

03623

RECEIVED

DEC 09 2020

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

Case No. 20-AJ-07-0107-CC

Lexington County Health Services
District Inc., d/b/a Lexington Medical Center,.....Petitioner/Respondent,

v.

South Carolina Department of Health and
Environmental Control, Prisma Health-
Midlands, Providence Hospital, LLC
d/b/a Providence Health, Providence Health
Northeast, Providence Health Fairfield,
and Kershaw Hospital, LLC d/b/a
Kershaw Health Medical Center, Respondents,

OF WHOM

Prisma Health-Midlands is Appellant.

NOTICE OF APPEAL

YOU WILL PLEASE TAKE NOTICE that Prisma Health-Midlands hereby appeals from the Orders of the Honorable Ralph King Anderson, III, signed November 2, 2020 and filed November 2, 2020 (Exhibit 1); and December 7, 2020 and filed December 7, 2020 (Exhibit 2). The Appellant received written notice of the entry of the December 7, 2020 Order on December 7, 2020.



M. Elizabeth C. Jones
S.C. Bar No. 1486
Celeste T. Jones
S.C. Bar No. 3713
Pamela A. Baker
S.C. Bar No. 69413
BURR & FORMAN LLP
Post Office Box 11390
Columbia, South Carolina 29211
(803)799-9800

*Attorneys for Appellant
Prisma Health-Midlands*

Other Counsel of Record

David B. Summer, Jr., Esq.
Faye A. Flowers, Esq.
Parker Poe Adams & Bernstein, LLP
1221 Main Street, Suite 1100
Columbia, SC 29201

Jennifer J. Hollingsworth, Esq.
Shannon V. Lipham, Esq.
Nexsen Pruet, LLC
1230 Main Street, Suite 700
Columbia, SC 29201

Kelly M. Jolley, Esq.
Ariail B. Kirk, Esq.
Jolley Law Group, LLC
810 Bellwood Road
Columbia, SC 29205

December 9, 2020
Columbia, South Carolina

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED
DEC 09 2020
SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

Case No. 20-AJ-07-0107-CC

Lexington County Health Services
District Inc., d/b/a Lexington Medical Center,Petitioner/Respondent,

v.

South Carolina Department of Health and
Environmental Control, Prisma Health-
Midlands, Providence Hospital, LLC
d/b/a Providence Health, Providence Health
Northeast, Providence Health Fairfield,
and Kershaw Hospital, LLC d/b/a
Kershaw Health Medical Center, Respondents,

OF WHOM
Prisma Health-Midlands is Appellant.

CERTIFICATE OF SERVICE

I, Donna O'Daniel, an employee of Burr & Forman, LLP, hereby certify that a true and correct copy of the **Notice of Appeal** was served upon counsel for the Respondents in the above-captioned matter, via email at the email addresses listed below, and by causing a copy of same to be deposited in the United States Mail, first class postage prepaid, this 9th day of December, 2020, addressed as follows:

David B. Summer, Jr.
Faye A. Flowers
Parker Poe Adams & Bernstein, LLP
1221 Main Street, Suite 1100
Columbia, SC 29201
davidsummer@parkerpoe.com
fayeflowers@parkerpoe.com

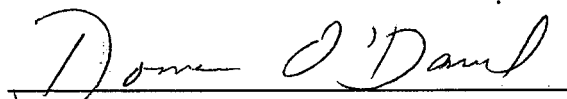
Ashley C. Biggers
SCDHEC-Office of General Counsel
2600 Bull Street
Columbia, SC 29201
biggerac@dhec.sc.gov

Vito Wicevic
Rita DeCarlis
SC Board of Health & Environmental Control
2600 Bull Street
Columbia, SC 29201
wicevism@dhec.sc.gov
decarlrd@dhec.sc.gov

Jennifer J. Hollingsworth, Esq.
Shannon V. Lipham, Esq.
Nexsen Pruet, LLC
1230 Main Street, Suite 700
Columbia, SC 29201
jhollingsworth@nexsenpruet.com
svlipham@nexsenpruet.com

Kelly M. Jolley, Esq.
Ariail B. Kirk, Esq.
Jolley Law Group, LLC
810 Bellwood Road
Columbia, SC 29205
kjolley@jolleylawgroup.com
akirk@jolleylawgroup.com

Columbia, SC


Donna O'Daniel

BURR • FORMAN MCNAIR

M. Elizabeth Crum
lcrum@burr.com
Direct Dial: (803) 753-3240
Direct Fax: (803) 933-1484

Burr & Forman LLP
1221 Main Street
Suite 1800
Columbia, SC 29201

Mailing Address:
Post Office Box 11390
Columbia, SC 29211

Office 803.799.9800
Fax 803.753.3278

BURR.COM

December 9, 2020

Via Email and Hand Delivery

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

RECEIVED

DEC 09 2020

SC Court of Appeals

**Re: Lexington County Health Services District, Inc. d/b/a Lexington Medical Center v. South Carolina Department of Health and Environmental Control, Prisma Health – Midlands, Providence Hospital, LLC d/b/a Providence Health, Providence Health Northeast, Providence Health Fairfield, and Kershaw Hospital, LLC d/b/a Kershaw Health Medical Center (Of Whom Prisma Health – Midlands is Appellant)
(Appeal from the SC Administrative Law Court, Case No. 20-ALJ-07-0107-CC)**

Dear Ms. Kitchings:

Enclosed for filing with the Court is the original and one copy of the Notice of Appeal and Proof of Service, along with a check in the amount of \$250 for filing of the Notice on behalf of Appellant Prisma Health - Midlands in regards to the above-referenced matter. Pursuant to the Proof of Service, and by copy of this letter, copies of the aforementioned documents were served on counsel of record.

Please provide a filed copy of the above stated documents in the enclosed self-addressed stamped envelope.

Very truly yours,


M. Elizabeth Crum

MEC/dmo
Enclosures

cc: **All w/enclosure**

Kelly M. Jolley, Esq. *(via email and U.S. Mail)*
Ariail B. Kirk, Esq. *(via email and U.S. Mail)*
Jennifer J. Hollingsworth, Esq. *(via email and Hand Delivery)*
Shannon V. Lipham, Esq. *(via email and Hand Delivery)*
Vito W. Wicevic, Esq. *(via email)*
Ashley C. Biggers, Esq. *(via email)*
Meredith W. Sella, Esq. *(via email)*
David B. Summer, Jr., Esq. *(via email and Hand Delivery)*
Faye A. Flowers, Esq. *(via email and Hand Delivery)*
Jana Shealy *(via email)*
Pamela A. Baker, Esq. *(via email)*
Celeste T. Jones, Esq. *(via email)*

First Class Mail

BURR ∴
FORMAN
MCNAIR

Burr & Forman LLP
Post Office Box 11390
Columbia, SC 29211
Burr.com

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

VIA HAND DELIVERY

(M. Elizabeth Crum, Esq.)

First Class Mail

RECEIVED

DEC 09 2020

SC Court of Appeals