

Benjamin Anderson  
3452 Whieldon Drive  
Perris, Ca 92571  
951-420-1298  
Appellant Pro Se


**RECEIVED**  
SEP 16 2016  
SC Court of Appeals

THE SOUTH CAROLINA COURT OF APPEALS  
COLUMBIA, SOUTH CAROLINA

	)	
	)	
	)	
Benjamin L. Anderson	)	CASE NO: TRIAL COURT
Appellant	)	COURT OF COMMON PLEAS
	)	GREENVILLE
VS	)	
	)	2015CP- 2307324
Barksdale Medical Center	)	Certificate of Service
Dr. Rebecca F. Barksdale	)	By Mail
Defendant/Respondent	)	
	)	

I, the undersigned am over the age of eighteen years, not a party to this lawsuit on September 13, 2016. I served prepaid postage to opposing counsel in the United States mail at Moreno Valley, CA the following documents: Initial Brief of The Appellant

Copy (s) To: Roe Cassidy Coates & Price PA  
PO Box 10529 Greenville, SC 29603

  
Crispus Anderson

RECEIVED

SEP 16 2016

SC Court of Appeals

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The State of South Carolina  
COURT OF APPEALS

APPEAL FROM Greenville County

CASE NO: 2015CP-2307324

Benjamin L. Anderson, Appellant

V

Barksdale Medical Center  
Dr Rebecca F. Barksdale

INITIAL BRIEF OF THE APPELLANT

(out of town)  
Address

Benjamin L. Anderson  
3452 Whieldon Drive  
Perris, CA 92571

Appellant Pro Se

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## STATEMENT OF Genuine Issues

Genuine issue of material fact exists as to whether or not a reasonable professional person would be upset, in mental anguish after discovering and reviewing his medical records the damaging false statements by Dr Barksdale.

Genuine issue of material fact exists as to whether or not Dr Barksdale deliberately did not want to inform the Appellant of the damaging statements imbedded in his medical records because of the fabrications.

Genuine issue of material fact exists as to whether or not these statements, written damages his reputation or business profession, and is libel.

Genuine issue of material fact exists as to whether or not the Appellant can move forward with obtaining his Respiratory Care Practitioners license with a diagnosis of delusional and paranoia pursuant his S.C. application.

1 STATEMENT OF Genuine Issues Cont.

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Genuine issue of material fact exists as to whether or not Dr Barksdale's actions and concealment is reason for Appellant's emotional distress and personal injury.

Genuine issue of material fact exists where Appellant relied on Dr Barksdale's integrity and trust not to falsify his medical records is fraud and detrimental reliance.

## STATEMENT OF THE CASE

The Plaintiff/Appellant, Benjamin L. Anderson, an inactive Registered Respiratory Therapist visited his Primary Care Physician from time to time for health care issues.

Dr Rebecca F. Barksdale was his primary care physician in Greenville. The Appellant trusted her medical ethics in receiving his care from her. Around June 3, 2014, the Appellant discovered imbedded into his medical records outrageous written statements which caused him perplexing grief, disappointment as well as emotional distress. A letter was written to Dr Barksdale regarding these false statements.

Dr Barksdale never replied to my letter. On December 14, 2015, The Appellant filed his complaint to seek justice and vindicate his rights, pro se, under South Carolina's Personal Injury Tort law. The Defendants filed a motion to dismiss Appellant's claims under SCRPC 12(b)(6). Motion to dismiss was granted. The Appellant appeals that motion. Appellant filed his Affidavit along with a second affidavit. The defendants did not file any countervailing affidavit.

## ARGUMENT

Plaintiff's opposition to motion to dismiss complaint pursuant SCRCP 12(b)(6) adequately pleads his three causes of action, Plaintiff's claims are justifiable. Appellant's facts as alleged in the complaint must be taken as true. The court must accept all material allegations in favor of the complaining party.

### MEMORANDUM OF LAW

"Generally, in considering a 12(b)(6) motion, the trial court must base its ruling solely upon allegations set forth on the face of the complaint." Williams v. Condon, 347 S.C. 227, 233, 553, S.E.2d 496, 500 (Ct. App. 2001) FOC Lawshe Ltd. P'ship 352 S.C. @ 413, 74, S.E. 2d @ 230., McCormick v. England, 328 S.C. 627, 494 S.E. 2d 431 (Ct. App. 1997)

"The question to be considered is whether, in the light most favorable to the plaintiff, the pleadings articulate any valid claim for relief." ("concluding that motion to dismiss cannot be sustained if facts alleged in complaint and inferences reasonably deductible therefrom would entitle plaintiff to relief on any theory of the case.")

Toussaint v. Ham, 229 S.C. 415, 357 S.E. 2d 9 (1997)

1 ARGUMENT CONTINUED

2 Dye v. Gainey, 320 S.C. 65, 463 S.E.2d 97 (S.Ct.App 1995)

3 "The cause of action should not be struck merely  
4 because the Court doubts the Plaintiff will  
5 prevail in the action."

6 DOE v. Marion, 373 S.C. 390, 395, 645 S.E.2d

7 245, 247 (2007) "In considering a motion to

8 dismiss a complaint based a failure to state  
9 facts sufficient to constitute a cause of

10 action, the trial court must base its ruling

11 solely on allegations set forth in the complaint."

12 MEMORANDUM OF LAW Libel

13 Libel is actionable per se if it involves written

14 or printed words which tend to degrade a person,

15 that is to reduce his character or reputation

16 in the estimation of his friends or

17 acquaintances, or the public, OR to disgrace him,

18 OR to render him odious, contemptible, or

19 ridiculous". . . Lesene v. Willingham, 83 F.Supp

20 918, 921 (E.D.S.C 1949) In the instant

21 case Dr Baeksdale's staff input her

22 notes and statements into their computer

23 system, which allows them to see the

24 written disparaging statements.

CONCLUSION

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The Appellant, Benjamin L. Anderson,  
request an impartial review of his record.  
The Appellant Relief sought is trial by jury  
and or settlement of his claims.  
Defendants have no response to this appeal.

Benjamin L. Anderson

Plaintiff(s)

vs. Barksdale Med Center

Defendant(s)

Submitted By: Benjamin L. Anderson
Address: 445 W. Rebound Road
Lancaster SC 29220

CIVIL ACTION COVERSHEET

2015-CP 23-07324

FILED-CLERK OF COURT
GREENVILLE CO. S.C.
PAUL B. WICKENSIMER

2015 December 14 PM 3:06

SC Bar #:
Telephone #: 480-313-6288
Fax #:
Other:
E-mail:

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

\*If Action is Judgment/Settlement do not complete

- JURY TRIAL demanded in complaint.
NON-JURY TRIAL demanded in complaint.
This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

- Contracts: Constructions (100), Debt Collection (110), Employment (120), General (130), Breach of Contract (140), Other (199)
Torts - Professional Malpractice: Dental Malpractice (200), Legal Malpractice (210), Medical Malpractice (220), Previous Notice of Intent Case # 20-CP-, Notice/ File Med Mal (230), Other (299)
Torts - Personal Injury: Assault/Slander/Libel (300), Conversion (310), Motor Vehicle Accident (320), Premises Liability (330), Products Liability (340), Personal Injury (350), Wrongful Death (360), Other (399)
Real Property: Claim & Delivery (400), Condemnation (410), Foreclosure (420), Mechanic's Lien (430), Partition (440), Possession (450), Building Code Violation (460), Other (499)
Inmate Petitions: PCR (500), Mandamus (520), Habeas Corpus (530), Other (599)
Administrative Law/Relief: Reinstate Drv. License (800), Judicial Review (810), Relief (820), Permanent Injunction (830), Forfeiture-Petition (840), Forfeiture-Consent Order (850), Other (899)
Judgments/Settlements: Death Settlement (700), Foreign Judgment (710), Magistrate's Judgment (720), Minor Settlement (730), Transcript Judgment (740), Lis Pendens (750), Transfer of Structured Settlement Payment Rights Application (760), Confession of Judgment (770), Petition for Workers Compensation Settlement Approval (780), Other (799)
Appeals: Arbitration (900), Magistrate-Civil (910), Magistrate-Criminal (920), Municipal (930), Probate Court (940), SCDOT (950), Worker's Comp (960), Zoning Board (970), Public Service Comm. (990), Employment Security Comm (991), Other (999)
Special/Complex/Other: Environmental (600), Automobile Arb. (610), Medical (620), Other (699), Pharmaceuticals (630), Unfair Trade Practices (640), Out-of State Depositions (650), Motion to Quash Subpoena in an Out-of-County Action (660), Sexual Predator (510)

Submitting Party Signature: Benjamin L Anderson

Date: 12-14-15

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCP, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

EXHIBIT A
Causes of Action
Letter to Barksdale
Discharge - USAF
Medical Records

1 Benjamin L. Anderson  
2 445 W. Rebound Road  
3 Lancaster, SC 29720  
4 (980) 313-6280  
5 Plaintiff PRO Se

ORIGINAL

ENTERED COMPUTER

6 IN THE COURT OF COMMON PLEAS  
7 Greenville, South Carolina

2015-CP-23-07324

9 Benjamin L. Anderson,  
10 Plaintiff,

COMPLAINT

11  
12  
13 VS

Attached Exhibit ABC

15 Barksdale Medical Center,  
16 Defendant

FILED-CLERK OF COURT <sup>WLG</sup>  
GREENVILLE CO. S.C.  
PAUL B. WICKENSIMER  
2015 December 14 PM 3:06

18 The Plaintiff in the above captioned case  
19 alleges that Barksdale Medical Center  
20 and Rebecca F. Barksdale, MD, in her individual  
21 capacity, wilfully and maliciously disparaged  
22 the Plaintiff when she documented in his  
23 medical records that Plaintiff communicated  
24 to her, on a patient visit to her office, that he  
25 said that the government, as well as the  
26 military "is spying on him through satellites"  
27 in California. Further the Plaintiff alleges  
28 that Dr Barksdale imbedded into his medical  
record

SCANNED

1 other untrue diagnosis predicated upon  
2 the bogus statements she accused the  
3 Plaintiff of making to her on a routine  
4 office visit. Dr Barksdale never informed  
5 the Plaintiff of the diagnosis and shortly  
6 afterwards dismissed the Plaintiff  
7 as her patient, and again never informed  
8 him of the dismissal.

9  
10 First cause of action:

11  
12 Intentional Infliction of Emotional Distress

13 The Plaintiff first discovered these ludicrous  
14 accusations on June 3, 2014, when Plaintiff  
15 requested copies of his medical records.

16 The Plaintiff, at that time, discovered the  
17 outrageous and anxiety triggering statements  
18 which Plaintiff alleges were done to go  
19 along with the accusations. Further she  
20 documented that Plaintiff was, "hearing voices."

21  
22 Second cause of action:

23  
24 Defamation of Character / Libel

25 The Plaintiff alleges that Dr Barksdale used  
26 these false allegations because I finally  
27 blew the whistle on a big university  
28 medical centers' invasion of privacy.

1 Defamation of Character Continued:

2 The Physician had knowledge of the fact  
3 that I was an inactive Registered Respiratory  
4 Therapist and that I had worked for the  
5 University medical Center and their  
6 "sister" organization in California.  
7 Dr Barksdale also knew that I was <sup>BBA</sup> in the  
8 process of activation of South Carolina's  
9 license to return to work as a respiratory  
10 Therapist. Dr Barksdale also knew that I  
11 was in the Air Force stationed in California,  
12 which was my last assignment before discharge.  
13 The Plaintiff has a reasonable good faith  
14 belief that her staff came into knowledge  
15 of these documentations because they assist  
16 her with computer data input billing as well  
17 as printing out medical records of  
18 patient clients. Further, these outrageous  
19 documentations were out in the local  
20 communities, which violated his privacy although  
21 bogus and untrue.

22  
23 Third Cause of Action:

24  
25 Fraud

26 Plaintiff alleges that Dr Barksdale knew  
27 that her documentations were false. The  
28 Plaintiff had relied on Dr Barksdale's

1 FRAUD CONTINUED

2 prior physician-patient trust to  
3 deal with Plaintiff in good faith  
4 and treat him fairly. Plaintiff relied  
5 on this much to his detriment as  
6 a professional health care individual  
7 with forty-three years of experience  
8 who now has been hurt in his attempt  
9 to return to work because of her  
10 false representations in his medical  
11 records. Plaintiff must be free of any  
12 serious mental health issues to work.

13 Prior to Plaintiff complaining of INVASION OF PRIVACY,  
14 there was no documentation of mental health disorders.

15  
16 Wherefore, Plaintiff prays for punitive  
17 damages and trial by jury and  
18 whatever court deems as just.  
19  
20  
21

22 December 14, 2015

Benjamin L. Anderson  
Benjamin L. Anderson  
Pro Se

# Exhibit A

Benjamin L. Anderson  
445 W. Rebound Rd  
Lancaster, SC 29720

January 13, 2015

RE: Health Documentation

"Spied on by the Military" (California)  
"transmitting noises during night that keeps  
him from sleeping"

"being watched and spied on by the  
government"

Dear Dr. Barksdale,

I have never informed you regarding the  
above allegations. This is just not true.  
At first glance, I said to myself this  
must not be me. This is a mistake!

For the record I served 7 years and  
27 days in the Air Force during that  
time I liked it so well that after  
4 years I re-enlisted for another  
three. I was honorably discharged

(See attached) in 1969 (before most were born) after I  
had an excellent relationship with  
the Air Force and going to a Navy  
school for specialized training, I  
decided to capitalize on that training  
in the civilian sector.

(1)

I served in Europe and California with ~~any~~ <sup>out</sup> problems.

I have never been stationed on a base that had any satellite transmitters to spy on me. In 1962 there were no satellite technology. only listening technology and surface mounted transmitters to ease-deep.

Now, the government spying on me... that again is patently untrue. I never told you that. Why would the government single me out to spy on me?? I am not AL Queda.

Again for the record I did work for a "high-powered" University Medical Center which group have satellite transmitters one for religious broadcast. The University God only knows. I know that it was (satellite transmitter) (S) ~~is~~ used for criminal federal violations to intrude upon peoples privacy including mine. If I said anything it may have been regarding the University Medical Center in California. This is factually documented thru the (2) FCC & FBI.

Further, no health care practitioner  
can produce the evidenced-based  
medical diagnosis of: (1) Schizophrenia  
(2) Paranoia (3) delusional disorder  
respecting me as a patient.

No mental health professional/  
practitioner has ever conducted  
any diagnostic evaluation, questionnaire  
OR subjected me to any meaningful  
interview regarding any mental  
health disorder. There is none!

Not even "hearing voices!"

I am truly sorry that you did not  
inform, discuss OR tell me why this  
is documented in my medical records.

This includes St. Francis as well.

When I was hospitalized in 2011...

Some physician came in for 3 hot minutes  
said he wanted to prescribe a med.  
"to calm things down". Never saw him  
again.

I am asking you nicely to remove (purge)  
these damaging items from my  
medical history. I am shocked!

(2)

Should you desire I will go on  
record and tell you specifically the name  
of the California Medical, which group  
was sued in two arenas  
Federal & STATE including a workers  
compensation trial. This is the truth.

Respectfully,

Benjamin L Andersen

Former patient

(864) 326-2280 mobile

THIS IS AN IMPORTANT RECORD  
SAFEGUARD IT.

Exhibit B

PERSONAL DATA	1. LAST NAME - FIRST NAME - MIDDLE NAME <b>ANDERSON BENJAMIN LOUIS</b>		2. SERVICE NUMBER <b>NA</b>		3. SOCIAL SECURITY NUMBER <b>579 50 6396</b>		
	4. DEPARTMENT, COMPONENT AND BRANCH OR CLASS <b>AIR FORCE REGAF</b>		5a. GRADE, RATE OR RANK <b>SERGEANT</b>	b. PAY GRADE <b>E-4</b>	6. DATE OF RANK DAY: <b>1</b> MONTH: <b>MAY</b> YEAR: <b>68</b>		
	7. U. S. CITIZEN <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		8. PLACE OF BIRTH (City and State or Country) <b>LAURENCE S.C.</b>		9. DATE OF BIRTH DAY: <b>13</b> MONTH: <b>MAY</b> YEAR: <b>44</b>		
SELECTIVE SERVICE DATA	10a. SELECTIVE SERVICE NUMBER <b>NA</b>		b. SELECTIVE SERVICE LOCAL BOARD NUMBER, CITY, COUNTY, STATE AND ZIP CODE <b>NA</b>			c. DATE INDUCTED DAY: <b>NA</b> MONTH: <b>NA</b> YEAR: <b>NA</b>	
	11 a. TYPE OF TRANSFER OR DISCHARGE <b>DISCHARGE</b>		b. STATION OR INSTALLATION AT WHICH EFFECTED <b>MARCH AFB CALIF</b>				
TRANSFER OR DISCHARGE DATA	c. REASON AND AUTHORITY <b>SDN: 413, PARA 3-8j(2) AFM 39-10</b>		d. EFFECTIVE DATE <b>12 SEP 69</b>	DAY: <b>12</b> MONTH: <b>SEP</b> YEAR: <b>69</b>			
	12. LAST DUTY ASSIGNMENT AND MAJOR COMMAND <b>USAF REGIONAL HOSP (SAC)</b>		13 a. CHARACTER OF SERVICE <b>HONORABLE</b>		b. TYPE OF CERTIFICATE ISSUED <b>DDFM 363</b>		
	14. DISTRICT, AREA COMMAND OR CORPS TO WHICH RESERVIST TRANSFERRED <b>NA</b>				15. REENLISTMENT CODE <b>RE: 2</b>		
SERVICE DATA	16. TERMINAL DATE OF RESERVE/UMT & S OBLIGATION DAY: <b>NA</b> MONTH: <b>NA</b> YEAR: <b>NA</b>		17. CURRENT ACTIVE SERVICE OTHER THAN BY INDUCTION a. SOURCE OF ENTRY: <input type="checkbox"/> ENLISTED (First Enlistment) <input type="checkbox"/> ENLISTED (Prior Service) <input checked="" type="checkbox"/> REENLISTED <input type="checkbox"/> OTHER		b. TERM OF SERVICE (Years) <b>-4-</b>	c. DATE OF ENTRY DAY: <b>7</b> MONTH: <b>FEB</b> YEAR: <b>66</b>	
	18. PRIOR REGULAR ENLISTMENTS <b>ONE</b>		19. GRADE, RATE OR RANK AT TIME OF ENTRY INTO CURRENT ACTIVE SVC <b>AIRMAN FIRST CLS</b>		20. PLACE OF ENTRY INTO CURRENT ACTIVE SERVICE (City and State) <b>MARCH AFB CALIF</b>		
	21. HOME OF RECORD AT TIME OF ENTRY INTO ACTIVE SERVICE (Street, RFD, City, County, State and ZIP Code) <b>WASH D.C. 20001</b>		22. STATEMENT OF SERVICE				
	23a. SPECIALTY NUMBER & TITLE <b>91630 CARTO PULMN TECHN</b>		b. RELATED CIVILIAN OCCUPATION AND D.O.T. NUMBER		c. FOREIGN AND/OR SEA SERVICE		
	24. DECORATIONS, MEDALS, BADGES, COMMENDATIONS, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED <b>NDSM AFGCM AFQUA</b>						
	25. EDUCATION TRAINING COMPLETED <b>NA</b>						
	26. PAY PERIODS/TIME LOST (Preceding Two Years) <b>NO TIME LOST</b>			27. DAYS ACCRUED LEAVE PAID <b>SIXTY (60)</b>		7. INSURANCE IN FORCE (NSLI or USGLI) <input type="checkbox"/> YES <input type="checkbox"/> NO <b>NA</b>	
28. VA CLAIM NUMBER <b>C- NA</b>			8. AMOUNT OF ALLOTMENT <b>NA</b>				
29. MONTH ALLOTMENT DISCONTINUED <b>NA</b>			9. SERVICEMEN'S GROUP LIFE INSURANCE COVERAGE <input checked="" type="checkbox"/> \$10,000 <input type="checkbox"/> \$5,000 <input type="checkbox"/> NONE				
AUTHENTICATION	30. REMARKS <b>BLOOD GROUP "B" POS//NAC SEP 62, 4th DIST OSI//M-15 A-30 G-40 E-25</b>			31. PERMANENT ADDRESS FOR MAILING PURPOSES AFTER TRANSFER OR DISCHARGE (Street, RFD, City, County, State and ZIP Code) <b>SAME AS ITEM # 21.</b>			
	33. TYPED NAME, GRADE AND TITLE OF AUTHORIZING OFFICER <b>GEORGE E BROWN, CAPTAIN USAF</b> <b>OIC CAREER CONTROL</b>			32. SIGNATURE OF PERSON BEING TRANSFERRED OR DISCHARGED <i>Benjamin L Anderson</i>			
			34. SIGNATURE OF OFFICER AUTHORIZED TO SIGN <i>George E Brown</i>				

**BENJAMIN ANDERSON (PRN: ANDBE000) : Patient Demographic Information**

**Exhibit C**

**Patient Basic Information**

First Name	BENJAMIN	Email	
Middle Name	L	Home Phone	864-322-3275
Last Name	ANDERSON	Mobile Phone	864-322-3275
Sex	M	Office Phone	
Date of Birth	05/13/1944	Office Extension	
Date of Death			
SSN	579-56-6396		
Address Line 1	521 ANDERSON STREET		
Address Line 2			
City	Greenville		
County/Parish	Greenville		
State	SC		
ZIP Code	29601		
Contact by	Not specified		
Ethnicity	Non-Hispanic		
Preferred language	English		
Race(s)	African or African American		

**Comments**

**Medicare**

Payer	Medicare - Medicare	Insured ID Number	579-56-6396-A
Priority	Primary	Group Number	
Type	PPO	Employer Name	
Relationship to Insured	Self	Insurance Payment Type	
Start Date	07/01/2010	Payment Type	Payment Percentage
End Date		Patient Payment Percentage	20%
		Active	✓

**Diagnosis History**

Chronic Diagnoses

Diagnoses	Start	Stop
401.1 Benign essential hypertension		
585. Chronic renal failure		
280.9 Iron deficiency anemia, unspecified		
296.2 Major depressive disorder, single episode		
600.00 Hypertrophy (benign) of prostate without urinary obstruction and other lower urinary ...		
585.6 End stage renal disease		
784.0 Headache		
300.00 Anxiety		
297.9 Delusional disorder		
297.8 Paranoia querulans		
782.3 Edema		
307.42 Persistent disorder of initiating or maintaining sleep		
788.5 Oliguria		

Acute Diagnoses

There are no recorded acute diagnoses for this patient at this time.

**BENJAMIN ANDERSON (PRN: ANDBE000) : SOAP Note**

Age on DOS: 69 yrs, DOB: 05/13/1944

**Barksdale Medical Center**

135 COMMONS WAY Greenville, SC 29611

(864) 269-6949

seen by: Rebecca Barksdale, MD

seen on: Monday 02 December 2013

electronically signed by: Rebecca Barksdale, MD

signed on: Wednesday 18 December 2013 11:27 PM

VS	Height:	Weight:	BMI:	Blood Pressure:	Temp:	Pulse:	Resp Rate:
	67.0 in	142.2 lb	22.3	150 / 90 mmHg	98.0 F	80 bpm	16 rpm

**CC ROUTINE VISIT:**

**S** Here for follow up of hypertension. Taking medications without difficulty. He has been under a lot of stress. Has not been sleeping well. He feels that he is being spied on by the military in California through satellites. The says they are transmitting noises during the night that keeps him from sleeping. He also feels that he is being discriminated against while he is at dialysis. He has decreased his days at dialysis to only 2 days instead of 3. He is also complaining of headaches and dizziness. No complaints of chest pain, shortness of breath or blurred vision. Has a possible history of atrial fibrillation. Denies swelling in his legs. No other complaints. Medications reviewed and updated. Family history, Social history and Past Medical History reviewed.

ROS: Negative except for the above positives.

**O** General: BP elevated, but in no acute distress. PERRL. EOML. TM's clear bilaterally. Neck: Supple, no masses, no thyromegally, no bruits. Chest: Lungs show no rales, no wheezes, no rhonchi. Heart: RR, no murmurs, no rubs, no gallops. Abdomen: Soft, no tenderness, no masses, BS normal. Extremities: no edema, pulses strong bilaterally, no erythema, DTR 2+ bilaterally. Psych: alert and oriented x 3. Affect is suspicious.

- A**
1. Hypertension, not at target.
  2. Chronic kidney disease
  3. Headaches
  4. Anxiety
  5. Paranoia

**DIAGNOSES:**

Benign essential hypertension [401.1]  
 End stage renal disease [585.6]  
 Headache [784.0]  
 Anxiety [300.00]  
 Delusional disorder [297.9]  
 Paranoia querulans [297.8]

**P** Medications reviewed with patient. Continue current medications unchanged. Will start the following medications (see below). Will get recent labs from dialysis on Mills Ave. Will check a CBC, CMP, lipids, HbA1c, and 25 hydroxy vitamin D level. Return in 2 months or sooner if needed.

**MEDICATIONS:**

Valium (diazepam) oral tablet 5 mg every 4 to 6 hours prn (start date: 12/02/2013)  
 prescription: qty 90 of 5 mg every 4 to 6 hours prn (3 refills)

**Finalization**

- Outpatient encounter
- Office Visit
- Influenza vaccine received
- Med list reconciled during visit

seen by: Rebecca Barksdale, MD

seen on: Friday 25 January 2013

electronically signed by: Rebecca Barksdale, MD

signed on: Wednesday 08 January 2014 9:04 PM

VS	Height:	Weight:	BMI:	Blood Pressure:	Temp:	Pulse:	Resp Rate:
	67.0 in	155.0 lb	24.3	180 / 120 mmHg	97.1 F	76 bpm	16 rpm

**CC ROUTINE VISIT**

**S** Here for follow up of hypertension and chronic kidney disease. His blood pressures have been up and down. it was 214/100 on 1/22/12 and 188/100 on 1/23/13. No complaints of headaches, chest pain, shortness of breath or blurred vision. Taking medication without difficulty. He is also complaining of having trouble getting to sleep and staying asleep. He is hearing voices. He thinks he is being watched and spied on by the government. He also has CKD and is complaining of decreased urination. Denies any pain. No other complaints. Medications reviewed and updated. Family history, Social history and Past Medical History reviewed.

**ROS:** Negative except for the above positives.

**O** General: BP elevated, but in no acute distress. PERRL. EOMI. TM's clear bilaterally. Neck: Supple, no masses, no thyromegally, no bruits. Chest: Lungs show no rales, no wheezes, no rhonchi. Heart: RR, no murmurs, no rubs, no gallops. Abdomen: Soft, no tenderness, no masses, BS normal. Extremities: trace edema, pulses palpable bilaterally, no erythema; DTR 2+.

- A**
1. Hypertension, not at target.
  2. CKD
  3. Peripheral Edema.
  4. Anemia
  5. Insomnia
  6. Oliguria
  7. BPH
  8. Paranoia

**DIAGNOSES:**

Benign essential hypertension [401.1]  
 End stage renal disease [585.6]  
 Edema [782.3]  
 Iron deficiency anemia, unspecified [280.9]  
 Persistent disorder of initiating or maintaining sleep [307.42]  
 Oliguria [788.5]  
 Hypertrophy (benign) of prostate without urinary obstruction and other lower urinary tract symptoms (LUTS) [600.00]  
 Paranoia querulans [297.8]

**P** Patient was given Clonidine 0.1 mg po x 1 to decrease his blood pressure. Medications reviewed with patient. Continue current medications unchanged. Continue dietary efforts, exercise. Will start Valium. Refilled the following medications (see below). He will also try OTC Melatonin for sleep. Return 3 months, sooner prn.

**MEDICATIONS:**

Flomax (tamsulosin) oral capsule 0.4 mg once a day (start date: 01/25/2013)  
 prescription: qty 30 of 0.4 mg once a day (5 refills)  
 Furosemide oral tablet 20 mg 2 times a day (start date: 01/25/2013)  
 prescription: qty 60 of 20 mg 2 times a day (5 refills)  
 CloNIDine Hydrochloride (cloNIDine) transdermal film, extended release 0.3 mg/24 hr apply patch once a week (start date: 01/25/2013)  
 prescription: qty 4 of 0.3 mg/24 hr apply patch once a week (5 refills)  
 Valium (diazepam) oral tablet 5 mg every 4 to 6 hours prn (start date: 12/02/2013)  
 prescription: qty 90 of 5 mg every 4 to 6 hours prn (3 refills)

**Benjamin Anderson**  
**445 W. Rebound Road**  
**Lancaster, SC 29720**  
**(980)328-5708**  
**Plaintiff Pro Se**

FILED IN THE COURT OF  
 GREENVILLE CO. S.C.  
 PAUL B. WICKENSIMER  
 2016 APR 19 AM 11 34

**IN THE COURT OF COMMON PLEAS  
 GREENVILLE, SOUTH CAROLINA**

	)	
	)	
	)	
<b>Benjamin L. Anderson</b>	)	<b>CASE NO: 2015-23-07324</b>
<b>Plaintiff</b>	)	
	)	<b>Plaintiffs Opposition</b>
<b>VS</b>	)	<b>To defendants Motion</b>
	)	<b>To Dismiss</b>
<b>Barksdale Medical Center</b>	)	
<b>Defendant</b>	)	<b>Memorandum of Law</b>

Plaintiffs opposition to motion to dismiss complaint pursuant SCRCP 12 (b) (6). Plaintiff's complaint adequately pleads his three causes of actions pursuant South Carolina's tort Law. Plaintiff's claims are justifiable. Plaintiff's facts as alleged in the complaint must be taken as true. The court must accept all material allegations in favor of the complaining party.

**Memorandum of Law:**

Williams V. Condon, 347 S.C. 227, 233, 553, S.E 2d, 496, 500 (CT. App. 2001)

"Generally, in considering a (12) (b) (6) motion the trial court must base its ruling solely upon allegations set forth on the face of the compliant."

FOC Lawshe Ltd. P 'ship 352 S.C. at 413, 74, S.E. 2d at 230.

McCormick V. England, 328 S.C, 627, 494 S. E. 2d, 431 (CT. App. 1997) "The question to be considered is whether, in the light most favorable to the plaintiff, the pleadings articulate any valid claim for relief." (Concluding that motion to dismiss cannot be sustained if facts alleged in complaint and inferences reasonably deductible there from would entitle plaintiff to relief on any theory of the case".)

Toussaint V. Ham, 229 S.C. 415, 357 S.E. 2d 8 (1987)

Dye V. Gainey, 320 S.C. 65, 463 S.S 2d 97 (CT. App. 1995)

“The cause of action should not be struck merely because the Court doubts the Plaintiff will prevail in the action.”

**Memorandum of Law:**

**Defamation/Libel**

Libel is actionable per se if it involves written or printed words which tend to degrade a person that is to reduce his character or reputation in the estimation of his friends or acquaintances, or the public, or to disgrace him, or to render him odious, contemptible, or ridiculous....

Lesene V. Willingham, 83 F. Supp. 918, 921 (E. D. S. C 1949)

“Libel, a tort consisting of a false and malicious publication printed for the purpose of defaming one who is living.”

Law Dictionary, third edition, Steven H. Gifts Associate Professor of Law, Rutgers, The State University of New Jersey, School of Law Newark.

Libel

“A maliciously written or printed publication which tends to blacken a person’s reputation or to expose him to public hatred, contempt, or ridicule, or to injure him in his business or profession.” Black’s Law Dictionary 5<sup>th</sup> Edition 1983

**Memorandum of Law:**

**Intentional Infliction of Emotional Distress**

“Tort of Outrage”

Plaintiff cites: Ford V. Hutson, 276 S.C., 157, 276 S.E. 2d 778 (1981)

(To recover for intentional infliction of emotional distress)

Mack V. South Bound R.R. CO.

52 S.C., 323-335, 29 S.E. 2d, 90

[Emotional Damages]

**Memorandum of Law:**

**Defamation**

Plaintiff cites: Swinton Creek Nursery V. Edisto Farm Credit 334 S.C 469, 514 S.E. 2d (1999)

332 S.C., 502, 506 S.E. 2d 497 (1998)

[The Tort of defamation allows a plaintiff to recover for injury to his or her reputation as a result of defendant’s communication to others of a false message about Plaintiff]

Public Policy that individuals should be free to enjoy their reputations unimpaired by false and defamatory attack, injury to reputation.

**Memorandum of Law**

**Deceit (TORT)**

“A false representation of material fact made with knowledge of its falsity, or recklessly, or without reasonable grounds for believing its truth.”

Reid V. Harbinson Dev. Corp

285, S.C. 557-560, 330 S.E. 2d 532, 534 (CT. APP 1985)

Osborne V. Adams, 346, S.C. 4, 550 S.E> 2d 319 (2001)

**PUNITIVE DAMAGES**

Pursuant to 15-32-52 of the South Carolina Code “in order to receive punitive damages the claim for punitive damages must be asked for in the complaint but specific amount may not be.”

April 12th 2016



Benjamin L. Anderson

Pro Se

Copy

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PATRICK WICKENSIMER

1 Benjamin L. Anderson  
2 445 W. Rebound Road  
3 Lancaster, SC 29162  
4 (980) 328-5708  
5 Pro Se

IN THE COURT OF COMMON PLEAS  
Greenville, South Carolina

9	Benjamin L. Anderson	)	AFFIDAVIT OF PLAINTIFF
10	Plaintiff	)	CASE NO: 2015-23-07324
11		)	DATE: April 25, 2016
12		)	OPPOSITION TO MOTION
13	VS	)	TO DISMISS COMPLAINT
14	Barksdale Medical Center	)	
15	Defendant	)	
16		)	
17		)	

18 I make oath and say:  
 19 The Plaintiff, Benjamin L. Anderson affirm that  
 20 I am an inactive registered respiratory therapist  
 21 with forty-three years in the health care  
 22 arena. I affirm that I was in the military  
 23 almost eight years as a medical service specialist.  
 24 I attest that I am preparing to activate my  
 25 respiratory care practitioners license to practice  
 26 in the state of South Carolina. I affirm that I  
 27 discovered on June 3, 2014 disparaging documentation  
 28 in my medical records by Dr Rebecca Barksdale.

EXHIBIT C  
Affidavit of Plaintiff

1 I also affirm that Dr Barksdale did not  
2 inform me of this documentation and  
3 concealed the contents from me. Dr Barksdale  
4 wrote into my medical records that I was  
5 delusional and paranoid to bolster her  
6 accusations that I informed her that the  
7 "military and "government used satellites  
8 to spy on me." I affirm that Dr Barksdale  
9 never conducted any evaluation, administer  
10 any questionnaire, nor conducted any diagnostic  
11 test to ascertain the medical evidence  
12 to justify her bogus documentation of  
13 Plaintiff. I affirm that she did not request  
14 any mental health evaluation from a  
15 mental health professional. The Plaintiff  
16 affirms that after reviewing his medical  
17 records, he suffered mental anguish, stress,  
18 anxiety as well as insomnia because of  
19 Dr Barksdale's actions against Plaintiff.  
20 The Plaintiff has a reasonable good-faith belief  
21 that Dr Barksdale did this as pretext. The  
22 Plaintiff did tell Dr Barksdale that he was  
23 under invasion of privacy by a California  
24 university medical center, which group was  
25 using their FCC licensed satellite transmitter  
26 in conjunction with satellites. The Plaintiff  
27 worked for this group and subsequently sued  
28 this group in Federal District Court.

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The Plaintiff because of his whistleblower status in regards to the big medical center has always been the recipient of retaliation by medical providers and branded with bogus terms such as paranoia or schizophrenia.

The Plaintiff affirms that the foregoing is true and correct, under penalty of perjury, at Lancaster, South Carolina.

January 5, 2016 Benjamin L. Anderson  
Benjamin L. Anderson  
Pro Se

Angela D. Wheeler

My Commission Expires November 13, 2023

1 Benjamin L Anderson  
2 445 W. Rebound Road  
3 Lancaster, South Carolina  
4 908-328-5708

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GREENVILLE CO. S.C.  
PAUL B. WICKENSIMER

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2016 APR 19 AM 11 35

6 IN THE COURT OF COMMON PLEAS  
7 COUNTY OF GREENVILLE

CASE NO: 2015-CP-23-07324

10 Benjamin L Anderson  
11 Plaintiff

) Judge Letitia Verdin  
) DATE: April 25, 2016

13 V

15 Barksdale Medical Center  
16 Defendants

) AFFIDAVIT OF Sammie Hemphill  
) Board of Trustees  
) New Independent Methodist  
) CHURCH  
) Attached Exhibits: A

19 I make oath and say:

20 I affirm that I am a member of the Board of  
21 Trustees at New Independent Methodist Church  
22 in Great Falls, South Carolina. I have first-  
23 hand knowledge of the facts set forth.

24 I am competent as a witness for Minister,  
25 Benjamin L Anderson. I affirm that I have  
26 known Minister Anderson for several years  
27 as a stable individual, who always demonstrated  
28 that he was stable and intact with reality.

EXHIBIT D  
AFFIDAVIT OF BOARD OF TRUSTEE  
CHURCH

1 Minister Anderson moved from Greenville  
2 in February, 2014 and began regular attendance  
3 at New Independant Methodist Church.  
4 I affirm that Minister Anderson was voted  
5 into the Ministerial Staff about October, 2015.  
6 by the Board of Trustees. I affirm he has  
7 attended and supported the Church's bible  
8 study as well as Sunday school study. He  
9 has also went to other surrounding  
10 communities in support of their Church  
11 functions. Minister Anderson is well liked by  
12 the Pastor of our Church as well as the  
13 assistant Pastor. I affirm that he is  
14 mentally sharp and accurate when it comes  
15 to presenting scripture from the bible to  
16 our Church. I affirm that no one can say  
17 he is paranoid and delusional and know him.  
18 In the realm of the Kingdom of God, God does  
19 not call men into the Gospel ministry who  
20 have mental health problems.

21  
22 I affirm that the foregoing is true and  
23 correct, under penalty of perjury at  
24 Great Falls, South Carolina on April 15 2016

25 Sammie Hemphill  
26 ~~Sammie Hemphill~~  
27 AFFIANT and Board Member

28 signature notarized by  
Camela J. Rummy  
on 4-15-2016  
My Commission Expires  
9-18-2023

State of South Carolina  
County of Chester

# Certificate of License

THIS IS TO CERTIFY

Bro. Ben Anderson

who has given evidence that God has called him into

**THE GOSPEL MINISTRY**

was Licensed to preach the Gospel as he may have opportunity, and to exercise his gifts in the work of the Ministry

by Antioch Missionary Baptist Church

at 7547 Emerald St. Riverside, CA

on the 27<sup>th</sup> day of April, 1983

Sis. Aleestyne Smith  
Clerk

Rev. Jay C. Edwards  
Pastor

# Certificate of Ordination

Bro. Ben Anderson

having been chosen one "of good report, full of the Spirit and of wisdom," and capable of using the office well, was set apart publicly to the office and work of

**DEACON**

by Antioch Missionary Baptist Church

at Riverside, California

on the 22nd day of October, 1982

Sis. Alicestyne Smith  
Clerk

Rev. Jay C. Edwards  
Pastor

1 Benjamin L. Anderson  
2 445 W. Rebound Road  
3 Lancaster, S.C. 29720  
4 980-328-5708

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PAUL B. WICKENGIER  
2016 MAY 9 PM 1 02

5 A

6 IN THE COURT OF COMMON PLEAS  
7 Greenville, South Carolina

10 Benjamin L. Anderson

CASE NO: 2014CP-23-06070

11 Plaintiff

Recusation

13 V

Judge Letitia Verdin

15 Davita Upstate Dialysis

Judge Edward W. Miller

16 Defendant

18 The Plaintiff/Appellant request that the above  
19 mentioned Judges recuse themselves from any  
20 future proceeding, hearings, motions with regards  
21 to Plaintiff, Benjamin L. Anderson. This is because  
22 of the flagrant prejudice, bias towards the  
23 Pro Se litigant always tipping the scales of justice  
24 towards the defendant to help them. The Plaintiff  
25 needs impartiality.

27 May 9, 2016

Benjamin L. Anderson  
Pro Se Litigant

EXHIBIT E

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PAUL B. WISCHENSKER  
2016 APR 25 PM 10 52

1 Benjamin L. Anderson  
2 445 W. Rebound Road  
3 Lancaster, South Carolina  
4 980-328-5708  
5 Pro Se

6 IN THE COURT OF COMMON PLEAS  
7 GREENVILLE, SOUTH CAROLINA

8  
9  
10 Benjamin L. Anderson ) CASE NO: 2015-23-07324  
11 Plaintiff ) Respiratory Care  
12 ) Practitioner  
13 V. ) License Renewal  
14 ) STATE OF SOUTH CAROLINA  
15 Barksdale Medical Center ) JUDICIAL NOTICE  
16 Defendant ) DATE:  
17 )  
18 )

19 The Plaintiff in the above captioned case  
20 submits this document to bring the Courts  
21 attention to the damaging disparagement to  
22 the Plaintiff's ability to return to his profession  
23 to earn a living as a Respiratory Care Practitioner  
24 in the State of South Carolina and that  
25 Dr. Barksdale knew or reasonably should have known.  
26 Your attention to line (9) on second page.

27  
28 April 22, 2016

Benjamin L. Anderson  
Benjamin L. Anderson  
Pro Se

EXHIBIT F  
Application For Rec  
License S.C.



S.C. Department of Labor, Licensing and Regulation  
Board of Medical Examiners

110 Centerview Drive, Suite 202  
Columbia, SC 29210  
Post Office Box 11289  
Columbia, SC 29211  
(803) 896-4500



APPLICATION FOR A REACTIVATION OF  
RESPIRATORY CARE LICENSE

**IMPORTANT:** I hereby make application for reactivation of my license to practice as a Respiratory Care Practitioner in the state of South Carolina and submit the following statement of facts with the required supporting documents: *The application form itself is a public document obtainable under the Freedom of Information Act.* The Application fee must accompany the application. **The application fee is non-refundable.**

(Please type or print clearly)

Applicant's Name: Anderson Benjamin Lewis  
Last First Middle

Home Address: 445 West Reboard Road  
Lancaster South Carolina 29120  
City State Zip

Home Phone: (980 ) 328-5708

S.C. Respiratory Care License Number: 1881

Email Address: 

S.C. Medical Director: Roger St. Francis @Charleston, SC

Place of Employment in South Carolina: NA

Street \_\_\_\_\_

City State Zip

Business Phones ( ) \_\_\_\_\_

\*The SSN is not subject to disclosure as public information. The disclosure of the SSN for identification purposes is authorized and mandated by federal statutes requiring state medical boards to report to the Healthcare Integrity and Protection Data Bank (HIPDB) and the National Practitioner Data Bank (NPDB), among other things. (Revised 11/15/12)

CONTROL # \_\_\_\_\_  
CHECK # \_\_\_\_\_  
AMOUNT \$ \_\_\_\_\_

## I. PERSONAL DATA

Answer Yes or No

1. Has your Respiratory Care certificate/license ever been revoked, suspended, reprimanded, restricted or placed on probation by any licensing board or any other entity? NO
2. Have you ever had an application to practice as a Respiratory Care Practitioner denied or refused by another licensing board or entity? NO
3. Have you ever had hospital privileges denied, revoked, suspended or restricted in any way? NO
4. Have you ever resigned from any hospital, institute or health care facility in lieu of disciplinary action? NO
5. Are you currently under any investigation or the subject of pending disciplinary action by any medical licensing board or other entity? NO
6. Is your Respiratory Care Practitioner's certificate/license currently restricted in any way by any medical licensing board, health care facility or other entity? NO
7. Currently or within the last ten years, have you been treated for any physical, mental, or emotional condition that might interfere with your ability to competently and safely perform the essential functions of practice as a Respiratory Care Practitioner? NO
8. Has your ability to practice as a Respiratory Care Practitioner ever been impaired by any physical or mental illness or by the use of alcohol or drugs? NO
9. Currently or within the last ten years, have you developed any disease or conditions, physical, mental or emotional, (e.g. bipolar disorder, schizophrenia, paranoia or any other psychotic disorder) that might interfere with your ability to competently and safely perform the essential functions of practice as a Respiratory Care Practitioner? NO
10. Have you ever discontinued practicing as a Respiratory Care Practitioner for any reason for one month or more? NO
11. Have you ever been arrested, indicted, or convicted, pled guilty, or pled nolo contendere for violation of any federal, state or local law? (other than a minor traffic violation)? NO
12. Have you ever been known by any other name or surname? NO
13. Have you ever voluntarily surrendered a Respiratory Care Practitioner's certificate/license? NO
14. Have you ever been discharged involuntarily from employment? If so, give full details. NO

**NOTE: If you answered "yes" to any of the above questions (1-14), you must attach a full written explanation pertaining to that particular question.**

**POLICY OF THE BOARD REQUIRES INDIVIDUALS WHO HAVE NOT ACTIVELY PRACTICED RESPIRATORY CARE FOR FIVE (5) YEARS OR MORE TO TAKE AND PASS THE NBRC-ENTRY LEVEL EXAMINATION. PROOF OF PASSAGE MUST BE PROVIDED TO THE BOARD BEFORE YOUR LICENSE WILL BE REACTIVATED.**

## II. PROFESSIONAL INFORMATION

1. Do you plan to care for cardio-pulmonary patients in a home care setting? no  
If yes, you must attach a statement signed by your physician sponsor detailing the duties that you will perform and type of supervision you will receive in performing these duties.
2. Since your Respiratory Care Practitioner's license was placed on inactive status, list all employment activities in chronological order. Please include your place(s) of employment, date(s) of employment, job title and job duties:

Place(s) of Employment	Dates of Employment	Job Title & Job Duties

(Attach additional sheet if needed)

List all states in which you have ever been licensed or certified to practice as a Respiratory Care Practitioner. All State licenses/certificates must be verified directly from each state board. (form enclosed)

State	License/Certificate Number	Date Issued	Basis of Licensure/Certification	Status Active/Inactive
California	RCP 9302	1980	Clinical practice	inactive
MARYland	L0002611	3-26-97	" "	inactive
South Carolina	1881	1994	" "	inactive

## III. REPORT OF CONTINUING EDUCATION

In order to reactivate your Respiratory Care License, you must provide documentation of at least thirty (30) hours of continuing medical education. Proof of attendance must be provided in the form of certificate, diploma or printout. These hours must be obtained within the last 2 years of this application.

Dates Attended	Sponsoring Agency	Name of Topic	Contact Hours
5-5-15	Western Schools	Depression in older Adults	3
5-22-15	Western Schools Cystic Fibrosis-Diagnosis & Treatment	→	3
4-28-15	Western schools	Artificial Airways	5
6-12-15	" "	ABG Interpretation	4
6-12-15	" "	CPAP/BiPAP-Sleep disorders	3
5-5-15	" "	Mechanical Ventilation	4

(Attach additional sheet if needed)

5-5-15 " " Ethical Issues and Decisions for RT 3  
**TOTAL CONTINUING MEDICAL EDUCATION HOURS** Acute Respiratory Distress Syndrome 3  
 5-22-15 " " (30 HOURS OF CME REQUIRED)

III. REPORT OF CONTINUING EDUCATION  
(continued)

APPROVED CONTINUING EDUCATION PROGRAMS

All programs sponsored or approved by one of the following organizations or their sponsors may be used to meet the continuing education requirement of the South Carolina Respiratory Care Practice Act.

- American Association for Respiratory Care, or its sponsoring organizations:
  - American Thoracic Society
  - American College of Chest Physicians
  - American Society of Anesthesiologists
- American Heart Association
- The Society for Critical Care Medicine
- The American Lung Association
- The South Carolina Society for Respiratory Care
- Allied Health Education Centers of the South Carolina Consortium of Community Teaching Hospitals

Accredited institutional continuing education programs will be accepted with certificate of attendance that specifies total number of contact hours. These continuing education programs must have been accredited by groups such as the Accreditation Council for Continuing Medical Education or the American Nurses Credentialing Center's Commission on Accreditation.

If the program is not approved by one of the above organizations, approval must be sought from the Respiratory Care Committee of the South Carolina Department of Labor, Licensing and Regulation. This approval must be sought 30 days prior to the program. Programs not having prior approval will be subject to review and may be denied. Approval must be applied for on forms provided by the Board. Content for these programs must be relevant to the professional growth and development of the Respiratory Care Practitioner.

Academic courses may not be used to meet the continuing education requirement of the South Carolina Respiratory Care Practice Act. **Medical directors no longer have signature approval authority.** If your continuing medical education credits are audited, you must show proof of attendance at the programs that are sponsored or approved by one of the above organizations. Proof of attendance must be provided in the form of a certificate, diploma or printout. Please direct any questions regarding the need for approval of continuing education programs to the Board office.

IV. AFFIDAVIT

I, Benjamin Lewis Anderson, being duly sworn, depose and say that I am the person described and identified, that I am of good moral character and that I am the person named in the documents presented in support of this application. By filing this application, I hereby authorize and consent to an investigation of my fitness and qualifications to practice respiratory care in South Carolina.

I hereby authorize all hospitals, medical institutions or organizations, my references, personal physicians, employers (past and present), business and professional associates (past and present) and all governmental agencies and instrumentalities (local, state and federal) to release to this licensing Board any information, files or records requested by the Board for its evaluation of my professional, ethical and physical qualifications for licensure in South Carolina. I hereby release, discharge and exonerate the State Board of Medical Examiners of South Carolina, its agent or representative, and any person or organization furnishing information from any and all liability of every nature and kind arising out of the furnishing of documents, records or other information to the Board in connection with this application.

I have carefully read the questions in the foregoing application and have answered them completely, without reservations of any kind, and I declare that all statements made by me herein are true and correct. Should I furnish any false or incomplete information in this application, I hereby agree that such act shall constitute the cause for denial or revocation of my license to practice in South Carolina.

I hereby authorize the Board of Medical Examiners of South Carolina to utilize my Social Security Number in making necessary reports to the Federation of State Medical Boards' Physician Data Center for compilation of information about applicants and licensees in order to coordinate licensure and disciplinary activities between the individual States' licensing boards and to federal and state entities, as required by law.

Applicant's Signature Benjamin L Anderson Date 4-20-16

Sworn to me and subscribed before me this 20<sup>th</sup>

day of April, 20 16

Signature of Notary Public (L.S.) South Carolina

My Commission Expires: September 12, 2023



LANCE J WALTERS  
NOTARY PUBLIC  
SOUTH CAROLINA  
MY COMMISSION EXPIRES  
SEPTEMBER 12, 2023





# Shah Associates, M.D., P.A.

## Cardiology

Vinod K. Shah, M.D., F.A.C.C.  
A. A. Puri, M.D., F.A.C.C.  
Mahesh F. Shah, M.D., F.A.C.C.  
Anantha K. Rao, M.D., F.A.C.C.  
Anil K. Shah, M.D.

## Gastroenterology

Umed K. Shah, M.D., F.A.C.G.  
Anil R. Shah, M.D., F.A.C.G.  
Nayan R. Shah, M.D., F.A.C.G.

## Pulmonary

Kiran D. Mehta, M.D., F.C.C.P.

## Neurology

Beena A. Shah, M.D.

## Rheumatology

Robert W. Timmons, M.D.

## Internal Medicine

Bhasker A. Jhaveri, M.D.  
David M. Federie, M.D.  
Mary Kramer, M.D.  
Avani D. Shah, M.D.  
Pranay Patel, M.D.  
Mohammad A. Rahman, M.D.  
Dhiren Shah, M.D.  
Roy H. Bunales, M.D.

## Psychology

John C. Fowler, Ph.D.

## Hematology/Oncology

M.V. Pillai, M.D., F.A.C.P.

## Gerontology

Anwar T. Munshi, M.D.  
Rita B. Jhaveri, M.D.

## Pediatrics

Ila V. Shah, M.D., F.A.A.P.  
M.F.O. Lafeer, M.D., F.A.A.P.  
Kirit Patel, M.D., F.A.A.P.  
Amit Sheth, M.D., F.A.A.P.  
Nitin Chopde, M.D.  
Upender K. Munshi, M.D.

## Family Practice

John F. Fenwick, M.D.  
J. Patrick Jarboe, M.D.  
Robert J. Bauer, M.D.  
John L. Bennett, M.D.

## Radiology

Halappa G. Hakkal, M.D.

## Hollywood Office

Philip J. Bean Medical Center  
24035 Three Notch Road  
Hollywood, MD 20636  
301-373-7000

## Leonardtwn Offices

Shanti Medical Center  
26840 Point Lookout Rd. • Ste. 101  
Leonardtwn, MD 20650  
301-475-5579 • 301-475-5524

## St. Mary's Medical Arts Building

22650 Cedar Lane Court  
Leonardtwn, MD 20650  
301-475-5021 • 301-475-5023

## Prince Frederick Office

Calvert Medical Office Bldg.  
110 Hospital Road, Suite 303  
Prince Frederick, MD 20678  
410-535-4333

## Lexington Park Office

22335 Exploration II • Suite 1030  
Lexington Park, MD 20653  
301-863-7041 • 301-863-9000

## California Office

23263 By the Mill Road  
California, MD 20619  
301-863-5835

## Charlotte Hall Offices

Charlotte Hall Medical Center  
29795 Three Notch Road  
Charlotte Hall, MD 20622  
301-884-7322 • 301-884-7330

## Village Medical Annex

28160 Old Village Road • Ste. A  
Mechanicsville, MD 20659  
301-834-4666

## Washington Area

831 University Blvd., #32  
Silver Spring, MD 20903  
301-445-4430

September 25, 1997

RE: BEN ANDERSON

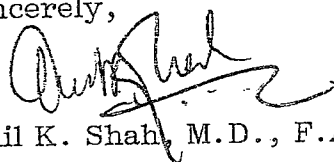
To Whom It May Concern:

It gives me great pleasure to write a letter of recommendation on behalf of Mr. Ben Anderson.

Ben joined St. Mary's Hospital, Leonardtown, MD in March 1997 as Director of Pulmonary and Electroencephalography Department. Being a cardiologist and working in the department on a daily basis with Ben, I had the opportunity to observe and experience first hand the impact of his skills with the department. There was significant improvement in the overall working environment of the department and boost in the employee morale because of his leadership ability. He developed an excellent rapport with the employees and was well liked by everyone. I am confident that Ben will excel at whatever he undertakes.

Please let me know if I can be of any further assistance.

Sincerely,



Anil K. Shah, M.D., F.A.C.C.

AKS:krp  
092597



# St. Mary's Hospital

September 23, 1997

To Whom It May Concern:

For the period of March 1997 through September 1997 I have worked with **Benjamin Anderson**, Director of Cardiopulmonary. He has conducted the administrative activities in a professional manner including developing a sleep lab proposal and the operating budget. Mr. Anderson has conducted himself in a pleasant and courteous manner during his employment at St. Mary's Hospital.

Sincerely,

A handwritten signature in cursive script that reads "Peggy Naleppa".

Peggy Naleppa  
Vice President for Systems Integration

PN:dph

September 25, 1997

To Whom I + MAY CONCERN

RE: Letter of Reference

Benjamin L. Anderson, RRT

I have had the opportunity of working under Ben Anderson for 6 months. Within this short period of time he has brought the Cardiac Department up 3 to 4 grades higher on the scale. He brought with him modern ideas, and teaching skills that we at St. Mary's Hospital will definitely miss. Ben Anderson is a good leader + Boss and will be miss by us all.

Donis McElwee CMA

Benjamin L. Anderson, R.C.P., RRT, BS  
Director, Cardiopulmonary/EEG



St. Mary's Hospital

P.O. Box 527, 25500 Point Lookout Road, Leonardtown, Maryland 20650  
301/475-6066 (Fax) 301/475-6189

CEDARS-SINAI (C(S) MEDICAL CENTER

TO TO WHOM IT MAY CONCERN

FROM

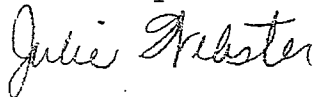
DATE January 26, 1990

RE Benjamin L. Anderson, RCP, RRT  
Respiratory Therapy Manager  
Day Shift

I have known Mr Anderson for approximately four months. He has always conducted himself in a professional and courteous manner. I have observed him to have excellent rapport and communication with those under his supervision.

It has been my pleasure to interact with him as a night shift supervisor here at Cedars-Sinai Medical Center.

Sincerely,



Julie Webster, RCP, CRTT  
Supervisor  
Cedars-Sinai Medical Center



EDMUND T. DOMBROWSKI, M. D., F. A. C. S.  
ORTHOPEDIC SURGERY  
Redlands Medical Center

July 27, 1988

RE: BEN ANDERSON  
DIRECTOR, RESPIRATORY SERVICES  
LOMA LINDA COMMUNITY HOSPITAL

TO WHOM IT MAY CONCERN:

This will verify that I have known Mr. Anderson for approximately ten years. During that period of time I have called on Mr. Anderson to do many respiratory procedures for me, including pulmonary evaluation, blood gases, pulmonary function, etc.

Mr. Anderson has always been available, has always been cheerful and his work is completely reliable.

Mr. Anderson conducts himself in an extremely professional manner. His department has always been outstanding in every respect.

I cannot give Mr. Anderson too high a recommendation.

Accordingly, this letter will verify, in my opinion, that Mr. Anderson is the most highly qualified person anyone could find to direct a respiratory service anywhere.

Sincerely,

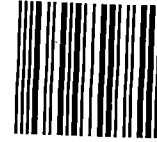
E. T. DOMBROWSKI, M.D.  
FORMER CHAIRMAN  
DEPARTMENT OF ORTHOPAEDIC SURGERY  
LOMA LINDA COMMUNITY HOSPITAL  
ATTENDING ASSISTANT PROFESSOR  
LOMA LINDA UNIVERSITY

ETD/mk

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Perris, CA 92571



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