

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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JUN 03 2016

SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court Of Common Pleas

The Honorable Casey L. Manning, Circuit Court Judge

Civil Action No.: 2016-CP-40-00818

Amedisys SC, LLC.....Plaintiff/Appellant,

v.

South Carolina Department of Health and Environmental Control.....Defendant,

And

National HealthCare Corporation, In-Care Home Health, Inc., Tri-County Home Health & Services, Inc., M&C Group, LLC d/b/a Home Helpers of Bluffton, Tidewater Home Health, P.A., Hedgemark Brentwood Medical Services, Inc., d/b/a PHC Home Health and PruittHealth Corporation,.....Intervenor-Defendants,

Of Whom, National HealthCare Corporation, In-Care Home Health, Inc., Tri-County Home Health & Services, Inc., M&C Group, LLC d/b/a Home Helpers of Bluffton, Tidewater Home Health, P.A., Hedgemark Brentwood Medical Services, Inc., d/b/a PHC Home Health and PruittHealth Corporation are the.....Respondents.

RESPONDENTS IN-CARE HOME HEALTH, INC., TRI-COUNTY HOME HEALTH & SERVICES, INC., M&C GROUP, LLC D/B/A HOME HELPERS OF BLUFFTON, TIDEWATER HOME HEALTH, P.A. AND HEDGEMARK BRENTWOOD MEDICAL SERVICE, INC. D/B/A PHC HOME HEALTH DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

Respondents, In-Care Home Health, Inc., Tri-County Home Health & Services, Inc., M&C Group, LLC d/b/a Home Helpers of Bluffton, Tidewater Home Health, P.A., and Hedgemark Brentwood Medical Services, Inc., d/b/a PHC Home Health propose the following be included in the Record on Appeal:

1. Summons and Complaint dated February 8, 2016.
2. Notice of Motion and Motion for Temporary Restraining Order and Preliminary Injunction Including Memorandum of Law dated February 9, 2016.
3. In-Care Home Health, Inc., Tri-County Home Health Care & Services, Inc., M&C Group, LLC d/b/a Home Helpers of Bluffton, Tidewater Home Health, PA and Hedgemark Brentwood Medical Services, Inc. d/b/a PHC Home Health's Notice of Motion and Motion to Intervene dated February 16, 2016.
4. DHEC's Memorandum in Opposition to Motion for a Temporary Restraining Order and Preliminary Injunction dated February 19, 2016.
5. Transcript of February 22, 2016 hearing on motion to intervene and motion for a preliminary injunction.
6. Order Denying Motion for a Preliminary Injunction dated February 23, 2016.
7. 2015 South Carolina State Health Plan, pp. IV-1-IV-2, VI-4-VI-5, X-3-X-4, XI-1-XI-3, XII-5-XII-9, XIII-46-XIII-51.

I certify that this designation contains no matter which is irrelevant to this appeal.

BRUNER, POWELL, WALL & MULLINS, LLC



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Care & Services, Inc., M&C Group, LLC d/b/a Home
Helpers of Bluffton, Tidewater Home Health, P.A.,
and Hedgemark Brentwood Medical Service, Inc.
d/b/a PHC Home Health*

Columbia, South Carolina

June 3, 2016

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court Of Common Pleas

The Honorable Casey L. Manning, Circuit Court Judge

Civil Action No.: 2016-CP-40-00818

Court of Appeals Docket No.: 2016-00631

Amedisys SC, LLC.....Plaintiff/Appellant,

v.

South Carolina Department of Health and Environmental Control.....Defendant,

And

National HealthCare Corporation, In-Care Home Health, Inc., Tri-County Home Health & Services, Inc., M&C Group, LLC d/b/a Home Helpers of Bluffton, Tidewater Home Health, P.A., Hedgemark Brentwood Medical Services, Inc., d/b/a PHC Home Health and PruittHealth Corporation.....Intervenor-Defendants,

Of Whom, National HealthCare Corporation, In-Care Home Health, Inc., Tri-County Home Health & Services, Inc., M&C Group, LLC d/b/a Home Helpers of Bluffton, Tidewater Home Health, P.A., Hedgemark Brentwood Medical Services, Inc., d/b/a PHC Home Health and PruittHealth Corporation are the.....Respondents.

CERTIFICATE OF SERVICE

I, the undersigned employee of Bruner, Powell, Wall & Mullins, LLC, do hereby certify that on this 3rd day of June 2016, caused the **INITIAL BRIEF OF RESPONDENTS IN-CARE HOME HEALTH, INC., TRI-COUNTY HOME HEALTH & SERVICES, INC., M&C GROUP, LLC D/B/A HOME HELPERS OF BLUFFTON, TIDEWATER HOME**

**HEALTH, P.A. AND HEDGEMARK BRENTWOOD MEDICAL SERVICE, INC. D/B/A
PHC HOME HEALTH and DESIGNATION OF MATTER TO BE INCLUDED IN THE
RECORD ON APPEAL** to be served via USPS First Class Mail, postage prepaid, on the
following counsel at the addresses shown below:

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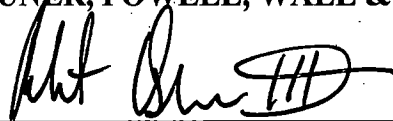
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Columbia, South Carolina
June 3, 2016

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June 3, 2016

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SC Court of Appeals

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201


**RE: Amedisys SC, LLC vs. SCDHEC
Appellate Case No. 2016-000631
BrunerPowell File No. 7-1921.108**

Dear Ms. Kitchings:

Enclosed herewith you will find an original and two (2) copies of the *Initial Brief of Respondents In-Care Home Health, Inc., Tri-County Home Health Care & Services, Inc., M&C Group, LLC d/b/a Home Helpers of Bluffton, Tidewater Home Health, PA and Hedgemark Brentwood Medical Services, Inc. d/b/a PHC Home Health and Designation of Matter to be Included in the Record on Appeal* in the above-referenced matter. In addition, you will find a Certificate of Service evidencing service on all counsel of record. I kindly ask that you file the original in accordance with your procedures and that the "filed" copies be returned to my runner who will be waiting. Thank you for your assistance in this matter.

With my kindest regards, I am

Very truly yours,



E. Wade Mullins III

EWM/rco

cc: Steve A. Matthews, Esquire
Andrea H. Brisbin, Esquire
Sarah P. Spruill, Esquire
Ashley C. Biggers, Esquire
Vito M. Wicevic, Esquire
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