

BOARD:
Allen Amsler
Chairman
Mark S. Lutz
Vice Chairman
Ann B. Kirol, DDS
Secretary



Catherine E. Heigel, Director

Promoting and protecting the health of the public and the environment

BOARD:
R. Kenyon Wells
Charles M. Joye II, P.E.
L. Clarence Batts, Jr.
John O. Hutto, Sr., MD
William Lee Hewitt, III

South Carolina Board of Health and Environmental Control

2600 Bull Street, Columbia, South Carolina 29201 · Telephone: (803) 898-3309 · Facsimile: (803) 898-3393 · lisa.longshore@dhec.sc.gov

South Carolina Board of Health and Environmental Control

Minutes of November 19, 2015, Conference Call Meeting

The South Carolina Board of Health and Environmental Control met on Thursday, November 19, 2015, at 4:30 p.m. via conference call in the Board Room of the South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina. (Attachment 0-1)

The following members were present via telephone:

Allen Amsler, Chairman
Member-At-Large

Mark S. Lutz, Vice-Chairman
District One

R. Kenyon Wells
District Two

L. Clarence Batts, Jr.
District 4

John O. Hutto, Sr., MD
District 6

William Lee Hewitt, III
District 7

Also in attendance was W. Marshall Taylor, Legal Counsel; Kevin Guion, Chief Operating Officer; Kim Warnock, Acting Clerk of Board; and Department staff. (Attachment 0-2)

Chairman Amsler called the meeting to order and stated notice of this meeting had been provided to all persons, organizations and news media, which have requested notification, as required by Section 30-4-80(e) of the South Carolina Code of Laws.

Item 1: Proposed contract to transfer, pursuant to S.C. Code Section 44-69-30, the Department's licenses to provide home health services and to transfer certain related assets and liabilities.

Chairman Amsler asked for an Executive Session for the purpose of obtaining legal advice related to the proposed contract.

Mr. Batts moved, seconded by Mr. Wells, to go into Executive Session for the purpose of obtaining legal advice related to the proposed contract. The Board voted and Motion carried.


Chairman Amsler stated the Board was back in public session and while in Executive Session, no decisions were made.

Chairman Amsler invited Mr. Guion to present the Proposed Contract to transfer the Department's license to provide home health services.

Mr. Batts moved the Board to resolve, seconded by Mr. Hewitt, that Catherine Heigel, the Director of the South Carolina Department of Health and Environmental Control (the "Department"), is hereby authorized and empowered to execute the License Transfer Agreement by and between the Department and Capital Care Resources of South Carolina, LLC ("Capital Care Resources") and to take all steps necessary to consummate the transaction whereby the Department will transfer to Capital Care Resources the Department's licenses to provide home health services and certain related assets and liabilities pursuant to Section 44-69-30 of the South Carolina Code of Laws. The Board voted and Motion carried.

All referenced attachments are made a permanent part of these minutes.

Respectfully submitted,



Ann B. Kirol, DDS, Secretary

Minutes approved this 10th day of March 2016.

ATTEST:


Allen Amsler, Chairman

Attachments

- 0-1 Agenda
- 0-2 Sign-in Sheet
- 1-1 Proposed contract to transfer, pursuant to S.C. Code Section 44-69-30, the Department's licenses to provide home health services and to transfer certain related assets and liabilities
 - 1. Unanimous written consent of the stockholders or members of the companies in lieu of special meeting;
 - 2. Organizational Chart – Capital Care Resources, LLC

3. Memo to DHEC Board from Kindred Healthcare and Gentiva Health Services – Introduction of Kindred and Gentiva
4. Transfer of Department of Health and Environmental Control Home Health Licenses Presentation
5. License Transfer Agreement by and between the South Carolina Department of Health and Environmental Control and Capital Care Resources of SC, LLC

