

From: [Linguard, Christie](#)
Subject: Meeting Notice - SC Commission on Disabilities & Special Needs Commission Meeting - November 18, 2021
Date: Tuesday, November 16, 2021 2:01:58 PM
Attachments: [Commission Packet - November 18 2021.pdf](#)

Good Afternoon,

The South Carolina Commission on Disabilities and Special Needs will hold its regularly scheduled meeting in person on Thursday, November 18, 2021, at 10:00 a.m. in conference room 251 at the SC Department of Disabilities and Special Needs Central Administrative Office, 3440 Harden Street Extension, Columbia, SC. Any member of the public attending in person must view this meeting in a separate conference room at the central office. To access the live audio stream for the 10:00 a.m. meeting, please visit www.ddsn.sc.gov.

Please see the attached agenda and attachments for the Commission Meeting.

For further information or assistance, contact (803) 898-9769 or (803) 898-9600.

Thank you.

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**

November 18, 2021

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 *Chairman Eddie Miller*
6. Approval of October 21, 2021 Commission Meeting Minutes **Page 3**
7. Commissioners' Update *Commissioners*
8. Public Input
9. Apprenticeship Carolina *Dr. Amy Firestone*
10. Commission Committee Business
 - A. Finance and Audit Committee *Committee Chair Robin Blackwood*
 1. Financial Approval & Threshold Report for November 2021 **Page 9**
 2. Band B and I Report for November 2021 **Page 10**
 - B. Policy Committee *Committee Chair Barry Malphrus*
 1. 200-04-DD: Voluntary Contributions and Donations **Page 13**
 2. 400-21-DD: Educational Credential **Page 15**
 3. Committee Update
11. Old Business:
 - A. ID/RD Waiver Renewal Update *Ms. Lori Manos*
 - B. Quarterly Incident Management Report **Page 19** *Ms. Ann Dalton*
 - C. Fee-for-Service Update *Mr. Pat Maley*
 - D. Cost Report Update *Mr. Pat Maley*
 - E. Internal Audit Update *Ms. Courtney Crosby*
 - F. Legislative Update **Page 21** *Mr. Tommy Windsor*
12. New Business:
 - Financial Update **Page 24** *Mr. Pat Maley*
13. Director's Update *Michelle Fry, J.D., Ph.D.*

14. Executive Session

Personnel Matter Regarding Organizational Restructuring

15. Enter into Public Session

16. Next Regular Meeting (December 16, 2021)

17. Adjournment

SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS

MINUTES

October 21, 2021

The South Carolina Commission on Disabilities and Special Needs met on Thursday, October 21, 2021, 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, M.D.

Gary Lemel

Eddie Miller

David Thomas

DDSN Administrative Staff

Pat Maley, Chief Financial Officer and Deputy 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; Robb McBurney, Emergency Operations and Special Projects; Andrew Tharin, Director of Engineering; Susan Davis, USC Center for Disability Resources; Becky Peters, Director of Day Programs; Ken Parks, 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 Lemel made a motion to adopt the October 21, 2021 agenda as written, seconded by Commissioner Thomas and unanimously approved by the commission. (Attachment A)

Invocation

Commissioner Thomas gave the invocation.

Approval of the Minutes from September 15, 2021 Special Called Commission Meeting; September 16, 2021 Commission Meeting; and October 7, 2021 Special Called Commission Meeting

Commissioner Malphrus made one small addition to include that the Policy Committee is considering a change to the Personnel Committee procedures. Commissioner Malphrus then made a motion to approve all three (3) sets of the minutes with the one change to the September 15, 2021 meeting minutes. His motion was seconded by Commissioner Blackwood and unanimously approved by the commission. (Attachment B)

Commissioners' Update

Commissioner Miller announced that he and Commissioner Blackwood both visited the Orangeburg Disability and Special Needs Board. Commissioner Lemel showed a clip of a news video that featured Miracle Park in York County. (After a brief pause due to technical difficulty, the meeting resumed with the video clip). Chairman Rawlinson introduced and welcomed State Director Dr. Michelle G. Fry to the agency.

National Disability Employment Awareness Month

Mr. Britt thanked Governor McMaster for the Proclamation naming October as National Disability Employment Awareness Month. Ms. Davis and Ms. Peters spoke on the advantages of employment as well as the current employment initiatives the agency is working on with the SC Department of Vocational Rehabilitation. They also gave each commission member an employment newsletter showcasing our consumers in each congressional district. In closing, Mr. Britt recognized Mr. Tommy Smith as an important contributor to our agency and presented him with a certificate of service commemorating his 30 years of service to the agency and the state of South Carolina. (Attachment C)

Public Input

There was no public input.

Disability Rights South Carolina

Chairman Rawlinson introduced Executive Director, Beth Franco and Attorney Anna Maria Conner of the Disability Rights South Carolina (DRSC). She explained DRSC's mission and gave a brief overview of their non-provide protection and advocacy agency for the state. (Attachment D)

Commission Committee Business

A. Finance and Audit Committee

The Finance and Audit Committee met on October 18, 2021. The following topics were presented for review and approval by the Commission:

200-02-DD: Financial Management of Personal Funds – Chairman Rawlinson treated the approval from the committee as a motion and second; after taking a vote, the commission members unanimously approved this directive as presented.

Mr. Tharin gave a brief overview of the Federal Emergency Management Agency (FEMA) Generators' Comprehensive Permanent Improvement Plan (CPIP) project, which included, but was not limited to the costs associated with the project and federal funding. There was one service contract (Sole Source Therap Software one-year extension) and another CPIP project (Whitten Interactive Garden) that were presented for approval by the commission. Commissioner Blackwood noted that the agency needs to look at other providers for Therap during this one-year extension period. Chairman Rawlinson commented on her time spent at one of our regional centers recently. After talking to staff at the center about the Therap software, she discovered that there was no personal information in the system about consumers. She feels as though this is important in that it builds a relationship between consumers and staff. After no further discussion, Chairman Rawlinson treated the approval from the committee as a motion and second. The commission unanimously approved the generator and Whitten Center projects as presented. (Attachments E)

The committee voted to approve one outlier request that was presented. There were three outlier requests that were denied at the committee level. Chairman Rawlinson noted that the commission will treat the approval as a motion and second coming out of committee. The commission unanimously approved the one preliminary staff recommendation for band change. (Attachment F)

B. Policy Committee

Commissioner Malphrus commenced by stating that the Policy Committee did not meet in October but there was one item that should have been approved last month but it did not make the agenda. Directive, 800-07-

CP: SC Commission on Disabilities and Special Needs Committee Procedures. There were no changes to the Legislative and Finance and Audit committee's procedures. He noted minor changes to the Personnel and Policy Committees' procedures. Chairman Rawlinson treated the approval from the committees as a motion and second; after taking a vote, the commission members unanimously approved the changes to the aforementioned procedures. (Attachments G)

Chairman Rawlinson asked if the Legislative Committee could meet next month and provide an update at the next commission meeting. She then informed everyone that the Taskforces and Subcommittees will resume their meetings since we now have a new director.

Special Commission Subcommittees and Taskforce Updates

FMAP Oversight Subcommittee – Commissioner Blackwood stated that the members met on October 6, 2021. It was a very short meeting because the funds have still not yet been disbursed to the state. The plan that the commission approved has not been approval as of yet either. Commissioner Thomas asked Director Fry to contact the Department of Health and Human Services' director for further clarification on when the agency will receive the 10% FMAP funding.

Chairman Rawlinson reminded commission members that they can submit a written copy of their meetings if they choose to do so. Eventually, she would like to see a running list of scheduled subcommittee and taskforce meetings.

Old Business

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

Ms. Manos updated the commission on renewal. There were a few changes based on comments received during the public comment period. The Department of Health and Human Services (DHHS) has had their 15-day call with the Centers for Medicaid and Medicare Services (CMS). In anticipation of getting the waiver approved, our agency is working closes with DHHS to updated policies as it relates to waiver services. The agency is already engaged with technical assistance experts provided through the National Association of State Directors of Developmental Disabilities Services (NASDDDS) to come up with the assessment piece for tier placement.

B. Fee-for-Service (FFS) Update

Mr. Maley reminded the commission that both the ID/RD Waiver and FFS transition will take place on January 1, 2022. He provided each

commission member with an update on the project plan for the FFS transition. Over the immediate future, there will be a lot of work with providers.

C. Cost Report Update

Cost reports for FY13 and 14 are complete and at DHHS. Reports for FY16 and FY17 have been at DHHS for a couple of months. FY18, FY20 and FY21 should all be completed by next year this time and turned in to DHHS. Lastly, FY19 is completed and the foundation upon which the agency based the ID/RD Waiver Renewal.

D. Internal Audit (IA) Update

Ms. Crosby announced that the 2020 Agreed-Upon Procedures (AUP) Reports for the DSN Boards are complete. Staff are working to complete the review of seven (7) remaining 2020 AUP Reports for Providers. Contract reductions related to 2020 reports total \$17,800. The IA staff has five (5) audits that carried over into FY22: Interpreter Services; Environmental Modifications; Information Technology (IT) limited scope; Coastal Autism Division; and Regional Centers – Client Banking System audit. The IA staff anticipates issuing the Environmental Modifications report in November to the Commission, and have set target completion dates in December for the IT audit and the audit of the Coastal Autism Division. Ms. Crosby is working to develop an audit tracking report to summarize audit findings, corrective action plans, and follow-up procedures performed to determine if corrective action plans have been implemented by management. She hopes to have that tool developed and ready to present at the November Finance & Audit Committee meeting. Ms. Crosby has begun meeting with Central Office managers & key personnel as she works to prepare an audit universe that encompasses both Central Office Operations and the provider network.

New Business

A. Financial Update

Mr. Maley presented the financial update. The agency is .5% overbudget, which is good for the agency. The Public Health Emergency (PHE) has been extended one more quarter at the Federal level which means that Appendix K has been extended for at least three more months; and the 6.2% FMAP continues through March 31, 2022. Commissioner Lemel made a motion to approve the financial update which was seconded by Commissioner Miller and unanimously approved by all members. (Attachment H)

B. Processing Retirement & Health Insurance Appropriations To Providers

Mr. Maley called the commission members attention to the FY22 legislative budget's 1% increase for employers' state retirement costs for our healthcare providers who participate in the state retirement system. After detailed discussion, Commissioner Lemel made a motion to approve all four (4) recommendations as outlined in the memorandum from Mr. Maley on page 3; this motion was seconded by Commissioner Thomas and unanimously approved by the members of the commission. (Attachment I)

Director's Update

Director Michelle Fry thanked the commission members and DDSN staff for their warm welcome. She has had an opportunity to visit the Whitten Regional Center and looks forward to visiting all other centers; meeting with key stakeholders; and establishing a relationship with our network of providers. Dr. Fry noted that she met with Director Robbie Kerr at the Department of Health and Human Services yesterday. Both agencies have agreed to establish a cadence of meetings in the future as we move forward with implementing Fee-for-Service and the ID/RD Waiver Renewal.

Next Regular Meeting

November 18, 2021

Adjournment

On a motion by Commissioner Miller, seconded by Commissioner Thomas and unanimously approved by the commission, the meeting was adjourned at 12:49 p.m.

Submitted by:

Approved by:

Christie D. Linguard
Administrative Coordinator

Commissioner Robin Blackwood
Secretary

Monthly DDSN Staff Report - Financial Approval & Threshold Reporting for November 2021

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:

A fixed priced bid contract was solicited on 11/25/2019 for Residential Services for Children. The purpose of this fixed price bid invitation is to establish a source or sources for the purchase of Residential Services for Children for multiple state agencies. The different state agencies that may purchase services for clients from the contracts awarded under this solicitation include: South Carolina Department of Disabilities and Special Needs (DDSN); South Carolina Department of Juvenile Justice (DJJ); South Carolina Department of Mental Health (DMH); and, South Carolina Department of Administration, Continuum of Care for Emotionally Disturbed Children Division (COC). On 11/05/2021, one (1) provider was approved to provide services through another state agency. DDSN is requesting approval to add this provider to the established fixed price contract. Currently there 38 providers that have been qualified to provide services under this multi-agency contract.

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.)



MEMO

Date: November 8, 2021

To: DSN Commissioners

From: CFO Pat Maley

Re: Band B & I Project: Band Increase & Outlier Requests

On 4/5/21, DDSN initiated the Band Increase & Outlier Request Program with funding from the B & I Transition “gap” funds available. To date, DDSN received **44** requests for Band increases and requests for outlier funding. Of these requests, 15 have been approved, 27 denied; **2** being submitted to the November Commission meeting; and **0** are still pending review. Every Friday, new requests are staffed by Operations and Finance Divisions and either approved, denied, or held in abeyance while additional data is collected to make a determination. For all new requests not approved due to lack of sufficient justification, providers are re-contacted and given ample opportunity to send in additional financial information to support the request prior to a final denial is recommended to the Commission.

Attachment A to this memo contains a schedule itemizing all staff recommendations for the **November 2021** Commission meeting, where staff will seek Commission final approval. Attachment B to this memo is a summary of all previously approved Commission funding decisions for this project.

Request of the Commission:

Approve the **2** preliminary staff recommendations contained on Attachment A.

Attachment A

Staff Recommendation for Band Increases & Outliers for the November Commission Meeting

Band Increase Request				Outlier Request			Staffing Decision	
Individual	Band from/to	Annualized Increase Request	Annualized Increase Approved	Individual	Amount Requested	Amount Approved	Approve	Disapprove
MC	Level 2 to 3	\$14,983	\$0					X
SB	G to H	\$19,305	\$0					X
		\$ 34,288	\$ -		\$ -	\$ -		

Attachment B

Summary of All Band Increases & Outlier Decisions Pertaining to the B & I Transition Project									
Date Approved by Commission	Band Increase Request				Outlier Request			Staffing Decision	
	Individual	Band from/to	Annualized Increase Request	Annualized Increase Approved	Individual	Amount Requested	Amount Approved	Approve	Disapprove
5/20/2021	GB	G to H	\$18,561	\$ 18,561				X	
5/20/2021	CH	Low to High	\$18,561	\$ -					X
5/20/2021	DH	Low to High	\$18,561	\$ -					X
5/20/2021	LH	Low to High	\$18,561	\$ -					X
5/20/2021	RJ	Low to High	\$18,561	\$ -					X
5/20/2021	BL	G to H	\$18,561	\$ -					X
5/20/2021					TH	\$ 109,500	\$ -		X
5/20/2021					ML	\$ 112,099	\$ -		X
6/17/2021	LJ	G to H	\$18,561						X
6/17/2021	TH	G to H	\$18,561	\$ 18,561				X	
6/17/2021	JG	G to H	\$18,561	\$ -					X
6/17/2021	DP	G to H	\$18,561	\$ -					X
6/17/2021	BP	G to H	\$18,561	\$ 18,561				X	
6/17/2021	BB	G to H	\$18,561	\$ 18,561				X	
6/17/2021	WM	G to H	\$18,561	\$ 18,561				X	
6/17/2021	CW	G to H	\$18,561	\$ 18,561				X	
6/17/2021	AA	G to H	\$18,561	\$ 18,561				X	
6/17/2021	PK	G to H	\$18,561	\$ -					X
6/17/2021	DK	G to H	\$18,561	\$ -					X
6/17/2021	SH	G to H	\$18,561	\$ -					X
6/17/2021	MB	G to H	\$18,561	\$ -					X
6/17/2021	AS	G to H	\$18,561	\$ 18,561				X	
6/17/2021					GB	\$ 98,837	\$ 41,046	X	
6/17/2021					JB	\$ 134,783	\$ 80,660	X	
6/17/2021					MD	\$ 13,607	\$ -		X
6/17/2021					AJ	\$ 13,607	\$ -		X
6/17/2021					MS	\$ 73,362	\$ -		X
7/14/2021					DL	\$ 41,047	\$ -		X
7/14/2021					KM	\$ 66,163	\$ -		X
7/14/2021					JP	\$ 41,047	\$ -		X
7/14/2021					DG	\$ 37,987	\$ -		X
7/14/2021					JE	\$ 37,543	\$ -		X
7/14/2021					GB	\$ 19,384	\$ -		X
7/14/2021					AE	\$ 31,925	\$ -		X
9/16/2021	CC	G to H	\$18,561	\$18,561				X	
9/16/2021	RF	G to H	\$18,561	\$18,561				X	
9/16/2021	SK	G to H	\$18,561	\$18,561				X	
9/16/2021	TB	G to H	\$18,561	\$18,561				X	
10/21/2021	JH	G to H	\$18,561	\$18,561				X	
10/21/2021	ES	G to H	\$18,561						X
10/21/2021	JW	G to H	\$18,561						X
10/21/2021	AC	G to H	\$18,561						X
			\$519,708	\$ 241,293		\$ 830,891	\$ 121,706		

Michelle G. Fry, J.D., PH.D.
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David L. Thomas

Reference Number: 200-04-DD

Title of Document: Voluntary Contributions and Donations

Date of Issue: June 1, 1987

Date of Last Revision: November 18, 2021 **(REVISED)**

Effective Date: November 18, 2021

Applicability: DDSN Regional Centers, Central Office

I. PURPOSE

The purpose of this departmental directive is to state a uniformed policy in regard to the receipt and handling of voluntary contributions or donations made to the South Carolina Department of Disabilities and Special Needs (DDSN).

II. APPLICABILITY

This policy is to be followed by all employees of DDSN Regional Centers and Central Office.

III. POLICY

All voluntary contributions and donations made to DDSN should be deposited with the State Treasurer’s Office and entered into DDSN’s accounting records as a contribution. No voluntary contributions or donations given to DDSN can be given to or held by any other organization, even if it is an affiliated organization.

IV. GENERAL PROCEDURES

A. Receiving Donations

A receipt must be given to the donor of any donation received. If the donation is classified as restrictive (for a specific purpose, a specific region, or a specific purpose within a region), it should be noted on the receipt. All donations must be forwarded for initial intake to either the Director of Finance in Central Office or through the Finance Director at each DDSN Regional Center. A copy of the receipt with an accompanying memo briefly describing the circumstances of the donation are required. The Director of Finance will record the purpose of any donation which will make it a “restricted” donation. Any other donation received will be considered “unrestricted.” Unrestricted funds can be used by DDSN on any expense deemed reasonable by the approving official.

B. Expending Donations

Expending restricted donations to use at a particular DDSN Regional Center requires the Facility Administrators (FA), or designee, to approve. All FA approvals of less than \$1,000.00 are routed directly to the Director of Finance, who will administratively process to ensure the expenditure meets the intent of the restricted purpose and then process for payment.

All FA approvals \$1,000.00 or greater and all other expenditures of restricted donations and unrestricted donations are routed by the originator to the Associate State Director for Operations, or designee, for approval. Any expenditure \$10,000.00 and greater also requires the additional approval of the State Director. Subsequent to final approval by the Associate State Director or State Director, the approval is routed to the Director of Finance, who will administratively process to ensure the expenditure meets the intent of the restricted purpose, if applicable, and then process for payment.

Barry D. Malphrus
Vice Chairman

Stephanie M. Rawlinson
Chairman

Reference Number: 400-21-DD

Title of Document: Educational Credentials

Date of Issue: May 23, 2002

~~Effective Date: May 23, 2002~~

~~Last Review Date: December 19, 2016~~

Date of Last Revision: ~~December 19, 2016~~ November 18, 2021 (REVISED)

Effective Date: ~~May 23, 2002~~ November 18, 2021

Applicability: All DDSN Employees and Applicants for DDSN Employment

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

PURPOSE

The purpose of the directive is to outline the department's policy and practice as they apply to the use of educational credentials received as a result of distance and on-line education to include correspondence courses.

POLICY

Applicants and employees who indicate they possess a high school diploma or its equivalent, a college degree or certificate as a result of a correspondence program or distance or on-line learning program may only use such credential when:

1. The program is approved by the South Carolina Department of Education or its equivalent in the state within which the school or entity issuing the diploma or certificate has its principal place of business.
2. The school or entity is accredited by the New England Association of Colleges and Schools, the Middle States Association of Colleges and Schools, the Southern Association of Colleges and Schools, the North Central Association of Colleges and Schools, the Western Association of Colleges and Schools, or the Northwest Association of Colleges and Schools; or The Council for Higher Education Accreditation.
3. The school or entity is approved by a local board of school trustees of this State.

This means that no employee of DDSN shall use a transcript, certificate, diploma, or the high school equivalency diploma known as the GED from any unaccredited high school, college or university, technical college, or other entity for the purpose of avoiding the Educational Credential requirements or for other purposes.

Hiring managers and HR staff may begin their research on college and university accreditation using the following websites: <http://www.chea.org/search/default.asp>, <http://ope.ed.gov/accreditation/search.aspx>, or <http://www.saescoc.org/links.asp> <http://www.chea.org>; <http://ope.ed.gov> or <https://sacscoc.org/>.

Any employee violating the provisions of this section will be subject to the department’s Standards of Disciplinary Action Policy.

Deirdre Blake Sayers	<u>Beverly A.H. Buscemi, Ph.D.</u>
Director Human Resources	<u>State Director</u>
(Originator)	<u>(Approved)</u>
<u>Barry D. Malphrus</u>	<u>Stephanie M. Rawlinson</u>
<u>Vice Chairman</u>	<u>Chairman</u>

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Reference Number: 400-21-DD

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Date of Last Revision: November 18, 2021 (REVISED)

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2. The school or entity is accredited by the New England Association of Colleges and Schools, the Middle States Association of Colleges and Schools, the Southern Association of Colleges and Schools, the North Central Association of Colleges and Schools, the Western Association of Colleges and Schools, or the Northwest Association of Colleges and Schools; or The Council for Higher Education Accreditation.
3. The school or entity is approved by a local board of school trustees of this State.

This means that no employee of DDSN shall use a transcript, certificate, diploma, or the high school equivalency diploma known as the GED from any unaccredited high school, college or university, technical college, or other entity for the purpose of avoiding the Educational Credential requirements or for other purposes.

Hiring managers and HR staff may begin their research on college and university accreditation using the following websites: <http://www.chea.org>; <http://ope.ed.gov> or <https://sacscoc.org/>.

Any employee violating the provisions of this section will be subject to the department’s Standards of Disciplinary Action Policy.

Barry D. Malphrus
Vice Chairman

Stephanie M. Rawlinson
Chairman

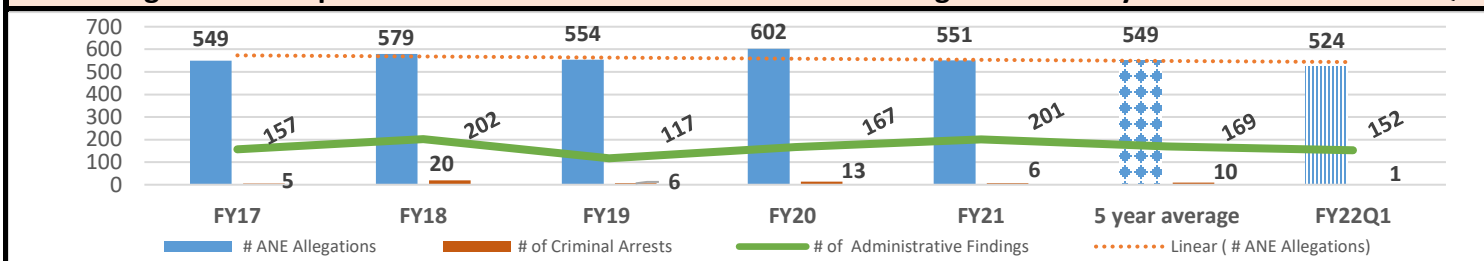
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SCDDSN Incident Management Report 5-year trend data

for **Community Residential Settings, Day Service Providers, and Regional Centers** Thru 9/30/2021

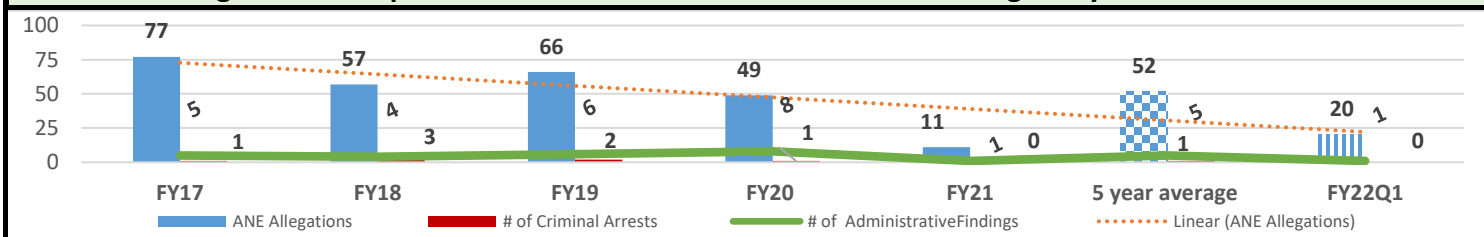
Community Residential	FY17	FY18	FY19	FY20	FY21	5 YEAR Average	FY22 Annualized (Actual Q1)
# of Individual ANE Allegations	549	579	554	602	551	567	524 (131)
# of ANE Incident Reports (One report may involve multiple allegations)	399	404	359	396	377	387	356 (89)
Rate per 100	11.7	12.5	12.5	13.0	12.1	12.4	11.9 (2.9)
# ANE Allegations resulting in Criminal Arrest	5	20	6	13	6	10	4 (1)
# ANE Allegations with Administrative Findings from DSS or State Long-Term Care Ombudsman	157	202	117	167	118	169	152 (38)

ANE Allegations: Comparison to Arrest Data & Administrative Findings- Community Residential thru FY22 Q1



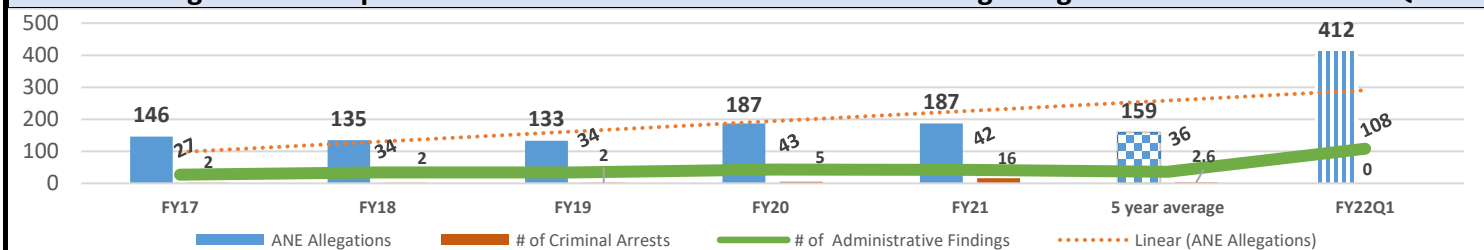
Day Services **	FY17	FY18	FY19	FY20	FY21	5 YEAR Average	FY22 Annualized (Actual Q1)
# of Individual ANE Allegations	77	57	66	49	11	52	20 (5)
# of ANE Incident Reports (One report may involve multiple allegations)	56	46	56	40	9	41	20 (5)
Rate per 100	0.94	0.71	.89	.62	.1	.65	.3 (.07)
# ANE Allegations 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	4 (1)

ANE Allegations: Comparison to Arrest Data & Administrative Findings- Day Services thru FY22 Q1



Regional Centers	FY17	FY18	FY19	FY20	FY21	5 YEAR Average	FY22 Annualized (Actual Q1)
# of Individual ANE Allegations	146	135	139	187	187	159	412 (103)
# of ANE Incident Reports (One report may involve multiple allegations)	104	97	102	136	139	116	204 (51)
Rate per 100	17.1	19.2	20.9	28.9	27.9	22.8	67.2 (16.8)
# ANE Allegations resulting in Criminal Arrest	2	2	2	5	16	5.4	0
# ANE Allegations with Administrative Findings from DSS or State Long-Term Care Ombudsman	27	34	34	41	42	36	108 (27)

ANE Allegations: Comparison to Arrest Data & Administrative Findings- Regional Centers thru FY22 Q1

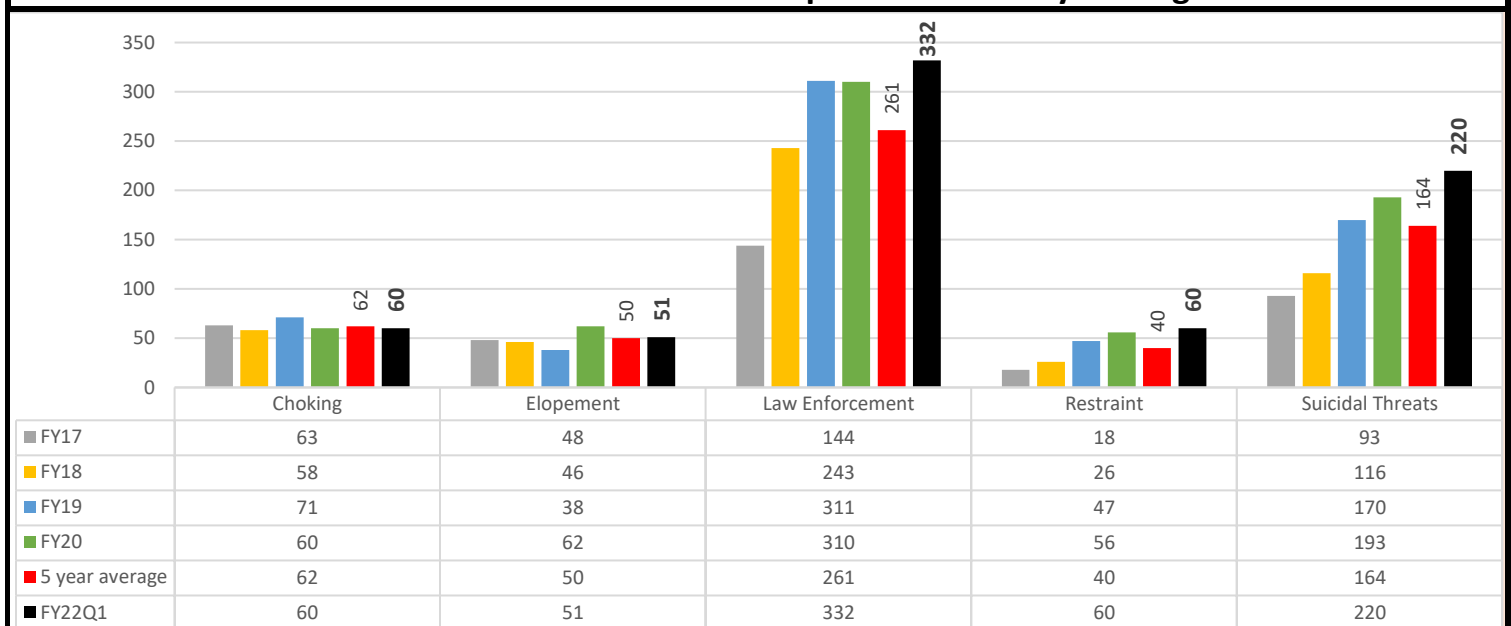


* ** Most Day Service locations were closed/partially closed during FY20Q4 through FY21Q3 due to COVID-19.

Death Reporting	FY17	FY18	FY19	FY20	FY21	5 YEAR Average	FY22 Annualized (Actual Q1)
# of Deaths Reported- Community Settings	78	73	78	86	130	89	108 (27)
Rate per 100	1.7	1.6	1.6	1.9	2.8	1.9	2.4 (.6)
# of Deaths Reported - Regional Centers	24	27	33	22	48	31	64 (16)
Rate per 100	3.4	3.8	4.6	3.4	7.0	4.4	10.4(2.6)

Community Settings Critical Incident Reporting	FY17	FY18	FY19	FY20	FY21	5 YEAR Average	FY22 Annualized (Actual Q1)
# Critical Incidents ***	918	1071	916	982	974	972	1220 (305)
Rate per 100	10.5	11.9	9.6	11.8	10.9	10.9	15 (3.7)
# Choking Events	63	58	71	60	57	62	60 (15)
# Law Enforcement Calls	144	243	311	310	295	261	332(83)
# Suicidal Threats	93	116	170	193	250	164	220(55)
# Restraints	18	26	47	56	51	40	60 (15)

5 Year Critical Incident Trend Report- Community Settings



Regional Center Critical Incident Reporting	FY17	FY18	FY19	FY20	FY21	5 YEAR Average	FY22 Annualized (Actual Q1)
# Critical Incidents ***	108	144	132	135	124	129	148 (37)
Rate per 100	15.4	20.6	18.6	20.8	19.1	18.9	24.1 (6.0)
# Choking Events	7	5	6	3	5	5	12 (3)
# Law Enforcement Calls	9	5	8	9	9	8	0
# Suicidal Threats	0	16	60	56	73	41	72 (18)
# Restraints	17	26	22	24	13	20	8 (2)

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.



South Carolina Department of Disabilities and Special Needs

**SC Department of Disabilities and Special Needs
Legislative Affairs Update
November 16, 2021**

The South Carolina General Assembly is scheduled to reconvene on January 11, 2022.

Pending Key Legislation from the 2021 session:

H.3181 – Dealing with qualifications and training for Commissioners

Current Status: In House Labor, Commerce, and Industry (LCI) Committee

H.3216 – Electronic Video Monitoring for Facilities (We are already doing this)

Current Status: In House Medical, Military, Public, and Municipal Affairs (3M) Committee

H.3516 – Family Support Services – Allows for families to choose a specific agency or person to provide care in the home.

Current Status: In House 3M Committee

H.3876 – Voter Registration/Absentee Voting – Requires Directors of Licensed Nursing Homes or Community Residential Care facilities to assist residents of their facilities in voting.

Current Status: In House 3M Committee

H. 3731 – *Provides for regulation of Behavior Analysts and Assistant Behavior Analysts*

Current Status: In House 3M Committee

S. 630 – *Companion Bill in the Senate; currently in Senate LCI Committee*

S.177 – Covid -19 Vax – No employer can take an adverse action against an employee who refuses to take the Covid-19 Vaccine.

Current Status: Passed Senate. In House 3M Committee

S.533 – Subminimum Wage Bill

Current Status: Passed Senate. Currently in House LCI Committee

S. 743 – Making DDSN a Cabinet Agency

Current Status: In Senate Medical Affairs Committee



South Carolina Department of Disabilities and Special Needs

**SC Department of Disabilities and Special Needs
Legislative Affairs Update
November 16, 2021**

House Bills Pre-Filed on November 10, 2021

HB.4507 - Prohibit Mask Mandate - A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-498 SO AS TO PROVIDE THAT NO STATE AGENCY, DEPARTMENT, INSTITUTION, COMMISSION, BOARD, OR POLITICAL SUBDIVISION, INCLUDING A SCHOOL DISTRICT, MAY REQUIRE THAT INDIVIDUALS WEAR A FACE MASK.

Referred to Committee Judiciary

HB.4516 - Employment status and COVID vaccinations - A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-1-75 SO AS TO PROVIDE AN EMPLOYER MAY NOT TERMINATE AN EMPLOYEE FOR DECLINING TO RECEIVE A COVID-19 VACCINATION IF THE EMPLOYEE RECEIVED MONOCLONAL THERAPY OR PREVIOUSLY HAS BEEN DIAGNOSED WITH COVID-19, AND TO PROVIDE REMEDIES FOR VIOLATIONS.

Referred to Committee Judiciary

HB.4545 -Vaccine mandates, liability - A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-29-55 SO AS TO ESTABLISH CIVIL LIABILITY IN CERTAIN CIRCUMSTANCES FOR AN ENTITY THAT REQUIRES PERSONS SEEKING ADMISSION ON THEIR PREMISES TO BE VACCINATED FOR COVID-19.

Referred to Committee Judiciary

HB.4553 - Deaf persons' literacy rights and education - A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 157 TO TITLE 59 SO AS TO PROVIDE THAT INDIVIDUALIZED EDUCATION PROGRAM TEAMS SHALL MAKE CERTAIN CONSIDERATIONS FOR CHILDREN WHO IDENTIFY AS DEAF OR HARD-OF-HEARING.

Referred to Committee Education and Public Works

HB.4558 - Assault and battery on health care workers - A BILL TO AMEND SECTION 16-3-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ASSAULT AND BATTERY OFFENSES, SO AS TO ADD THAT ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE OCCURS WHEN A PERSON INJURES A HEALTH CARE WORKER OR EMERGENCY RESPONSE EMPLOYEE IN THE DISCHARGE OF OR BECAUSE OF THEIR OFFICIAL DUTIES.

Referred to Committee Judiciary

HB.4565 - Medical Privacy Act - A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA MEDICAL PRIVACY ACT" BY ADDING SECTION 44-29-220 SO AS TO PROHIBIT THE REQUIRED DISCLOSURE OF A PERSONAL MEDICAL RECORD OR RECEIPT OF MEDICAL CARE AS A CONDITION OF EMPLOYMENT OR TO SECURE, RECEIVE, OR ACCESS ANY PUBLIC FACILITY, BENEFIT, OR SERVICE; TO PROHIBIT SCHOOLS FROM PROMOTING AND ADMINISTERING VACCINATIONS TO STUDENTS; TO DEFINE CERTAIN TERMS; AND FOR OTHER PURPOSES.

Referred to Committee Judiciary

HJR.4508 - COVID-19 VACCINATION MANDATE PROHIBITION STATE AGENCY - A JOINT RESOLUTION TO PROVIDE THAT NO STATE AGENCY, DEPARTMENT, INSTITUTION, COMMISSION, BOARD, OR POLITICAL SUBDIVISION, INCLUDING A SCHOOL DISTRICT, MAY REQUIRE THAT INDIVIDUALS RECEIVE A COVID-19 VACCINATION.

Referred to Committee Judiciary

HJR.4509 - DHEC COVID restrictions - A JOINT RESOLUTION TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY NOT EXPEND FUNDS ON ANY MANDATORY ENFORCEMENT, COERCION, REQUIREMENT, OR GUIDANCE OF FACE MASKS, COVID-19 TESTING, OR COVID-19 VACCINES.

Referred to Committee Judiciary

FY22 Spending Plan VS Actual Expenditures as of 10/31/2021

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	\$ 232,940,531	\$ 44,330,719	\$ 277,271,250	\$ 573,899,587	REASONABLE
Percent of total spending plan remaining	100.00%	27.37%	5.21%	32.58%	67.42%	
% of FY Remaining					66.67%	
Difference %: over (under) budgeted expenditures					-0.76%	

* In Oct, 2021, providers billed & paid by SCDHHS for approximately \$58.4 million in services (waiver services + state plan services). DDSN paid the \$14.1 million state match to SCDHHS recorded as a cash expenditure and the \$44,330,719 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