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Dec 17 2020

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
The Honorable Ralph King Anderson, III, Chief Administrative Law Judge

APPELLATE CASE NO. 2020-001610

ADMINISTRATIVE LAW COURT CASE NO. 20-ALJ-07-0108-CC

Lexington County Health Services
District Inc., d/b/a Lexington Medical CenterPetitioner/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.

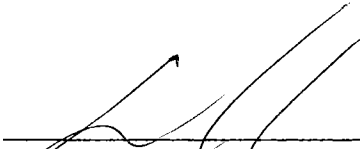
OF WHOM

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 are Appellants.

NOTICE OF APPEAL

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
(collectively, the “Appellants”) hereby appeal both the November 22, 2020, Final Order of the
Honorable Ralph King Anderson, III, Denying Cross-Motions for Summary Judgment in the
above-captioned case (“Final Order”) (attached as **Exhibit A**) and the subsequently issued

December 7, 2020, Order on Motion to Clarify and Motions to Reconsider (“Amended Final Order”) (attached as **Exhibit B**). Appellants file this Notice of Appeal in accordance with Rule 203, SCACR, within 30 days of Appellants’ receipt on December 7, 2020 of written notice of the entry of the Amended Final Order.



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Attorneys for Appellants

Columbia, South Carolina
December 17, 2020

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Counsel for Prisma Health - Midlands

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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

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 are Appellants.

PROOF OF SERVICE

The undersigned hereby certifies that on December 17, 2020 s/he caused a copy of the foregoing **NOTICE OF APPEAL**, with attachments, to be served upon the Department of Health and Environmental Control, the South Carolina Administrative Law Court, and all counsel of record via electronic mail to each counsel's individual AIS email address pursuant to SC Supreme Court COVID Order 2020-05-29-02 addressed as follows:

VIA HAND DELIVERY AND E-MAIL

The Honorable Jana E. Shealy, Clerk
South Carolina Administrative Law Court
Edgar A. Brown Building
1205 Pendleton Street, Suite 224
Columbia, SC 29201
jshealy@scal.sc.gov

VIA E-MAIL

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December 17, 2020

VIA HAND DELIVERY AND EMAIL TO CTAPPFILINGS@SCCOURTS.ORG

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

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SC Court of Appeals

Re: Appellate Case No: 2020-001610

**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-07-0108-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 Appellants 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 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 as well as the Administrative Law Court. Please provide a filed copy of the above stated documents in the enclosed self-addressed stamped envelope.

By copy of this letter and pursuant to the Court's standing Order, we are serving copies of the same to all counsel of record via email.

With best regards, I am

Sincerely,

A handwritten signature in black ink, appearing to read 'David B. Summer, Jr.' with a stylized flourish.

David B. Summer, Jr.

Enclosures

The Honorable Jenny Abbott Kitchings

December 17, 2020

Page 2

cc: The Honorable Jana E. Shealy *(via email and hand delivery)*
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Pamela A. Baker, Esq. *(via email)*
Celeste T. Jones, Esq. *(via email)*
Robert L. Widener, Esquire Esq. *(via email)*