governor Sanford:

My name is Lauri Fowler. I have a 4 ½ year old daughter, Laurin. Laurin, her brother, and I all have Neurofibromatosis 1. (Because of this condition of which I have no problems at all, and her brother has no problems as of date, we are ineligible for private health insurance. With her father being self employed, and me being a homemaker, we don't get it through work either.) Laurin was diagnosed in May of 2006 with a brain tumor, a hypothalamic glioma compatible with JPA (Juvenile Pilocytic Astrocytoma) which is caused by her NF1. The tumor has affected the right side of her body. She is wearing braces to help correct her walking which is slowly improving. She has an extremely limited use of her right arm and hand. Laurin's speech has also been greatly affected. Presently she receives physical, speech, and occupational therapy for these problems. Initially, we took her to Palmetto Healthcare Richland in Columbia, SC where she had a brain biopsy and it was determined to be benign. A low grade, slow growing tumor. Thank God, or so we thought. The neurosurgeon in Columbia said that surgery was out of the question because of it's location to the hypothalamus, so she underwent chemo. She was supposed to undergo 10 inductive chemo sessions and then a year of maintenance. After either 7 or 8 sessions, I can't remember which right off, we noticed her getting worse. Another MRI proved the tumor to be growing. (Remember, this is a slow growing tumor, but it is acting as a fast growing tumor.) Now Laurin was on Carboplatin and Vincristine. Since these chemo drugs were proven ineffective on her tumor, we discussed several different chemos, and chose temador. As we were discussing options, we asked about a second opinion. We were told quote, "You can get a second opinion, but only a madman would operate on your child." We believed this to be our only option. A family friend told us about Prof. Gazi Yasargil who is at University of Arkansas Medical School (UAMS). "He is one of the top, if not the top neurosurgeon in the world." People come from all over the world to see him. We were told this about him being a top neurosurgeon, by the neurosurgeon in Columbia, Dr. Lenwood Smith who told us that surgery was out of the question because of the tumor's location near the hypothalamus. He never mentioned Prof. Yasargil until after we found out about him and called on our way to see Prof. Yasargil for consultation. We wanted to find out if Dr. Smith knew anything about Prof. Dr. Smith also told us he would love Prof.'s operative report so he could see how he was able to remove the tumor, however he declined the opportunity to observe in the OR). Other people also acknowledged this him being one of the top neurosurgeons. Prof. Yasargil operated Aug. 28, 2006 and got approx. 80% of the tumor. Since then, 2 MRIs have been done. I get a disk of the MRI and overnight it to Prof. Yasargil. He reviews and reports his findings back to me. The last was Mar. 13. Prof. Yasargil says the tumor has pulled away from the brain stem and says he can operate and remove more of the tumor. Our problem is UAMS doesn't accept Laurin's SC Medicaid which she has because of her disability. (She has Tefra which is the disability form of Medicaid.) We are responsible for any future surgeries on

Laurin at UAMS. With Prof. Yasargil being the top neurosurgeon in the world, and the fact that he's already operated on her, knows her case, and has followed her care since her surgery, we don't wish to go anywhere else. As most any other parent, we wish for Laurin to receive the best medical care and an opportunity for a full life. I know my daughter wouldn't be here today, if not for God and Prof. Yasargil.

Several weeks ago, I called Representative Delleney for help with this problem. He advised me to contact Senator Lindsey Graham's office. I called Senator Graham's office in Rock Hill, and after making some phone calls, one of the ladies in his office sent me a note stating that she had spoken to the state director for SC Medicaid who said first DHHS would have to rule out SC providers before they would consider paying an out-of-state provider. She suggested contacting the hospital services dept at DHHS to ask if they will negotiate a higher rate for UAMS and see if perhaps the Senator can push SC and the Ark Senator can push his state to agree on an equitable amount. I also went to Congressman Spratt's office also, and they requested that I type a letter with my problem and what I needed. In the meantime, I spoke with Representative Delleney again who suggested I type this letter stating Laurin's condition and our needs. My husband, Gill, and I would appreciate any help with this. Thank you for reading and responding to this request.

Sincerely,
Lauri S. Fowler

Lauri S. Fowler

3050 Fishing Creek Church Road
Rock Hill, SC
803-789-3589 Home
803-385-7287 Cell



State of South Carolina

Office of the Governor

MARK SANFORD
GOVERNOR

OFFICE OF EXECUTIVE
POLICY AND PROGRAMS

FAX TRANSMITTAL COVER

DATE:	June 5, 2007
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on Palath
55-8835
mily Jackson

Total number of pages:

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Appt.
Friday

Office of Constituent Services
Post Office Box 12267
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Copied sent to BZ -
per Susan -
thel. per 6/16/07

Lot # 641

Deiloff

Swann for son
cc: Emily Jackson

Rep. Delmaris
action



UNIVERSITY OF SOUTH CAROLINA
SCHOOL OF MEDICINE
UNIVERSITY SPECIALTY CLINICS.

October 16, 2006

Sr. Department of Health and Human Services
Pc) Box #206
Columbia, SC 29202-8206

Re: Lauren J. Fowler

Dear Sir/Madam:

I have been asked to write this letter to justify the out-of-state consultation and subsequent surgery for Lauren J. Fowler. I am happy to do so because I think that her out-of-state transfer was very beneficial to her. I was her consulting and referring pediatric neurosurgeon. It was my opinion when I saw her case that she had an incurable, inoperable problem. I told her family essentially to take her home, that nothing could be done. I was very pleased, though somewhat skeptical, that Dr. Yasargil in Arkansas was interested in taking on her case. He did see her and did operate on her with good success.

Dr. Yasargil is one of the giants of modern neurosurgery. He is the teacher of dozens of neurosurgeons and the author of countless articles. He is originally from Europe; he is truly a world treasure. There are very few surgeons who could have done what Dr. Yasargil and his team accomplished. It was appropriate in every way that Lauren be seen by and operated on by him. Hardly anyone, perhaps no one, could have duplicated his accomplishments for Lauren.

I hope that this is clear. I am available to answer any questions that you may still have.

Sincerely,

Harold Smith
Harold P. Smith, Jr., M.D.

DEPARTMENT OF SURGERY
DIVISION OF NEUROSURGERY
Three Richland Medical Park, Suite 310, Columbia, SC 29203
803-434-8323, FAX 803-434-8326

South Carolina
DEPARTMENT OF HEALTH AND HUMAN SERVICES
Post Office Box 8206
Columbia, South Carolina 29202-8206

REFERRAL REQUEST FOR
OUT-OF-STATE SERVICES

Referring Physician: LEWIS, SMITH Provider Number: 154200

Recipient's Name: Lauri Fowler Medicaid #: 378060746

Patient is being referred to: DR. Vasargil University of Arkansas
Address: 4301 W. Markham Little Rock, AR 72205-7199
Name of Facility and Physician ID# 5107 507

Telephone: (501) 686-5270 Fax: (501) 686-8767

For the condition of large lobulated left basal ganglia, left hypothalamic and
Diagnosis Code(s): suprasellar cistern mass with extension into the midline
A02.5

Procedure Code(s): 61510 69990

Anticipated Date of Service: August 6th Anticipated Date of Return: _____

Name Of Guardian: Lauri Fowler Contact Number: (803) 789-3589

Medicaid patients being referred out-of-state may be provided transportation, as well as the patient's escort, when necessary. Adequate advance notice as well as prior approval is mandatory in order to make the necessary travel arrangements. Travel arrangements can be made by calling Preventive and Ancillary Health Services at (803) 808-2855.

Will the patient require transportation? YES ☐ NO ☒

Recommended Mode of transportation: _____

Please include an attachment to form: an explanation as to why these services must be rendered out-of-state versus within the SCMSA; identify any services that are considered experimental and/or investigational, sponsored under a research program, or performed in a few medical centers across the United States; and a copy of the recipient's medical records for the next year relating to the treatment of the condition.

I certify that contact has been made with the out-of-state provider. The out-of-state provider has agreed to enroll in the SC Medicaid program and will accept Medicaid reimbursement as payment in full. I have enclosed written confirmation from the out-of-state provider. I also certify that these services are not available and cannot be provided within the SC service area, which includes North Carolina and Georgia within 25 miles of the border.

LPSWIT
Signature of Referring Physician _____
Date 10/16/06



State of South Carolina
Department of Health and Human Services

Mark Sanford
Governor

Susan B. Bowling
Acting Director

June 5, 2007

Ms. Lauri S. Fowler
3050 Fishing Creek Church Road
Rock Hill, South Carolina 29730

Re: Laurin J. Fowler

Dear Ms. Fowler:

Thank you for your letter to Governor Mark Sanford regarding your daughter, Laurin, needing follow-up surgery to remove a brain tumor. We welcome the opportunity to be of assistance.

The South Carolina Department of Health and Human Services (SCDHHS) has reviewed the concerns outlined in your letter. Laurin's Medicaid policy reimburses for services provided within the South Carolina Medical Service Area (SCMSA), which is the state of South Carolina, and areas in North Carolina and Georgia within 25 miles of the South Carolina state border. She is also covered for services provided outside of the SCMSA, but only with prior approval from Medicaid. The surgery she received at the University of Arkansas Medical School (UAMS) on August 28, 2006 was unauthorized by Medicaid. One of the administrative functions of prior approving out-of-state services is to have all providers involved in the patient's care to confirm, in writing, that they will enroll in the South Carolina Medicaid program and will accept South Carolina Medicaid reimbursement as payment in full.

In an effort to determine possible reimbursement, William Feagin, Team Leader for Physician Services, is conducting a post review of services provided to Laurin. Mr. Feagin has been in contact with both the Arkansas physician practice and the hospital in an effort to acquire enrollment packets and gather claims data. To date, we have only received the information requested from UAMS. SCDHHS will continue to work with these providers in an attempt to resolve the outstanding financial concerns. You should be aware, however, that if SCDHHS remains unsuccessful negotiating an appropriate resolution to this matter, you would remain responsible for these bills.

According to the information you provided, Laurin continues to receive follow-up care from Dr. Yasargil. Based on that care, Dr. Yasargil has advised that she could benefit from additional surgery to remove more of the tumor. Laurin's South Carolina Medicaid policy will cover the surgery, however, according to our discussions, she is not currently being seen by a South Carolina Medicaid physician to determine medical necessity.

#641

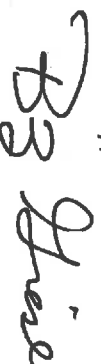
Lauri S. Fowler
June 5, 2007
Page 2

Our Medical Director, Dr. Marion Burton, has reviewed Laurin's case and he has arranged a neurosurgery consult with Dr. Gerald Tuite at the Medical University of South Carolina (MUSC) pediatric brain tumor clinic. If it is determined that the surgery needed can be performed within the SCMSA, you should proceed with scheduling the surgery within this area. If Dr. Tuite determines that the services required to properly treat her cannot be provided within the SCMSA, he will refer her to an appropriate neurosurgeon that will accept South Carolina Medicaid, and MUSC will assist in getting the authorizations in place for the surgery. SCDHHS will provide Dr. Yarsargil's contact information to MUSC as a potential out-of-state neurosurgeon. If we have resolved the enrollment and reimbursement issues with UAMS and Dr. Yarsargil, and they agree to accept Laurin as a South Carolina Medicaid patient, authorization can be granted for services to continue in Arkansas.

The brain tumor clinic meets once a month on the second Friday; the next available appointment to meet with this team is June 8, 2007 at 8:30 a.m. at MUSC located in Charleston, South Carolina. If you agree to accept this appointment, please bring with you all operative notes, MRI scans and any other medical reports and documentation that will assist the team with the evaluation. If for any reason you will not accept this appointment please contact Martha Mitchell, Program Coordinator for Physician Services, at (803) 898-2537 to cancel the appointment.

Thank you for bringing your concerns to our attention. If you have any additional questions, please contact William Feagin at (803) 898-3040.

Sincerely,

A handwritten signature in cursive script, appearing to read "BZ Giese".

Melanie "BZ" Giese, RN
Bureau of Health Services

MG/gwd

Lauri S. Fowler
June 5, 2007
Page 3

bcc: Emily Jackson
Office of the Governor