

## **SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS**

### **MINUTES**

February 17, 2022

The South Carolina Commission on Disabilities and Special Needs met on Thursday, February 17, 2022, at 10:00 a.m., at the Department of Disabilities and Special Needs Central Office, 3440 Harden Street Extension, Columbia, South Carolina.

The following were in attendance:

#### COMMISSION

##### Present In-Person

Stephanie Rawlinson – Chairman

Barry Malphrus – Vice Chairman

Robin Blackwood – Secretary

Gary Kocher, MD

Gary Lemel

Eddie Miller

##### Microsoft Teams

David Thomas

#### DDSN Administrative Staff

Michelle Fry, State Director; Constance Holloway, General Counsel; Lori Manos, Interim Associate State Director of Policy; Courtney Crosby, Internal Audit Director; Greg Meetze, Chief Information Officer; Tracey Hunt, Chief Financial Officer; Tommy Windsor, Public Information Officer and Legislative Liaison; Debra Punzirudu, Finance Director; Nancy Rumbaugh, Budget Director; Andrew Tharin, Director of Engineering; Carolyn Benzon, Attorney II; Preston Southern, Information Technology Division; and Christie Linguard, Administrative Coordinator.

#### Notice of Meeting Statement

Chairman Rawlinson called the meeting to order and Secretary Blackwood read a statement of announcement about the meeting that was distributed to the appropriate media, interested persons, and posted at the Central Office and on the website in accordance with the Freedom of Information Act.

#### Welcome

Chairman Rawlinson welcomed everyone to the meeting. She introduced and welcomed Greg Meetze as the new Chief Information Officer (CIO) and Tracey Hunt as the new Chief Financial Officer (CFO) for the agency. Chairman

February 17, 2022 DDSN Commission Meeting Minutes  
Page 2 of 6

Rawlinson also welcomed back the agency's General Counsel, Constance Holloway.

Adoption of the Agenda

Chairman Rawlinson commenced by stating that there are two changes to the agenda; the Legislative Committee Update will be given by Commissioner Miller and MedPod will be discussed in Executive Session under Contractual Matters. Commissioner Blackwood made a motion to adopt the February 17, 2022 agenda with the two changes, seconded by Commissioner Miller and unanimously approved by the commission. (Attachment A)

Invocation

Commissioner Miller gave the invocation.

**Approval of the Minutes from the January 20, 2022 Commission Meeting**

Commissioner Malphrus made a motion to approve the minutes from the January 20, 2022 Commission meeting, seconded by Commissioner Blackwood and unanimously approved by the commission. (Attachment B)

**Moment of Silence**

Chairman Rawlinson spoke to the staff, consumers, family members and all others who have succumbed from the COVID-19 virus. There was a moment of silence and a prayer. (Attachment C)

**Commissioners' Update**

Commissioner Lemel read a note expressing his thoughts regarding his seat's reappointment to this commission. (Attachment D)

**Public Input**

There was no public input.

**Commission Committee Business**

A. Finance and Audit Committee

The Finance and Audit Committee did not meet in February; however, Commissioner Blackwood submitted one item for approval:

An Invitation for Bid (IFB) was published in the SC Business Opportunity (SCBO) on 12/20/21 for Janitorial Services. The agency is soliciting janitorial services for two locations, central office and Midlands Regional

February 17, 2022 DDSN Commission Meeting Minutes  
Page 3 of 6

Center. The lowest bid for Central Office was \$82,240.00 for one year contract with four year renewal; the lowest bid for Midlands Regional Center was \$200,120.00 for one year contract with four year renewal. The contracts will be issued to two separate vendors with the total potential target value referenced above for five years.

On a motion by Commissioner Blackwood, seconded by Commissioner Miller and unanimously approved by the full commission, the janitorial services for both central office and Midlands Regional Center were approved for five years. (Attachment E)

B. Policy Committee

The Policy Committee did not meet this month; however, Commissioner Malphrus does have two items up for approval by the Commission:

200-08-DD: Travel Regulations – This policy went out for public comment. There were no comments. Commissioner Malphrus made a motion to approve this policy, seconded by Commissioner Miller and unanimously approved by the Commission. (Attachment F)

800-07-DD: Attachment D – Policy Committee Procedures – This amendment includes only one sentence change under the Scope to say that human resources directives are exempt from review except those that are identified by the Policy Committee Chairman as necessary for the Commission’s review. Commissioner Malphrus made a motion to approve this directive with this one sentence changed, seconded by Commissioner Blackwood and unanimously approved by the Commission. (Attachment G)

Commissioner Malphrus noted that there will be a meeting of the Policy Committee in March. The date has yet to be determined.

**Old Business**

A. Intellectual Disability/Related Disabilities (ID/RD) Waiver Renewal Update

Ms. Manos updated the commission on the ID/RD Renewal. The questions submitted to the state from the Centers for Medicare and Medicaid Services (CMS) were answered and sent back to CMS. We are just waiting on approval. Part of the ID/RD Renewal has already been implemented, particularly related to the residential tiers. The Community Supports Waiver expires in July and the renewal is in the process.

## February 17, 2022 DDSN Commission Meeting Minutes

Page 4 of 6

### B. Fee-for-Service (FFS) Update

Ms. Manos announced that the agency is continuing to make progress on the transition to full FFS with an implementation date of March 1, 2022. We have held a few provider enrollment trainings. We do still have a few providers who have not applied for Medicaid enrollment. Therap has completed and sent out self-paced trainings as well as provide a few Monday training webinars from February 14<sup>th</sup> to April 2<sup>nd</sup>. Staff continues to meet with the Department of Health and Human Services (DHHS) on a regular basis. Currently, there are 34 providers who are not enrolled in Medicaid. Ms. Manos is working with these providers to get them enrolled. Commissioner Lemel asked about the Therap Module and testing of it. Therap will submit test claims to MMIS, which has not happened yet. A Human Services Provider Conference will take place at the beginning of the month. Therap and DHHS along with DDSN staff will be at this conference to offer providers any assistance they may need; and of course, to answer all their questions.

### C. Quarterly Incident Management Report

Ms. Dalton briefly spoke on the five year incident trend data for community-based services and regional centers as well as community residential settings, day service providers and regional centers through December 31, 2021. We have been asked by DHHS to report all waiver community-based services. (Attachment H)

### D. Internal Audit (IA) Update

Ms. Crosby announced that the 2021 Agreed-Upon Procedures (AUP) Reports for the DSN Boards are complete. Eight are completed and 18 are in process, of which three are private providers and six are in process. The 2021 contract reductions are \$19,700, which is trending upward.

We are currently working on follow-up procedures with five providers.

### E. Legislative Update

Commissioner Miller informed the commission that he and Mr. Tommy Windsor sat in on two legislative committee meetings this past Tuesday. Chairman Rawlinson noted that she spent the week before with Mr. Windsor attending legislative committee meetings. She also reminded everyone of the upcoming Advocacy Day on March 2, 2022. She also made mention of the Assistive Technology Day on March 1, 2022 as well as the Thrive Upstate event on March 18<sup>th</sup>. (Attachment I)

February 17, 2022 DDSN Commission Meeting Minutes  
Page 5 of 6

**New Business**

A. Financial Update

Ms. Rumbaugh presented the spending plan vs actual expenditures as of December 31, 2021. To date the agency is .14% under budget. Ms. Rumbaugh also provided the FY 2022-2023 Budget Request One-Page Summary as revised to include the Fee-for-Service appropriations transfer to DHHS. (Attachment J)

**Director's Update**

State Director Michelle Fry commenced by giving updates on pending solicitations for a Fiscal Agent and Strategic Planning. Lastly, we have a request for qualifications out seeking an outside consultant with varied expertise to advise us regarding the implementation of an assessment related to level of need for those whom we serve.

On Tuesday, February 22, 2022 there will be a webinar for Providers for direct billing.

The agency has four openings for case managers to help provide assistance to providers.

On February 15, 2022, DHHS received notification from CMS that the 10% FMAP was approved.

Regarding the 6.2% FMAP, as of yesterday, \$2.1 million has been processed for execution to the providers.

Lastly, Dr. Fry thanked Commissioner Lemel for his service on the commission throughout the years.

**Executive Session**

At 11:20 AM, on a motion by Commissioner Blackwood, seconded by Commissioner Miller, the commission will enter into executive session after a 10 minute break to discuss the following items:

Contractual Matters

- Richland/Lexington Disabilities and Special Needs (DSN) Board
- Lutheran Services Carolinas

Litigation Update

February 17, 2022 DDSN Commission Meeting Minutes  
Page 6 of 6

Enter into Public Session

Upon rising out of executive session at 12:53 PM, Chairman Rawlinson announced that the commission meeting was back in session. Commissioner Lemel referenced the June 17, 2021 commission meeting minutes that discussed titrating down their expenses over the next six months and reviewing their plan. To date, no plan has been submitted; therefore, on a motion by Commissioner Lemel, seconded by Commissioner Malphrus and unanimously approved by the Commission, the Richland/Lexington DSN Board payment of the administrative program expense will be terminated after a thirty (30) day notice.

Commissioner Blackwood made a motion to release the freeze on Lutheran Service Carolinas, seconded by Commissioner Malphrus and unanimously approved by the Commission.

Executive Session #2

At 12:58 PM, Commissioner Kocher made a motion to re-enter into executive session to discuss a personnel issue, seconded by Commissioner Blackwood and unanimously approved by the commission.

Enter into Public Session

Upon rising out of executive session at 1:27 PM, Chairman Rawlinson noted that no decisions were made, and there were no motions made or votes taken.

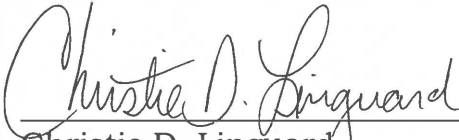
Next Regular Meeting

March 17, 2022


Adjournment

On a motion by Commissioner Blackwood, seconded by Commissioner Miller and unanimously approved by the commission, the meeting was adjourned at 1:27 P.M.

Submitted by:

  
Christie D. Linguard  
Administrative Coordinator

Approved by:

  
4EA9D50F852D4A8...  
Commissioner Robin Blackwood  
Secretary

**SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS**

**A G E N D A**

**South Carolina Department of Disabilities and Special Needs  
3440 Harden Street Extension  
Conference Room 251 (TEAMS)  
Columbia, South Carolina**

**February 17, 2022**

**10:00 A.M.**

1. Call to Order *Chairman Stephanie Rawlinson*
2. Notice of Meeting Statement *Commissioner Robin Blackwood*
3. Welcome
4. Adoption of Agenda
5. Invocation *Commissioner Ed Miller*
6. Approval of the January 20, 2022 Commission Meeting Minutes
7. Moment of Silence
8. Commissioners' Update *Commissioners*
9. Public Input
10. Commission Committee Business
  - A. Finance Committee *Committee Chair Robin Blackwood*

Financial Approval & Threshold Report for February 2022
  - B. Policy Committee *Committee Chair Barry Malphrus*
    1. 200-08-DD: Travel Regulations
    2. 800-07-CP: Attachment D – Policy Committee Procedures
    3. Committee Updates
11. Old Business:
  - A. ID/RD Waiver Renewal Update *Ms. Lori Manos*
  - B. Fee-for-Service Update *Ms. Lori Manos*
  - C. Quarterly Incident Management Report *Ms. Ann Dalton*
  - D. Internal Audit Update *Ms. Courtney Crosby*
  - E. Legislative Update *Mr. Robb McBurney*
12. New Business:

Financial Update *Ms. Nancy Rumbaugh*
13. Director's Update *Michelle Fry, J.D., Ph.D.*

14. Executive Session
  - A. Contractual Matters
    1. Richland/Lexington Disabilities and Special Needs (DSN) Board
    2. Lutheran Services Carolinas
  - B. Litigation Update
15. Enter into Public Session
16. Next Regular Meeting (March 17, 2022)
17. Adjournment



**SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS**

**MINUTES**

January 20, 2022

The South Carolina Commission on Disabilities and Special Needs met on Thursday, January 20, 2022, at 10:00 a.m., at the Department of Disabilities and Special Needs Central Office, 3440 Harden Street Extension, Columbia, South Carolina.

The following were in attendance:

COMMISSION

Present In-Person

Stephanie Rawlinson – Chairman

Barry Malphrus – Vice Chairman

Robin Blackwood – Secretary

Gary Kocher, MD

Eddie Miller

Microsoft Teams

Gary Lemel

David Thomas

DDSN Administrative Staff

Michelle Fry, State Director; Rufus Britt, Associate State Director of Operations; Lori Manos, Interim Associate State Director of Policy; Courtney Crosby, Internal Audit Director; Tommy Windsor, Public Information Officer and Legislative Liaison; Debra Punzirudu, Finance Director; Nancy Rumbaugh, Budget Director; Andrew Tharin, Director of Engineering; Preston Southern, Information Technology Division; and Christie Linguard, Administrative Coordinator.

Notice of Meeting Statement

Chairman Rawlinson called the meeting to order and Secretary Blackwood read a statement of announcement about the meeting that was distributed to the appropriate media, interested persons, and posted at the Central Office and on the website in accordance with the Freedom of Information Act.

Welcome

Chairman Rawlinson welcomed everyone to the meeting.

### Adoption of the Agenda

Commissioner Malphrus made a motion to adopt the January 20, 2022 agenda as written, seconded by Commissioner Miller and unanimously approved by the commission. (Attachment A)

### Invocation

Commissioner Kocher gave the invocation.

### **Approval of the Minutes from December 16, 2021 and the January 7, 2022 Special Called Commission Meetings**

Commissioner Kocher made a motion to approve the minutes from the December 16, 2021 Commission meeting and the January 7, 2022 Special Called Commission meeting, seconded by Commissioner Malphrus and unanimously approved by the commission. (Attachment B)

### **Commissioners' Update**

Commissioner Kocher thanked former Chief Financial Officer, Pat Maley for his work with the agency.

### **Public Input**

There was no public input.

### **Commission Committee Business**

#### A. Finance and Audit Committee

The Finance and Audit Committee met on January 19, 2022. The following topics were presented for review and/or approval by the Commission:

There was one routine contract over \$200,000 that was approved by the committee, and presented today to the commission as information only. (Attachment C)

Commissioner Blackwood and Mr. Tharin discussed replacement of Electrical Power Grids at Midlands and Coastal Regional Centers. The committee voted on Option 2 as the best replacement option for both campuses. Chairman Rawlinson treated the approval of Option 2 coming out of the committee as a motion and second. Detailed discussion was held before the commission voted to proceed with Option 2 for the replacement of the power grids at Midlands and Coastal Regional Centers. All commission members voted in favor of Option 2. The process is set to

start in approximately a year and a half or two years from now.  
(Attachment D)

B. Policy Committee

The Policy Committee met on December 15, 2021. The following topics were presented for review and approval by the Commission:

535-10-DD: National Voter Registration Act (Motor Voter) – Staff was commended for their excellent work with this policy; it is well written. Chairman Rawlinson treated the approval from the committee as a motion and second; after taking a vote, the commission members unanimously approved this directive. (Attachment E)

200-13-DD: Travel Regulations for DSN Boards and Contracted Service Providers – Chairman Rawlinson treated the approval from the committee as a motion and second; after taking a vote, the commission members unanimously approved this directive. (Attachment F)

300-04-DD: Maintenance/Repair/Construction of DDSN Owned Facilities – Commissioner Malphrus asked that this directive be tabled until the next committee meeting. (Attachment G)

600-10-DD: Clothing and Other Personal Property of Persons Served in DDSN Regional Centers – Chairman Rawlinson treated the approval to as a motion and second coming out of the committee; after taking a vote, the commission members unanimously approved this directive. (Attachment H)

Employment Services – Group Standards; Employment Services – Individual Standards; Day Activity Services Standard; Career Preparation Services Standards; Community Services Standards; and Support Center Services Standards – These service standards relate directly to staff. Chairman Rawlinson treated the approval as a motion and second coming out of the Policy Committee; after taking a vote, the commission members unanimously approved all six (6) of these standards. (Attachment I)

Commissioner Malphrus noted that the Travel Regulations directive, which is very similar to the one above, has been put out for public comment. A total of 23 policies have been completed this fiscal year. We will complete at least 51 policies this year. He thanked everyone who has worked on the committee to continue to make things run smoothly.

## **Old Business**

### A. Intellectual Disability/Related Disabilities (ID/RD) Waiver Renewal Update

Ms. Manos updated the commission on the ID/RD Renewal. The agency is continuing to work with the Department of Health and Human Services (DHHS) on this project. We are currently working on four (4) items within the formal Request for Additional Information (RAI). We feel the waiver will be approved soon and retroactive to January 1, 2022. We have a whole new set of performance measures (quality oversight of the services that are provided in the Waiver). The Community Supports Waiver will be renewed very soon. The public comment period is at the end of this month and should be submitted to Centers for Medicare and Medicaid Services (CMS) by April.

### B. Fee-for-Service (FFS) Update

Ms. Manos announced that the agency is continuing to make progress on the transition to full FFS with an implementation date of March 1, 2022. We are currently in a hybrid phase now until the end of February. New contracts were sent to all DDSN providers of home and community-based services; and to date, we have received the majority of them back. Provider enrollment is now open by DHHS for all providers. DHHS will provide billing training either the second or third week in February to all providers. A microsite has been created by DHHS to include frequently asked questions. Therap is working on a billing module that will be completed by March 1<sup>st</sup>. The ICF Community and Community Center rates have not been published yet.

### C. Internal Audit (IA) Update

Ms. Crosby announced that the 2020 Agreed-Upon Procedures (AUP) Reports for the DSN Boards are complete. October 31, 2021 was the deadline for the 2021 reports for the DSN Boards. All private providers that had report deadlines of June 30, 2021 have been received; and private providers that had a September 30<sup>th</sup> year-end have until January 31<sup>st</sup> to turn in their reports. The 2021 contract reductions is \$5,600.

Each commissioner should have received the audit tracking report via email. The division will continue to update that report as follow-up procedures are completed. Ms. Crosby will be working on an audit plan that will bridge the gap our audit universe and our risk assessment are completed and we can develop that fiscal year 2023 audit plan. She will send out a risk survey to commissioners and members of the executive team for feedback.

Internal Audit division is still working to complete the FY 2021 audits that carried over into FY 2022. The position description for an IT Audit Manager has been drafted and sent to HR for approval.

D. Legislative Update

Mr. Windsor presented the legislative update. Governor McMaster unveiled his executive budget and included all of the agency's requests in this budget. On Tuesday, January 11<sup>th</sup>, Director Fry presented the agency's budget request to the House Ways and Means Medical Affairs Subcommittee. Mr. Windsor had a meeting with Representative Dennis Moss regarding Bill 4558 (assault and battery on healthcare workers). Mr. Windsor also noted that he spoke to the Anderson County Legislative Delegation, who were very excited about all the positive changes being made at the agency. There has been no movement on any of our legislative that we are currently monitoring. On Tuesday, January 18<sup>th</sup>, Director Fry and Mr. Windsor met with Representative Murrell Smith and later in the week, they met with Representative Tommy Pope. There are several other meetings in the pipeline. Chairman Rawlinson asked that Mr. Windsor set up that day for commission members to visit with legislators on Advocacy Day 2022 on March 2<sup>nd</sup>.

E. COVID Update

Mr. Britt gave a brief update on the rise of COVID cases throughout the state. He commended the frontline staff but also the ancillary staff members for their diligent work. To date, there have been 448 positive cases of COVID amongst individuals we serve in our centers as well as our autism homes and 766 staff members. The amount of expenditures associated with COVID since the initiation of the declaration of the public health emergency is \$5.5 million with a net cost is \$3.2 million (\$2.2 million came from Cares Act funding). There are two webinars that will be in the near future that we will communicate dates and times to our providers. Staff members have been heroic at the very least. Lastly, Mr. Britt discussed the Supreme Court Ruling of the vaccine mandate.

Chairman Rawlinson asked if we can acknowledge all consumers and staff who have passed due to COVID over the last couple of years. Hopefully, we can do this at the next commission meeting. Mr. Britt was asked by Commissioner Lemel if there were testing issues within our centers, to which Mr. Britt replied, that we do not have any issues with testing consumers. We have different types of tests in each center.

## **New Business**

### A. Financial Update

Ms. Rumbaugh presented the spending plan vs actual expenditures as of December 31, 2021. To date the agency is 1.66% under budget. On a motion by Commissioner Blackwood, seconded by Commissioner Malphrus, the commission unanimously approved the financial update as presented.

### Director's Update

State Director Michelle Fry commenced by stating the agency had their first monthly meeting with Disability Rights SC. We are also continuing our efforts with Apprenticeship South Carolina to provide training for jobs in our community. We are working to create a pilot program with Midlands Technical College.

As a follow-up to our Special Called Commission meeting, we were able to distribute information related to the 6.2% FMAP to providers; and we are already distributing dollars.

The monthly provider meeting will take place on this Monday at 2:00 PM. Providers are urged to submit their questions via email prior to the meeting.

Chairman Rawlinson commended Director Fry on her first few months here. She has heard a lot of positive feedback from many legislators. Commissioner Malphrus, too, commended Director Fry as well on her first 90 days here with the agency. The staff was commended as well.

### Next Regular Meeting

February 17, 2022

### Adjournment

On a motion by Commissioner Blackwood, seconded by Commissioner Miller and unanimously approved by the commission, the meeting was adjourned at 11:30 a.m.

Submitted by:

Approved by:

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Christie D. Linguard  
Administrative Coordinator

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Commissioner Robin Blackwood  
Secretary

## Moment of Silence

The Coronavirus has had a substantial and unprecedented impact on how we live and work. It has severely limited our ability to interact with others and freely move about in the world. Tragically, it has also affected our ability to pay tribute to loved ones who have passed. As we grieved the death of loved ones who passed during the pandemic, we find the grief journey to be more complex than it is under normal circumstances. We want our DDSN families to know that you are not alone in your grief.

Since the beginning of the pandemic, SCDDSN has suffered significant losses. 5 staff and 15 consumers have succumbed to the impact of the virus. These victims can not just be numbers on a page and to us they are not simply and unnamed employee and or consumer. To us, they were moms, dads, brothers, sisters, aunts, uncles, daughters, sons, grand parents, friends and coworkers. They were our patients, our nurses, our direct care professionals, our respite providers, our case workers and our administrators. They were our hero's who were on the front line fighting this battle.

As a nation and a world, many of us find ourselves collectively mourning those who have died during the pandemic. The magnitude and impact of these losses will be felt for years to come. Whether you're mourning the loss of someone you know or are simply moved by the sheer number of people who have succumbed overall, the pain you feel is real.

We at DDSN feel one of the best ways to honor our grief is by remembering the lives of those we have lost. To that point, at our last commission meeting, the commission ask that we look into honoring our employees and consumers who have passed due to this virus. Over the last month many options were considered. Unfortunately, due to privacy laws many of the ideas brought forward could not be made possible by this meeting. Our hope in the future, is to be able to do something more substantial but for now, we have decided to take a few moments of silence to honor our hero's. If the commissioners, staff and those listening would like to join me in standing, we will begin the remembrance at this time. I will close the moment of silence in prayer.



*Our Heavenly Father,*

*We lift up our DDSN family who are mourning loved ones. We ask You to bring comfort in this time of grief. We thank you for your promise to walk with and even carry us as we move through the sadness of the grief caused by the Covid virus. We ask you to provide strength through an awareness of Your presence to those of us who grieve.*

*We ask for your wisdom to make decisions as we move forward. Dear Lord, while our grief at times may seem overwhelming, we ask you to protect our hearts and minds. We desire the sense of calm that only you can provide. Remind us that while emotions run high, that we can look to you to provide the peace that passes all understanding.*

*Father, Gently lead us to your Scripture and Show us love through its words and actions. Help us find moments of solace in the beautiful world You've created to remember and reflect upon the lives of those who have gone ahead to be by your side in heaven. Thank You for being the God of all comfort, the One who holds us in Your hand. It says in Your Word that one day there will be no more death. But for now, we praise You for holding us close and giving us peace.*

*In Jesus' Name, Amen.*

Chairman Rawlinson

Last Friday, a number of individuals in the provider network reached out to me to thank me for my service on this Commission and to express regret that I had resigned. You can imagine my surprise, as I had, in fact, not resigned. That was how I found out that the Governor had submitted a replacement for me to the legislature.

An email was sent to an address that hadn't been used in years and appeared on no website. It said "see attached". The attachment was a few sentences, just saying your term was over in 2018 and you are being replaced. This is the same office that called me up years ago and begged me to take the Chair to stabilize things. Of the current members of the Commission, only Commissioners Kocher, Miller and Rawlinson are not serving expired terms...yet I am the only one being removed.

It turns out "see attached" was generous compared to the contact I got from those associated with DDSN. No one in this room or building who knew about it did me the simple courtesy of reaching out to tell me either. I only found out about the email through the assistance of one of my local legislators.

Since I found out about this on Friday, I still have not been treated to the courtesy of a phone call, email, or text from any member of the Governor's office. This was after they were alerted to the fact that I had not been extended the slightest consideration in this matter. To this day, not one person from among the staff or from the Governor's office has even offered to review the transition between me and my replacement. I haven't even been told when my last day is.

I want to let everyone in the provider network observing today know that I did not resign. I would not have given up on the work that I did so proudly and still want to see done like that. Instead, the people that don't like the work I did arranged for me to be removed. This is the Governor's prerogative, but it is also my prerogative to let everyone know how crudely this was handled. This behavior can only be seen as an intentional insult to me after years of service in which I was never reprimanded, never censured, and never committed acts that lead to hundreds of thousands of dollars in costs to the taxpayers of this state. I will continue to work as long as I can do so.

I do not believe my removal has anything to do with my performance of my duties as commissioner. I challenge anyone to find a time when I treated any person on the staff or Commission with less than absolute respect. I never made derogatory remarks about them in public. I never made thinly veiled bigoted statements. I allowed others to have their voice even when I found what they were saying to be false, ill-mannered or manipulative. My sin appears to be that I won't blindly go along with agendas and am willing to speak the truth to those who are in power.

I take pride in the fact that I never viewed this position as being about me. I never trumpeted about what was accomplished, only took responsibility for the mistakes I made. I never asked for special treatment, accolades, or the trappings of power. I don't want them now. As I am pushed out of this position against my will, I don't want a plaque or any other award. Take the funds you would have used for that and get

something for the staff who I have worked with for many years. The sentiments from the people outside this room who believe I have done well by them provides me closure on what has been an exit made disgraceful not by my actions, but by the actions of those who treated me this way.

Commissioner Gary Lemel

**Monthly DDSN Staff Report - Financial Approval & Threshold Reporting for February 2022**

The purpose of this monthly report is to ensure staff comprehensively reports on all Executive Limitation Policy (800-CP-03) financial transactions for approval and financial threshold reporting requirements. The Finance and Audit Committee will decide which items require presentation to the Commission for a formal vote, as well as which items need only be reported via this monthly report to the Commission to ensure transparent reporting. After the Finance and Audit Committee's decisions, this report will highlight items in **green to notify Commission this will not need a formal vote** and highlight items in **yellow indicating item will require a formal Commission vote to approve**.

**I. New Non-Service Contracts \$200,000 or Greater:**

**Solicitation 5400022563:** An Invitation for Bid (IFB) solicitation was published in the South Carolina Business Opportunity (SCBO) on 12/20/2021 for Janitorial Services. The South Carolina Department of Disabilities and Special Needs (SCDDSN) is soliciting bids for janitorial service for two locations. The Central Office facility located at 3440 Harden Street, Columbia, SC 29203, and the second locations is Midlands Center, 8301 Farrow Road, Columbia, SC 29203. Services shall be performed daily, weekly and monthly during the hours of 5:30PM – 10:00 PM. The Contractor must herein the scope of work as outlined in this solicitation. The bidding process closed on 1/12/2022 with fifteen (15) offerors submitting bids. The lowest responsive and responsible bid for LOT A submitted an offer of \$82,240.00 for a one (1) year contract with four (4) years renewal. The lowest responsive and responsible bid for LOT B submitted an offer of \$200,120.00 for a one (1) year contract with four (4) years renewal. The contracts will be issued to two separate vendors with the total potential target value reference above is the total amount on each contract for five years.

**II. Existing Service Contracts Increasing \$200,000 or Greater (simple list if based on indiv. choice; detail summary if not):**

None

**III. \$200,000 or Greater Increase in Personnel Positions for a Program or Division:**

None

**IV. New CPIP or Re-Scoping of an Existing CPIP:**

None

**V. New Consulting Contract:**

None

**VI. New Federal Grant:**

None

(NOTE: In July of each year, a report of all prior FY non-service expenditures by vendor over \$200,000 will be presented as a "post-payment" review. This will add visibility for expenditures from contracts originated in prior FYs and vendors with separate purchases aggregating over \$200,000 in current FY.)

**Michelle G. Fry, J.D., Ph.D.**  
*State Director*  
**Rufus Britt**  
*Associate State Director*  
*Operations*  
**Lori Manos**  
*Interim Associate State Director*  
*Policy*



**COMMISSION**  
**Stephanie M. Rawlinson**  
*Chairman*  
**Barry D. Malphrus**  
*Vice Chairman*  
**Robin B. Blackwood**  
*Secretary*  
**Gary Kocher, M.D.**  
**Gary C. Lemel**  
**Eddie L. Miller**  
**David L. Thomas**

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Columbia, South Carolina 29203  
**803/898-9600**  
**Toll Free: 888/DSN-INFO**  
**Home Page: [www.ddsn.sc.gov](http://www.ddsn.sc.gov)**

Reference Number: 200-08-DD  
Title of Document: Travel Regulations  
Date of Issue: April 1, 1988  
Date of Last Revision: February 17, 2022 (REVISED)  
Effective Date: February 17, 2022  
Applicability: All Employees and Commission Members of the South Carolina Department of Disabilities and Special Needs

**I. PURPOSE**

This Directive provides a uniform travel policy designed to achieve reasonable economy while traveling on business. South Carolina Department of Disabilities and Special Needs (DDSN) employees and Commissioners should exercise the same care in incurring expenses and accomplishing an assignment that a prudent person would exercise if traveling on personal business. Excessive costs, indirect routes, delays or luxury accommodations that are unnecessary and unjustified in the performance of an assignment are not considered prudent. Transportation to and from points of arrival and departure should be accomplished by the most economical method.

Expenditures for travel shall not exceed those allowable under State of South Carolina travel regulations, which are the standard for South Carolina Medicaid cost reporting. Any deviations must receive prior written approval of provider management documenting the reasons and justification thereof.

**II. APPLICABILITY**

These procedures should be followed by all employees and Commission members of DDSN.

### **III. POLICY**

Travel expenses may be reimbursed for allowable items up to the amounts permitted according to the following regulations governing state travel are specified in the South Carolina Appropriations Act, General Provisions Section 89-X90; the State Plan under Title XIX of the Social Security Act; and the Comptroller General's Office Policies and Procedures Manual (Subsistence: Section 3). A summary of those regulations follows:

#### Mileage

Travelers on official DDSN business should utilize state vehicles in lieu of personal vehicles. In order to be reimbursed for mileage in the event that a private vehicle is used, employees must obtain documentation that either a state vehicle was not available or that special permission to use a private vehicle was granted via a "Certificate of Non-Availability of State Vehicle" form (see Attachment A). The South Carolina Appropriations Act allows for reimbursement of business use of a privately-owned vehicle when agency vehicles are not reasonably available at a standard business mileage rate equivalent to the rate established by the Internal Revenue Service (IRS).

#### Lodging

Overnight travel requests require the prior approval of the State Director or an agency Executive reporting directly to the State Director via a "Permission for Travel" form (see Attachment B). If approved, employees on official agency business more than 50 miles from the employee's headquarters or residence will be allowed reimbursement for expenses incurred for lodging not to exceed the current allowable rate for the destination city or county per the U.S. General Services Administration's website ([www.gsa.gov](http://www.gsa.gov)). If travel expenses must exceed allowable limits, prior approval must be obtained from the State Director using a "Request for Lodging in Excess of Allowable Cost" form (see Attachment C).

#### Meals

Reimbursement for employee meal expenses will be allowed only when there is overnight travel. If an employee's travel is approved, the employee may be reimbursed for the actual expenses incurred in obtaining meals, not to exceed \$35 per day, except in areas outside of South Carolina. In this event, the maximum daily reimbursement for meals shall not exceed \$50.

#### Reimbursement Claims

Claims for travel reimbursements should be made using official DDSN and Comptroller General's Office reimbursement form (see Attachment D). All reimbursement claims must be

approved by the employee's immediate supervisor before forwarding for processing.

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Barry D. Malphrus  
Vice Chairman

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Stephanie M. Rawlinson  
Chairman

***To access the following attachments, please see the agency website page “Current Directives” at: <https://ddsn.sc.gov/providers/ddsn-directives-standards-and-manuals/current-directives>***

Attachment A: Certificate of Non-Availability of State Vehicle  
Attachment B: Permission for Travel  
Attachment C: Request for Lodging in Excess of Allowable Cost  
Attachment D: Travel Support Document

**South Carolina Department of  
Disabilities and Special Needs**

**CERTIFICATE OF NON-AVAILABILITY OF STATE VEHICLE**

**DATE:** \_\_\_\_\_

**REGION/  
DISTRICT:** \_\_\_\_\_

**DIVISION:** \_\_\_\_\_

**EMPLOYEE NAME:** \_\_\_\_\_

**TRIP DESTINATION:** \_\_\_\_\_

**You are advised that no state vehicle is reasonably available and/or adequate to meet your travel requirements. (NOTE: Consumers shall not be transported in private vehicles.)**

**The period of non-availability will cover:**

**Beginning Date** \_\_\_\_\_ **Time** \_\_\_\_\_

**Ending Date** \_\_\_\_\_ **Time** \_\_\_\_\_

**TRANSPORTATION  
COORDINATOR**

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**EMPLOYEE SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**Special permission is requested to use my personal vehicle for the reason listed below. (Approval must be obtained from the appropriate Facility Administrator or Director of Procurement.) (NOTE: Consumers shall not be transported in private vehicles.)**

**JUSTIFICATION:**

**EMPLOYEE SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**APPROVED:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**Facility Administrator or  
Director of Procurement**





**South Carolina Department of  
Disabilities and Special Needs**

**REQUEST FOR LODGING IN EXCESS OF ALLOWABLE COST**  
(Companion forms are [Permission for Travel](#) and [CGO Travel 12/09 C](#))

DATE: \_\_\_\_\_

REGION: \_\_\_\_\_ DEPARTMENT: \_\_\_\_\_

EMPLOYEE NAME: \_\_\_\_\_

TRAVEL DESTINATION (City/State): \_\_\_\_\_

CURRENT GSA MAX LODGING RATE FOR DESTINATION CITY \*\$ \_\_\_\_\_

\*TO OBTAIN THE CURRENT GSA MAX LODGING RATE, GO TO [WWW.GSA.GOV](http://WWW.GSA.GOV) AND CLICK ON THE "POLICY" TAB. SCROLL DOWN TO "TRAVEL MANAGEMENT" AND CLICK ON THE BULLET "PER DIEM RATES".

PERMISSION IS REQUESTED FOR LODGING RATE  
ALLOWANCE PER NIGHT OF: \_\_\_\_\_ \$ \_\_\_\_\_

NAME OF HOTEL: \_\_\_\_\_

BEGINNING DATE: \_\_\_\_\_ ENDING DATE: \_\_\_\_\_

JUSTIFICATION:  
(Required) \_\_\_\_\_  
\_\_\_\_\_

Approval Requested By: \_\_\_\_\_  
Employee Signature Date

Approval Recommended: \_\_\_\_\_  
Division Director Signature Date

Regions/District Approval: \_\_\_\_\_  
Facility Administrator or District Director Date

Central Office Approval: \_\_\_\_\_  
State Director Date

Disabilities and Special Needs  
**DEV TRAVEL SUPPORT DOCUMENT**

NAME \_\_\_\_\_  
 RESIDENCE \_\_\_\_\_

SOCIAL SECURITY NUMBER \_\_\_\_\_  
 OFFICIAL HEADQUARTERS \_\_\_\_\_

AGENCY NUMBER **J16**  
 DATE \_\_\_\_\_

\*\*MEALS & SUBSISTENCE ARE REPORTABLE AS  
 INCOME IF THERE WAS NO OVERNIGHT STAY  
 INVOLVED.

**REPORTABLE IN OR OUT OF STATE				0520				0509				*0237	*Use T/C							
NON-REPORTABLE--IN STATE		1	SAME	0504	0172	0501	0502	0503	0505	0506	0508	0507	*0232	640						
NONREPORTABLE--OUT OF STATE		2	DAY	0514	0172	0511	0512	0513	0515	0516	0518	0517	*0232							
DATE	DEP	ARR	TIME	AM	PM	DESTINATION OF TRAVEL	1 OR 2	1 = YES 2 = NO	AUTO MILES	PER DIEM	MEALS	LODGING	AIR TRANS	OTHER TRANS	MISC TRAVEL EXPENSE	SUBSIST ALLOW	REGIST FEES	NONSTATE EMPLOYEE TRAVEL	TOTAL	
																				0.00
																				0.00
																				0.00
																				0.00
																				0.00
																				0.00
																				0.00
																				0.00
																				0.00
																				0.00
																				0.00
																				0.00
For Business Office use: Vendor No.	Fund	T	Source	Reg	Prog/Service	Cost Center			0520				0509				*0237	<b>TOTAL</b>		
									0.00				0.00					0.00		
I hereby certify or affirm that the above expenses were actually incurred by me as necessary traveling expenses in the performance of my official duties; any meals or lodging included in a conference or convention registration fee have been deducted from this travel claim, and that this claim is true and correct in every material matter and conforms with the requirements of State laws, rules and regulations.							1		0504 0 x 0.00	0172 0.00	0501 0.00	0502 0.00	0503 0.00	0505 0.00	0506 0.00	0508 0.00	0507 0.00	*0232 0.00	<b>TOTAL 1</b>	0.00
							2		0514 0 x 0.00	0172 0.00	0511 0.00	0512 0.00	0513 0.00	0515 0.00	0516 0.00	0518 0.00	0517 0.00	*0232 0.00	<b>TOTAL 2</b>	0.00
Date _____ Signature (Employee) _____							<b>GRAND TOTAL</b>													

FOR OUT-OF-STATE TRAVEL - ATTACH COPY OF APPROVED TRAVEL REQUEST.  
**THE ABOVE INFORMATION AND AMOUNTS HAVE BEEN VERIFIED FOR ACCURACY:**

**APPROVED FOR PAYMENT**

Date \_\_\_\_\_ Signature (Program Administrator) \_\_\_\_\_

Date \_\_\_\_\_ Signature (Regional Finance) \_\_\_\_\_

**DSN Commission Policy Committee  
Procedure for Review of Policies, Directives and Standards  
Commission Approved February 17, 2022**

This document sets forth the procedure to be used by the Policy Committee of the South Carolina Commission on Disabilities and Special Needs (DSN Commission) for the review and approval of approximately 180 DSN Commission Policies, Departmental Directives and Standards governing services funded by the agency.

**I. SCOPE:**

Approved Commission Policies, Departmental Directives and Standards shall, at a minimum, be reviewed every four (4) years to ensure the content remains current and applicable. **Human Resource Directives are exempt from this requirement except those directives identified by the Policy Committee Chairman as necessary for Commission review.** All policies, directives and standards are available on the DDSN website. The website, at all times, provides an avenue for public comment on the policies, directives and standards. Public comments regarding policies, directives and standards under external review will only be accepted in written form and during the defined public comment period. It is DDSN's intent to solicit feedback/input from all entities affected by the directives/standards; however, in rare cases the 10 business day period may not occur due to extenuating circumstances.

**II. PROCEDURE FOR REVIEW OF COMMISSION POLICIES, DEPARTMENTAL DIRECTIVES AND SERVICE STANDARDS:**

- A. In accordance with Department Directive 100-01-DD: Electronic Communications System, when a policy, directive or standard is under external review, it will be posted on the website in a section entitled "External Review/Public Comment on Directives and Standards." A list of Department Directives and Standards due for external review during the fiscal year will be considered by the Policy Committee semi-annually (on or around July 1 and January 1) and adjusted as determined by the Committee. These directives and standards will then be placed on the website (External Review/Public Comment on Directives and Standards) to include a description as to the applicable groups (e.g., provider types).
- B. All Commission Policies will remain within the Policy Committee for review and updating. When the Policy Committee review is completed, a version including all recommended changes will be presented to the DSN Commission for approval. Following approval, the Policy will be posted on the DDSN Website in the "Current DDSN Directives" section.
- C. In coordination with the Policy Committee Chairperson, the Commission, DSN Committees or staff may request review and re-prioritization of a policy, directive or standard. Upon a vote of the full Commission, a policy, directive or standard may also be

directed to another DSN Commission Committee. For each Directive or Standard the Committee will decide if they will:

- Undertake a review;
- Direct to other committees for review; or
- Delegate to staff. Directives and Standards delegated to staff will be presented to the full Commission for final approval.

### **III. REVIEW AND APPROVAL OF COMMISSION POLICIES, DEPARTMENTAL DIRECTIVES AND SERVICE STANDARDS:**

#### **A. Committee Undertakes a Review of a Directive or Standards:**

The directive/standard is reviewed by staff who will make recommendations regarding the document. A draft version, including staff recommendations, will be posted to the website and the public will have 10 business days to review and submit comments (see Directive 100-01-DD: Electronic Communications System).

It is DDSN's intent to solicit feedback/input from all entities affected by the directives/standards; however, in rare cases the 10 business day period may not occur due to extenuating circumstances.

After the 10 business day public review period, staff will consider each comment; make additional changes as needed to the Directive or Standards; and present the Directive or Standards to the Policy Committee. The committee members may request additional changes and will determine which changes will be accepted based on the comments as well as staff recommendations.

When a consensus is reached by the Policy Committee, a version representing this consensus will be created for presentation to the DSN Commission for approval. Following approval, the document will be posted on the DDSN website under "Current DDSN Directives" or "Current DDSN Standards."

#### **B. Committee Directs to Another Committee for Review of Directive or Standards:**

When the Policy Committee directs a Directive or Standards to another DSN Commission Committee for review, the procedures outlined in the section entitled, "Committee Undertakes a Review" (III. A) of this document will be followed by the directed Committee including reaching consensus and presenting to the DSN Commission for approval.

Following approval, the document will be posted on the DDSN website under "Current DDSN Directives" or "Current DDSN Standards."

C. Committee Delegates Review of a Directive or Standards to Staff:

When the Committee delegates to staff for revision, public comment and approval, staff will make recommendations regarding the document. A draft version including staff recommendations will be posted to the website and the public will have 10 business days to review and submit comments (see Directive 100-01-DD: Electronic Communications System).

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D. Obsolete Policies/Directives/Standards:

When the Committee determines directives shall be declared Obsolete, a master list will be maintained and the Chairman and Vice-Chairman will sign after voting by the full Commission.

E. Meeting Summary Notes:

The Committee will review and adopt the summary of the previous meeting notes at its next scheduled meeting. It should be noted, these are not considered minutes, as minutes are not required by a sub-committee. Accordingly, they are only a summary of the meeting.

**IV. NEW DEPARTMENTAL DIRECTIVES OR SERVICE STANDARDS:**

When a new Departmental Directive or Service Standard is created, the staff will advise the Policy Committee of the need for the document, seek approval to post as a draft for public comment, and ask for a decision regarding whether the Committee will:

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Based on the decision by the Policy Committee, the document will follow the procedure outlined above for Directives or Standards being reviewed.

**V. CHANGES TO OTHER DOCUMENTS HAVING THE EFFECT OF POLICY:**

When substantive changes to other documents having the effect of policy (e.g., HCBS Waiver amendments, HCBS Waiver Manual) are needed, a summary of the needed changes will be presented to the Policy Committee for advisement. As a result of the advisement, the Committee will specify the additional actions, if any, to be taken.

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## SCDDSN Incident Management Report 5-year trend data

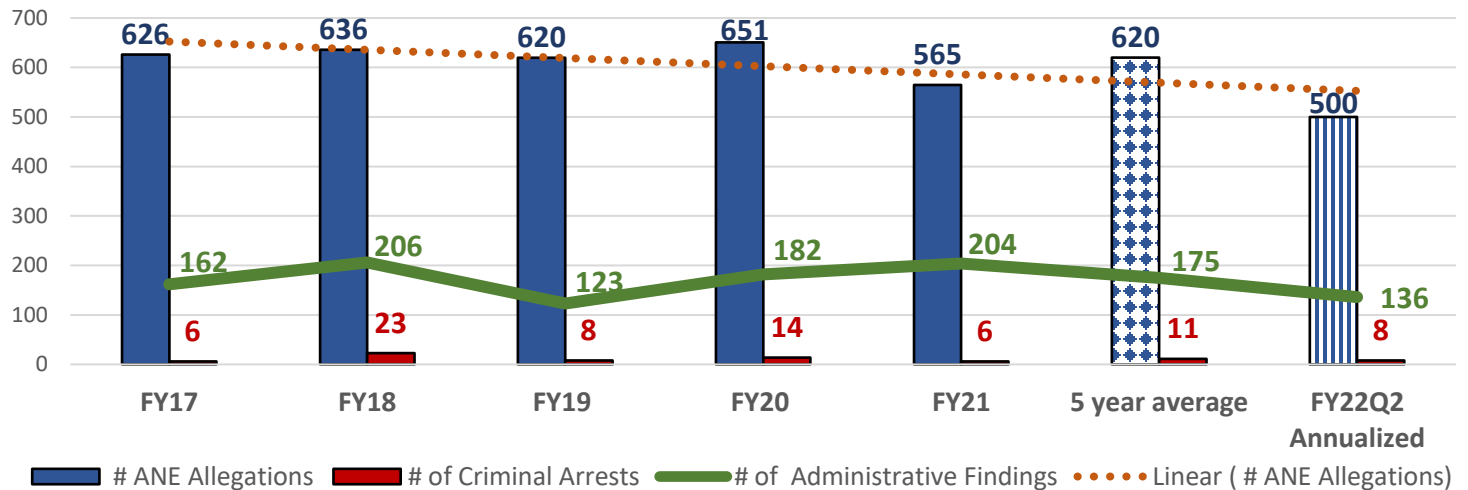
for Community-Based Services and Regional Centers Thru 12/31/2021

### Community-Based Services

(Includes Community-Based Residential and Day Service Settings)

	FY17	FY18	FY19	FY20	FY21	5 YEAR Average	FY22 Annualized (Actual Q2)
# of Individual ANE Allegations	626	636	620	651	565	620	500 (250)
# of ANE Incident Reports (One report may involve multiple allegations)	455	450	415	436	388	429	358 (179)
Rate per 100	10.5	11.9	9.6	11.8	10.9	10.9	10.7
# ANE Allegations resulting in Criminal Arrest	6	23	8	14	6	11	8 (4)
# ANE Allegations with Administrative Findings from DSS or State Long-Term Care Ombudsman	162	206	123	182	204	175	136 (68)

#### ANE Allegations: Comparison to Arrest Data & Administrative Findings- Community Residential thru FY22 Q2

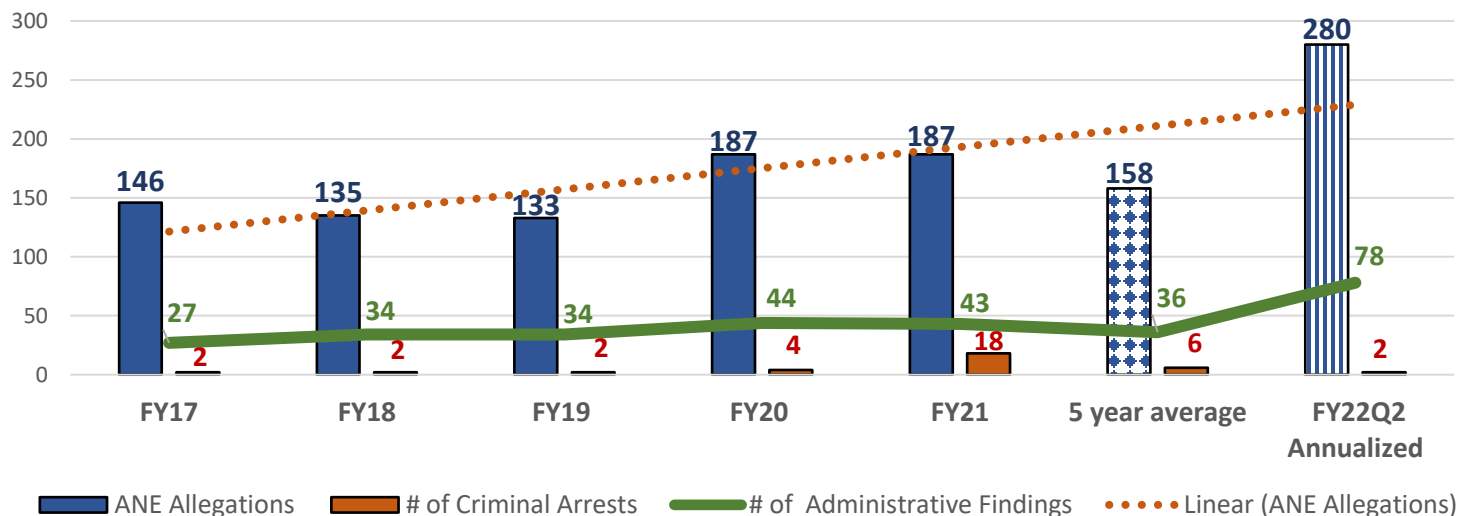


### Regional Centers

(Includes Regional Center ICF/IID Residential and Day Service Settings)

	FY17	FY18	FY19	FY20	FY21	5 YEAR Average	FY22 Annualized (Actual Q2)
# of Individual ANE Allegations	146	135	139	187	187	158	280 (140)
# of ANE Incident Reports (One report may involve multiple allegations)	104	97	102	136	138	115	166 (83)
Rate per 100	17.1	19.2	20.9	28.9	27.9	23.4	45.7
# ANE Allegations resulting in Criminal Arrest	2	2	2	5	18	5.6	2 (1)
# ANE Allegations with Administrative Findings from DSS or State Long-Term Care Ombudsman	27	34	34	44	43	36	78 (39)

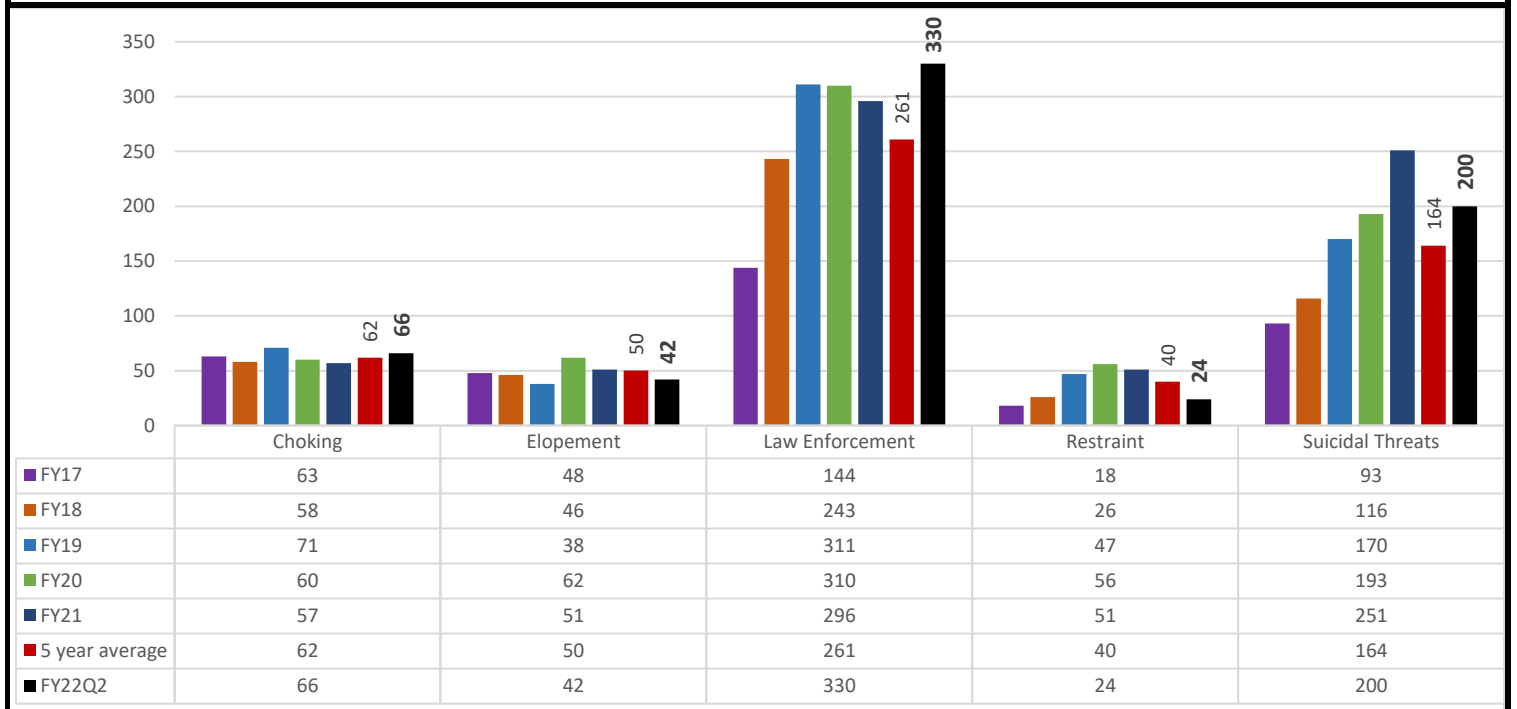
#### ANE Allegations: Comparison to Arrest Data & Administrative Findings- Regional Centers thru FY22 Q2



Death Reporting	FY17	FY18	FY19	FY20	FY21	5 YEAR Average	FY22 Annualized (Actual Q2)
# of Deaths Reported- Community Settings	78	73	78	86	130	89	98 (49)
Rate per 100	1.7	1.6	1.6	1.9	2.8	1.9	2.2
# of Deaths Reported - Regional Centers	24	27	33	22	48	31	24 (12)
Rate per 100	3.4	3.8	4.6	3.4	7.0	4.4	4.0

Community Settings <i>(Includes Residential &amp; Day Service Settings)</i>	FY17	FY18	FY19	FY20	FY21	5 YEAR Average	FY22 Annualized (Actual Q2)
<b>Critical Incident Reporting</b>							
# Critical Incidents ***	918	1071	916	982	974	972	950 (475)
Rate per 100	10.5	11.9	9.6	11.8	10.9	10.9	10.7
# Choking Events	63	58	71	65	57	62	66 (33)
# Law Enforcement Calls	144	243	311	310	296	261	330(165)
# Suicidal Threats	93	116	170	193	251	164	200(100)
# Restraints	18	26	47	56	51	40	24 (12)

### 5 Year Critical Incident Trend Report- Community Settings



Regional Center Critical Incident Reporting	FY17	FY18	FY19	FY20	FY21	5 YEAR Average	FY22 Annualized (Actual Q2)
# Critical Incidents ***	108	144	132	135	124	129	76 (38)
Rate per 100	15.4	20.6	18.6	20.8	19.1	18.9	12.8
# Choking Events	7	5	6	3	5	5	6 (3)
# Law Enforcement Calls	9	5	8	9	9	8	20 (10)
# Suicidal Threats	0	16	60	56	73	41	64 (32)
# Restraints	17	26	22	24	13	20	18 (9)

Note: Total CI Reporting numbers for FY17 have been adjusted for comparison due to a change in the criteria for reporting implemented in FY18. Major Medical events, hospitalizations related to general health care, and business/operational events are no longer reflected in this data.

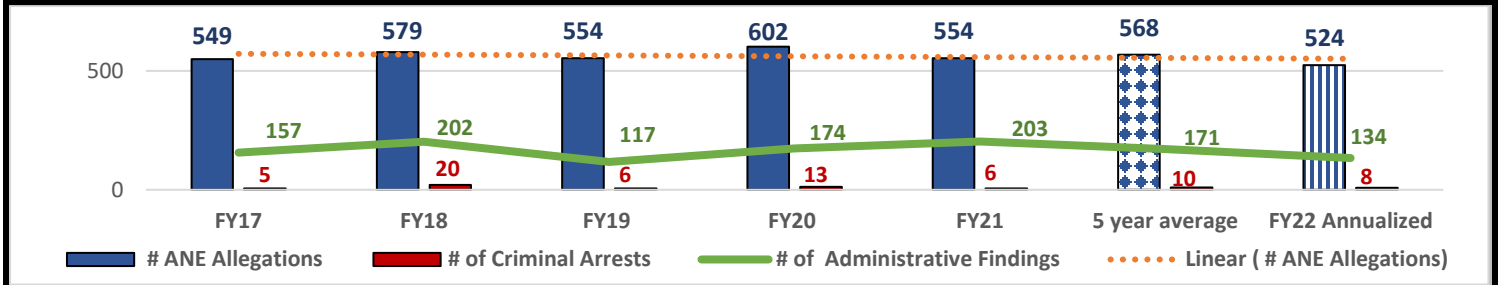
\*\*\* Critical Incident totals exclude COVID-19 Reports for Community Residential and Regional Centers.

# SCDDSN Incident Management Report 5-year trend data

for Community Residential Settings, Day Service Providers, and Regional Centers Thru 12/31/2021

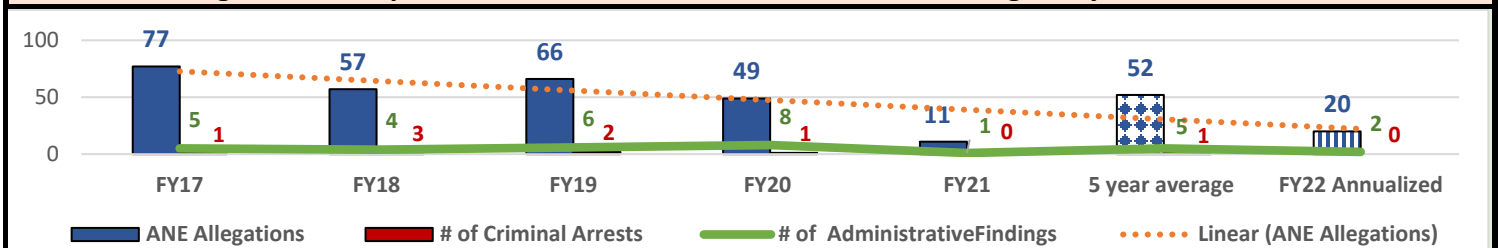
Community Residential	FY17	FY18	FY19	FY20	FY21	5 YEAR Average	FY22 Annualized (Actual Q2)
# of Individual ANE Allegations	549	579	554	602	554	568	480 (240)
# of ANE Incident Reports (One report may involve multiple allegations)	399	404	359	396	379	387	338 (169)
Rate per 100	11.7	12.5	12.5	13.0	12.1	12.1	11.9
# ANE Allegations resulting in Criminal Arrest	5	20	6	13	6	10	8 (4)
# ANE Allegations with Administrative Findings from DSS or State Long-Term Care Ombudsman	157	202	117	174	203	171	134 (67)

## ANE Allegations: Comparison to Arrest Data & Administrative Findings- Community Residential thru FY22 Q2



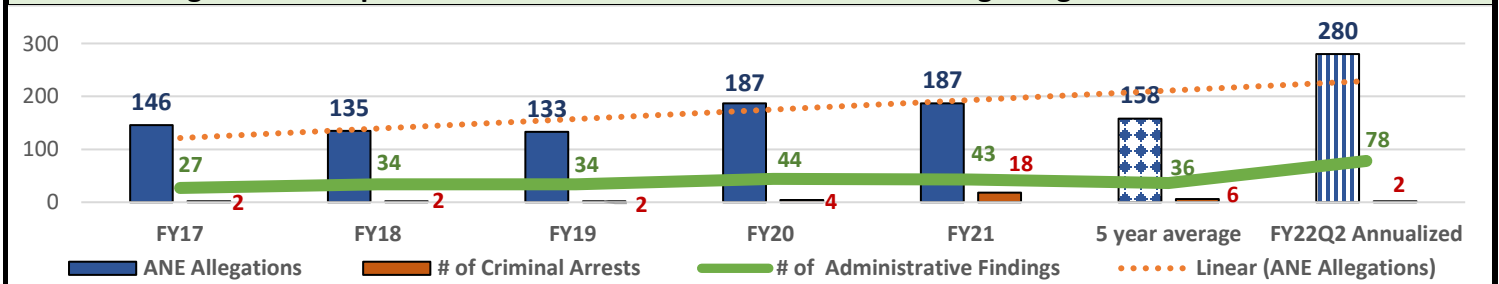
Day Services **	FY17	FY18	FY19	FY20	FY21	5 YEAR Average	FY22 Annualized (Actual Q2)
# of Individual ANE Allegations	77	57	66	49	11	52	20 (10)
# of ANE Incident Reports (One report may involve multiple allegations)	56	46	56	40	9	41	20 (10)
Rate per 100	0.94	0.71	.89	.62	.1	.7	.3
# ANE Allegations resulting in Criminal Arrest	1	3	2	1	0	1.4	0
# ANE Allegations with Administrative Findings from DSS or State Long-Term Care Ombudsman	5	4	6	8	1	4.8	2 (1)

## ANE Allegations: Comparison to Arrest Data & Administrative Findings- Day Services thru FY22 Q2



Regional Centers	FY17	FY18	FY19	FY20	FY21	5 YEAR Average	FY22 Annualized (Actual Q2)
# of Individual ANE Allegations	146	135	139	187	187	158	280 (140)
# of ANE Incident Reports (One report may involve multiple allegations)	104	97	102	136	138	115	166 (83)
Rate per 100	17.1	19.2	20.9	28.9	27.9	23.4	45.7
# ANE Allegations resulting in Criminal Arrest	2	2	2	5	18	5.6	2 (1)
# ANE Allegations with Administrative Findings from DSS or State Long-Term Care Ombudsman	27	34	34	44	43	36	78 (39)

## ANE Allegations: Comparison to Arrest Data & Administrative Findings- Regional Centers thru FY22 Q2

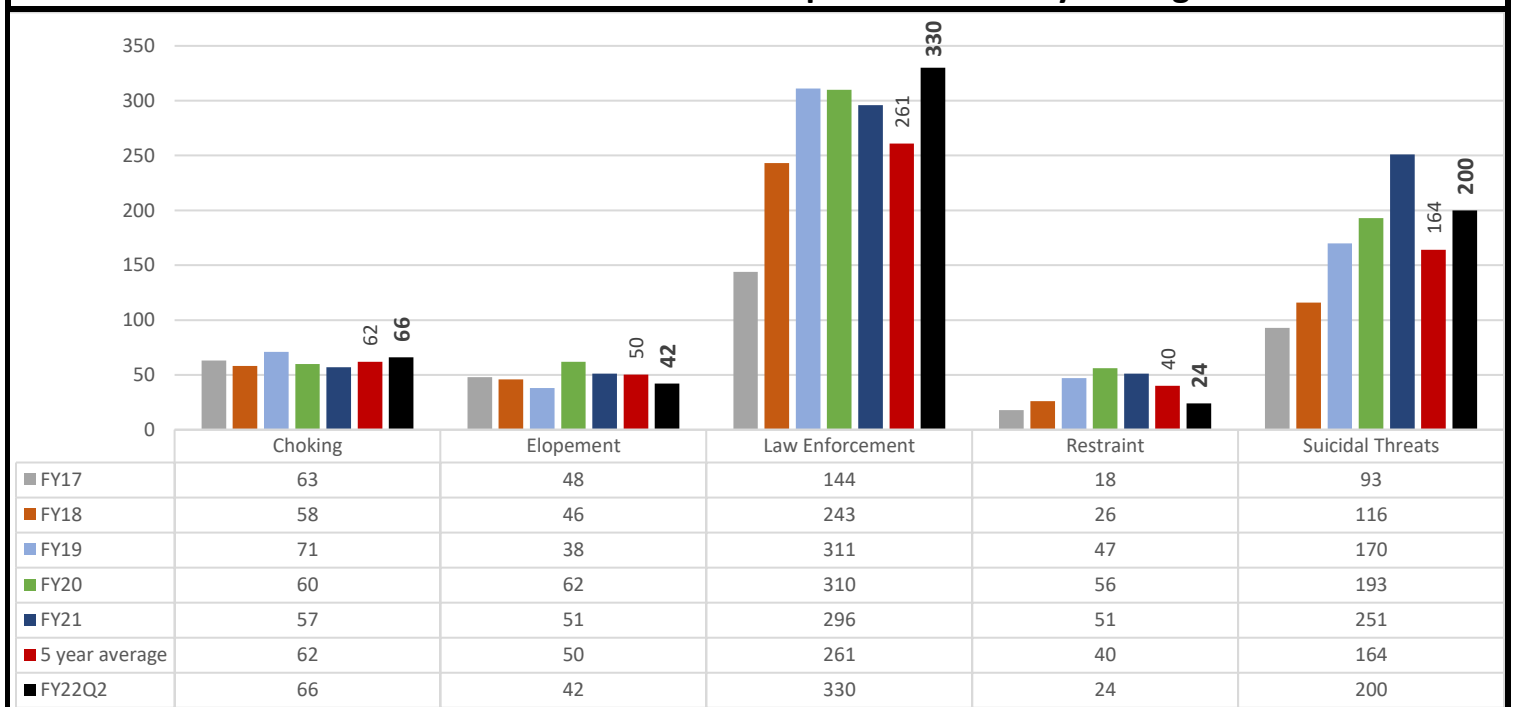


\*\*\* Most Day Service locations were closed/partially closed during FY20Q4 through FY21Q3 due to COVID-19.

Death Reporting	FY17	FY18	FY19	FY20	FY21	5 YEAR Average	FY22 Annualized (Actual Q2)
# of Deaths Reported- Community Settings	78	73	78	86	130	89	98 (49)
Rate per 100	1.7	1.6	1.6	1.9	2.8	1.9	2.2
# of Deaths Reported - Regional Centers	24	27	33	22	48	31	24 (12)
12.Rate per 100	3.4	3.8	4.6	3.4	7.0	4.4	4.0

Community Settings Critical Incident Reporting	FY17	FY18	FY19	FY20	FY21	5 YEAR Average	FY22 Annualized (Actual Q2)
# Critical Incidents ***	918	1071	916	982	974	972	950 (475)
Rate per 100	10.5	11.9	9.6	11.8	10.9	10.9	10.7
# Choking Events	63	58	71	65	57	62	33
# Law Enforcement Calls	144	243	311	310	296	261	165
# Suicidal Threats	93	116	170	193	251	164	100
# Restraints	18	26	47	56	51	40	12

### 5 Year Critical Incident Trend Report- Community Settings



Regional Center Critical Incident Reporting	FY17	FY18	FY19	FY20	FY21	5 YEAR Average	FY22 Annualized (Actual Q2)
# Critical Incidents ***	108	144	132	135	124	129	76 (38)
Rate per 100	15.4	20.6	18.6	20.8	19.1	18.9	12.8
# Choking Events	7	5	6	3	5	5	6 (3)
# Law Enforcement Calls	9	5	8	9	9	8	20 (10)
# Suicidal Threats	0	16	60	56	73	41	64 (32)
# Restraints	17	26	22	24	13	20	18 (9)

Note: Total CI Reporting numbers for FY17 have been adjusted for comparison due to a change in the criteria for reporting implemented in FY18. Major Medical events, hospitalizations related to general health care and business/operational events are no longer reflected in this data.

\*\*\* Critical Incident totals exclude COVID-19 Reports for Community Residential and Regional Centers.



## FOR IMMEDIATE RELEASE

Contact:

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# Disability Advocacy Day Press Release

Columbia, South Carolina, January 12, 2022 —The South Carolina Partnership of Disability Organizations (SCPDO) will be celebrating their 33<sup>rd</sup> Annual Disability Advocacy Day event on Wednesday, March 2<sup>nd</sup> at the South Carolina State House (North grounds). Collectively, the member organizations of the SCPDO represent more than 500,000 people with lifelong disabilities and their families in South Carolina. Disability Advocacy Day is an opportunity for these individuals and their supporters to come together with one voice to address legislators making budget decisions that directly affect their lives. Their aim is to assure self-determination, independence, empowerment, integration and inclusion of all children and adults with lifelong disabilities.

This year's theme, "*Connect and Affect*," celebrates the contributions made by people of all abilities. Disability is only limited by the restrictions that society places on the individual. When a person with a disability has equal access and opportunity, the individual, as well as the entire community, benefits.

The SCPDO invites the public, lawmakers, and community partners to attend the 33<sup>rd</sup> Annual Disability Advocacy Day on March 2, 2022 to bring about a call to action to unlock the barriers to success and preserve services and supports for people with disabilities.

We will gather on the North grounds of the South Carolina State House. Registration begins at 9:00 a.m. with activities starting at 9:30 a.m. Events include a walk, a rally, and speeches by community partners, self-advocates, and others. Notable attendees include the following: The Honorable Henry McMaster, Governor of South Carolina; The Honorable Thomas Alexander, President of the South Carolina Senate; The Honorable Alan Wilson, South Carolina Attorney General; a representative from the South Carolina Office of the State Treasurer; The Honorable Molly M. Spearman, South Carolina Superintendent of Education; Dr. Michelle Fry, State Director of the South Carolina Department of Disabilities and Special Needs; Mrs. Connie Munn, Director of the South Carolina Department on Aging; and Mr. Bill Simpson, Director of Program Integrity at the South Carolina Department of Disabilities and Special Needs.

Together we can *connect and affect* each other's lives and seek out solutions to the many challenges that face the disability community in our state. Join us to unlock barriers and create lasting change!

For more information, please visit our website at [www.scpdo.org](http://www.scpdo.org) or email us at [scpdoinfo@gmail.com](mailto:scpdoinfo@gmail.com).

# **Disability Advocacy Day**

## **SC State House, North Grounds Wednesday, March 2, 2022**

### **Tentative Schedule**

- 9:00 a.m. Registration Begins: Be sure to sign in to be counted!
- 9:30 a.m. Welcome & Announcements
- 9:35 a.m. Disability Advocate of the Year Announcement
- 9:40 a.m. Keynote Speaker, the Honorable Thomas Alexander, President of the South Carolina Senate
- 9:45 a.m. Remarks from the Honorable Alan Wilson, South Carolina Attorney General
- 9:50 a.m. Remarks from the South Carolina Office of the State Treasurer
- 10:10 a.m. Remarks from Dr. Michelle Fry, State Director of the South Carolina Department of Disabilities and Special Needs
- 10:20 a.m. Remarks from Connie Munn, Director of the South Carolina Department on Aging
- 10:25 a.m. Victoria Wilborn (advocate)
- 10:30 a.m. Duncan Winburn (self-advocate)
- 10:35 a.m. Self-Advocate of the Year Announcement and Remarks
- 10:45 a.m. Remarks from the Honorable Molly Spearman, South Carolina Superintendent of Education
- 10:50 a.m. Closing Remarks
- 11:00 a.m. Rally/ Networking Mixer
- 1:00 p.m. Group One State House Tour
- 1:30 p.m. Group Two State House Tour
- 2:00 p.m. Group Three State House Tour



# State of South Carolina

## Governor's Proclamation

**WHEREAS,** thousands of South Carolina residents and families are impacted by severe lifelong disabilities including autism, traumatic brain injuries, spinal cord injuries, and intellectual and related disabilities; and

**WHEREAS,** people with lifelong disabilities are productive citizens, neighbors, and family members, deserving of respect and opportunities for economic self-sufficiency, independence, and personal growth; and

**WHEREAS,** South Carolinians with and without disabilities work together, play together, worship together, learn together, and grow together; and

**WHEREAS,** family members, caregivers, and service providers selflessly offer daily care, assistance, supervision, and physical and emotional support to individuals with disabilities to help ensure their full participation in community life; and

**WHEREAS,** the 2022 observance of Disabilities Awareness Month celebrates 33 years of advocacy for and successes of people with disabilities in education, employment, and community activities.

**NOW, THEREFORE, I, Henry McMaster, Governor of the great State of South Carolina, do hereby proclaim March 2022 as**

### DISABILITIES AWARENESS MONTH

throughout the state and encourage all South Carolinians to work together to promote increased opportunities for people with disabilities, to recognize the many contributions made by people with disabilities in our communities, and to honor the dedication of the caregivers who bring support and hope to their fellow citizens.



Handwritten signature of Henry McMaster in black ink.

**HENRY McMASTER**  
**GOVERNOR**  
**STATE OF SOUTH CAROLINA**





# 2022 VIRTUAL ASSISTIVE TECHNOLOGY EXPO

## SUMMER JAMES AND MICHAEL STILL

Summer James, B106.7 Radio Host joins her brother, Michael Still, vehicle accident survivor to share their personal story about how assistive technology has helped Michael overcome many barriers.

## SESSIONS

The format for the 2022 Virtual Assistive Technology Expo will be 30-minute fast-paced demonstrations showcasing assistive technology for people with a wide range of disabilities.

## DATE AND TIME

March 1, 2022  
8:30 a.m. - 4:00 p.m.

## TARGET AUDIENCE

People with disabilities, their families, seniors, educators, veterans, and healthcare professionals.

## REGISTRATION

Participants must register to receive the Zoom Confirmation Email. Register at:  
<https://bit.ly/2022ATExpo>

## COST

Free!  
Gift cards and other prizes will be given away to participants. You must attend to win!

## SPONSORS

South Carolina  
**Assistive Technology  
Program**

CENTER FOR DISABILITY RESOURCES  
SCHOOL OF MEDICINE  
UNIVERSITY OF SOUTH CAROLINA

 **Center for  
Disability Resources**  
School of Medicine Columbia

  
UNIVERSITY OF  
**South Carolina**  
School of Medicine Columbia



**SOUTH CAROLINA**  
Developmental Disabilities Council

**B106.7**  
TODAY'S HITS & YESTERDAY'S FAVORITES

## 2022 Virtual Assistive Technology Expo Session Schedule

### **8:30 a.m. Keynote Speakers: Summer James, B106.7 radio host and her brother Michael Still**

Summer and Michael co-authored "The Man in the Red Shorts" and will share their personal story about how assistive technology has helped Michael overcome many barriers.

### **9:00 a.m. What's New (and Fun!) with Empower!**

Speaker: Katie Lee, MS, CCC-SLP, CBIS, Assistive Technology Works

Learn how the Empower software works on the Accent communication devices. See a demonstration of new settings and options available for users. Learn how and why these settings can be used.

### **9:30 a.m. Hearing Devices for Independent Living**

Speaker: Leah Cuthbertson, SC Equipment Distribution Program

See how qualifying individuals with hearing and/or speech challenges can apply for free phone and alerting devices.

### **10:00 a.m. WeWALK Smart Cane for Greater Independence and Safety**

Speaker: Paul Burden, WeWALK

Learn how the WeWALK Smart Cane brings technology to the traditional white cane. The Smart Cane is paired with the WeWALK App to improve navigation and obstacle detection. It is specifically designed for the blind and visually impaired.

### **10:30 a.m. Accessibility Resources on Google Chrome**

Speaker: Madalina Tudora, ATP, Office of Special Education Services, SC Department of Education

See free and low-cost assistive technology and accessibility tools built into the Google Chrome Platform.

### **11:00 a.m. Is that Fine Print Too Small?**

Speaker: Sam Adler, HumanWare

See demonstrations of various portable solutions for a visually-impaired professional, student, or senior. Learn about magnification, speech, and accessibility using high-tech devices in the simplest and most efficient way for all ages and tasks.

### **11:30 a.m. Smart Drive – Power Your Push Your Way**

Speaker: Lindsey Sharpe, PT, DPT, ATP, Permobil

Learn about the SmartDrive, a power assist device designed with the wheelchair rider in mind. It improves a manual wheelchair rider's mobility with minimal compromise. See its flexible control interface options.

### **Noon – 12:30 p.m. Lunch Break**

### **12:30 p.m. Door Prize Give Away from the SC DD Council and the SC Assistive Technology Program**

### **1:00 p.m. Wheel Pads, Accessible Dwelling Units, and Universal Design: Changing the Way We Build Homes**

Speaker: RJ Adler, Wheel Pad

Learn how WheelPad makes home attachments and backyard cottages that can rapidly make any property universally accessible.

### **1:30 p.m. Let's Learn about Forbes AAC Products**

Speaker: Kelly Thoel, Forbes AAC

See the Forbes AAC product line and learn why the communication products are a great solution for many AAC users.

### **2:00 p.m. Alternative Formats of Course Materials using Blackboard Ally**

Speaker: Susan Quinn, University of South Carolina, Division of Information Technology

Learn about Blackboard Ally, available in multiple Learning Management Systems including Blackboard Learn. Convert course material files into multiple downloadable formats, including Beeline Reader, electronic Braille, ePub, HTML, an OCR'd version, and Tagged PDF. Learn about the free online version of the Alternative Format feature.

### **2:30 p.m. Access and Assistance with Microsoft Technologies**

Speaker: Heather Cox, Microsoft

This session will focus on technologies geared toward the empowerment of educators and students and cover various aspects of assistive and accessible technology including built-in free tools in the Microsoft 365 Suite. Learn how Windows 10 and 11 devices can support individuals with AT.

### **3:00 p.m. Low-Tech Solutions for Communication, Switch Access, and Adapted Toys**

Speaker: Heather Koren, Westminster Technologies

See easy-to-use, affordable communication devices, switches, and adapted toys, as well as ways to implement them with fun and engaging activities.

### **3:30 p.m. SCATP 101**

Speaker: Carol Page, PhD, CCC-SLP, SC Assistive Technology Program

Learn about the services provided by the SC Assistive Technology Program including equipment demonstrations and loans, reuse, equipment exchange program, and Adapted Toy Workshop.

## FY22 Spending Plan VS Actual Expenditures as of 1/31/2022

Category	Spending Plan	Cash Expenditures YTD	SCDHHS Monthly "Wash" Expenditures with Revenue YTD *	Total Monthly Expenditures YTD	Remaining Spending Plan	Spending Plan Deviation with Actual
DDSN spending plan budget	\$ 851,170,837	\$ 411,776,183	\$ 83,512,811	\$ 495,288,994	\$ 355,881,843	<b>REASONABLE</b>
Percent of total spending plan remaining	100.00%	48.38%	9.81%	58.19%	41.81%	
% of FY Remaining					41.67%	
Difference % - over (under) budgeted expenditures					-0.14%	

\* In Jan 2022, providers billed & paid by SCDHHS for approximately \$110.5 million in services (waiver services + state plan services). DDSN paid the \$27.0 million state match to SCDHHS recorded as a cash expenditure and the \$83,512,811 difference was the "wash" Medicaid reimbursement revenue & expense added to maintain "apples to apples" comparison to FY22 spending plan.

Methodology & Report Owner: DDSN Budget Division

South Carolina Department of Disabilities and Special Needs  
FY 2022 – 2023 Budget Request One-Page Summary

*Revised*

Priority	Description of Agency Need	State Funds Medicaid Total
1*	<p><b>Enhance ID/RD Waiver Services and Update Service Rates:</b> The SC Department of Health and Human Services’ (SCDHHS) ID/RD Waiver is operated by DDSN. The ID/RD Waiver is up for renewal effective 1/1/22. As a result of the FY19 cost report, trend data, and independent rate analysis input from SCDHHS’s consultant, SCDHHS calculated DDSN needs \$14 million in new state funds to enhance services and update service rates, which includes \$9.5 million related to daily Residential Habilitation rate updates. Of particular importance, the ID/RD Waiver Renewal is structured to create a pathway for DDSN to complete its payment system transition to fee-for-service (FFS) on 1/1/22. FFS would improve Medicaid matching efficiency, transparency, and delivery system productivity.</p> <p>ID/RD Waiver improvements includes updating provider service rates; creates individual “tiered” residential settings; modernizes day services; establishes an “Independent Living Skill” service; adds In-Home support service; includes remote supports as part of Assistive Technology; creates the option for Respite services to be provided to multiple participants living in the same household; and increases the Environmental Modification lifetime cap from \$7500 to \$15,000. The availability of COVID-19 federal funding can finance this unique waiver renewal opportunity for many years permitting time for DDSN and SCDHHS to arrange for long-term recurring funding. The FY23 increased cost of these enhanced ID/RD Waiver services and corresponding service rate increases is \$14 million state funds, which will generate an additional \$33 million in Medicaid match for a total of \$47 million in service dollars. DDSN requests a two-year legislative appropriation strategy to obtain the \$14 million state funds with an annual state fund request of \$7 million in state funds in FY23 and FY24. <b>(Recurring)</b></p>	<p>\$7,000,000 \$16,500,000 \$23,500,000</p>
2* Req FY22	<p><b>New Waiver Slots to Address the Waiting List:</b> The waiver waiting lists are at an all-time high containing 14,456 individuals. Each waiver is at, or near, an all-time high in wait times: IDRDR (5.4 years); Community Supports (3.6 years); and HASCI (0.4 years). On 7/1/21, DDSN re-engineered its waiver waiting list to more efficiently implement new legislative appropriated waiver slots. DDSN requests \$6.36 million (\$1.9 million state funds) to fund 300 IDRDR Waiver slots (\$14,000/waiver slot) and 60 HASCI Waiver slots (\$36,000/waiver slot). <b>(Recurring)</b></p>	<p>\$1,900,000 \$4,460,000 \$6,360,000</p>
3 Req FY22	<p><b>Early Intervention (EI) Utilization Increase:</b> DDSN anticipates a conservative 17% increase in FY23 utilization due to serving an increase in children receiving services (ages 3-6). DDSN has absorbed the past four FYs’ increases children served in the program from its base funding, which were 18% (FY18), 30% (FY19), 8% (FY20), and 17% in FY21. <b>(Recurring)</b></p>	<p>\$618,000 \$1,418,044 \$2,036,044</p>
4 REVISED	<p><b>Appropriation Transfer to SCDHHS due to new Fee-for-Service (FFS) Payment System:</b> In collaboration with SCDHHS, SCDDSN local providers will transition from a Prospective Payment of Services from SCDDSN to a direct payment FFS model at SCDHHS. This process change will record the cost of Medicaid Services listed under the Intellectual Disability/Related Disabilities, Community Supports, and the Head &amp; Spinal Cord Injury Waivers at SCDHHS instead of SCDDSN. SCDDSN will still maintain accountability oversight of all three waivers. However, the portion of SCDDSN’s State Appropriation being used for the State Match of these Medicaid services will need to be transferred to SCDHHS.</p> <p>Both SCDHHS and SCDDSN have agreed to a transfer of \$172,000,000 state funds. This is a permanent transfer and net neutral to the State. <b>(Recurring)</b></p>	<p>(\$172,000,000) \$0 (\$172,000,000)</p>
5	<p><b>Increase Access to Post-Acute Rehabilitation (PARI) for Traumatic Brain or Spinal Cord Injuries:</b> In FY21, the PARI Program costs exceeded its \$3.6 million legislative appropriation by \$466,000, which DDSN paid for from its base funding and reserves. DDSN anticipates the PARI program costs will continue to increase based on criteria of need and historical pattern of increasing costs. As a result, DDSN requests \$466,000 in state funds. <b>(Recurring)</b></p>	<p>\$466,000 \$0 \$466,000</p>
6	<p><b>Increase and Improve Access to Community Residential Supports for Regional Center Individuals:</b> The Regional Center list of residents desiring community placement is updated quarterly and the Critical Needs Staff advocates for providers to accept placements; however, providers must voluntarily agree. Available community beds to serve community based and Regional Center individuals comes from turnover of existing fully occupied beds which averages 180 annually (16 beds/month). Given the chronic staffing shortages at Regional Centers even before COVID and the legal requirement of the Olmstead Act, DDSN requests residential expansion of four CTH II homes (16 beds) focused on de-populating centers. Because “money follows the person,” DDSN is only asking for \$140,000 in non-recurring funds (\$35,000/house; \$25,000 Housing Trust Fund loan match &amp; \$10,000 sprinkler cost). <b>(Non-Recurring)</b></p>	<p>\$140,000 \$0 \$140,000</p>
7	<p><b>South Carolina Genomic Medicine Initiative:</b> This initiative will combine clinical care, a “multi-omics” technological approach and big data/machine learning to create a powerful, and unique resource serving patients, healthcare providers, and state agencies. This is the third annual \$2 million request in a five-year plan to fund this project with \$10 million from the State. <b>(Non-Recurring)</b></p>	<p>\$2,000,000 \$0 \$2,000,000</p>
8 Req FY22	<p><b>Greenwood Genetic Center (GGC) Base Budget Increase:</b> In FY21, DDSN contracts with GGC were restructured to properly account for Medicaid matching funds reimbursable to GGC based on its use of its state funds received through DDSN from the General Assembly (\$4,934,000). This resulted in a decrease in funding to GGC. As a result, GGC requests a \$500,000 increase in recurring base appropriations. <b>(Recurring)</b></p>	<p>\$500,000 \$0 \$500,000</p>

South Carolina Department of Disabilities and Special Needs  
 FY 2022 – 2023 Budget Request One-Page Summary

*Revised*

Priority	Description of Agency Need	State Funds Medicaid Total
Total Funds	* DDSN acknowledges Priority #1 and #2 are currently under our Agency’s accountability, however with the near future completion of transition to a Fee-for-Service Payment System with SCDHHS, and at the will of the South Carolina Legislative Body’s approval of such, if funded, DDSN will transfer approved State Appropriations within these 2 stated priorities to SCDHHS.	(\$159,376,000) <u>\$22,378,044</u> (\$136,997,956)