

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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Feb 03 2021

SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

The Honorable Ralph King Anderson, III  
Chief Administrative Law Judge

APPELLATE CASE NO. 2020-001323

ADMINISTRATIVE LAW COURT CASE NO.: 18-ALJ-07-0358-CC  
ADMINISTRATIVE LAW COURT CASE NO.: 18-ALJ-07-0360-CC  
ADMINISTRATIVE LAW COURT CASE NO.: 18-ALJ-07-0366-CC

CareAlliance Health Services, d/b/a Roper St. Francis  
Healthcare, Roper Hospital, Inc., Bon Secours-St.  
Francis Xavier Hospital, Inc., Roper St. Francis  
Berkeley Hospital and Roper Mount Pleasant  
Hospital,

Respondent,

v.

South Carolina Department of Health and  
Environmental Control and Medical University  
Hospital Authority, d/b/a MUHA Community  
Hospital,

Respondents.

AND

Walterboro Community Hospital, Inc., d/b/a Colleton  
Medical Center,

Appellant,

v.

South Carolina Department of Health and  
Environmental Control and Medical University  
Hospital Authority, d/b/a MUHA Community  
Hospital,

Respondents.

AND

Trident Medical Center, LLC, d/b/a Trident Medical  
Center and Summerville Medical Center,

Appellant,

v.

South Carolina Department of Health and  
Environmental Control and Medical University  
Hospital Authority, d/b/a MUHA Community  
Hospital,

Respondents.

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**RESPONDENT SOUTH CAROLINA DEPARTMENT OF HEALTH  
AND ENVIRONMENTAL CONTROL'S DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

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Pursuant to Rule 209 of the South Carolina Appellate Court Rules,  
Respondent South Carolina Department of Health and Environmental Control  
("DHEC") designates the following material for inclusion in the Record on Appeal:

1. Trident and CMC's Requests for Final Review filed August 6, 2018.
2. Trident and CMC's Petitions for Administrative Review/Requests for Contested Case Hearings filed October 9, 2018.
3. Trident and CMC's Prehearing Statements filed November 19, 2018.
4. DHEC Ex. 1; DHEC Ex. 2, pp. 1 and II-4 through II-9; DHEC Ex. 3, pp. 1 and II-4 through II-11; DHEC Ex. 4; DHEC Ex. 7, pp. 1107-1108; and DHEC Ex. 8, pp. 726-727.
5. MUHA Ex. 2.
6. Transcript of Hearing Before ALC for November 6-8, 2019; November 12-15, 2019; November 18-21, 2019.

7. Trident/CMC's Motion to Alter/Amend (Reconsider) filed July 20, 2020.
8. MUHA Response in Opposition to Petitioners' Motions to Alter/Amend (Reconsider) filed July 30, 2020.
9. DHEC Response in Opposition to Trident/CMC's Motion to Alter/Amend (Reconsider) filed August 4, 2020.
10. Amended Final Order of the Honorable Ralph King Anderson, III, filed September 4, 2020.

The undersigned certifies, pursuant to Rule 209(c) of the South Carolina Appellate Court Rules, that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,



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Rupinderjit S. Grewal, Esquire  
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South Carolina Department of  
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*Attorneys for Respondent South  
Carolina Department of Health  
and Environmental Control*

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ADMINISTRATIVE LAW COURT CASE No.: 18-ALJ-07-0360-CC  
ADMINISTRATIVE LAW COURT CASE No.: 18-ALJ-07-0366-CC

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**PROOF OF SERVICE**

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The undersigned hereby certifies that on February 3, 2021, a copy of the **Respondent South Carolina Department of Health and Environmental Control's Designation of Matter to be Included in the Record on Appeal** was served on all counsel of record via electronic mail, containing the above-referenced document, to each counsel's individual AIS email address pursuant to SC Supreme Court COVID Order 2020-05-29-02 as follows:

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Medical Center and Walterboro  
Community Hospital, Inc. d/b/a  
Colleton Medical Center*

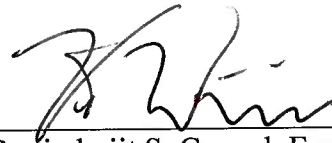
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Hospital*



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*Attorneys for Appellant/Respondent  
South Carolina Department of  
Health and Environmental Control*

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Columbia, South Carolina



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VIA EMAIL [CTAPPFILINGS@SCCOURTS.ORG](mailto:CTAPPFILINGS@SCCOURTS.ORG)

The Honorable Jenny Abbott Kitchings  
Clerk of Court, SC Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: Appellate Case No. 2020-001323

CareAlliance Health Services, d/b/a Roper St. Francis Healthcare, Roper Hospital, Inc., Bon Secours-St. Francis Xavier Hospital, Inc., Roper St. Francis Berkeley Hospital and Roper Mount Pleasant Hospital v. South Carolina Department of Health and Environmental Control and Medical University Hospital Authority, d/b/a MUHA Community Hospital

AND

Walterboro Community Hospital, Inc., d/b/a Colleton Medical Center v. South Carolina Department of Health and Environmental Control and Medical University Hospital Authority, d/b/a MUHA Community Hospital,

AND

Trident Medical Center, LLC, d/b/a Trident Medical Center and Summerville Medical Center v. South Carolina Department of Health and Environmental Control and Medical University Hospital Authority, d/b/a MUHA Community Hospital.

Dear Ms. Kitchings:

Enclosed for filing in connection with the above matter, please find the **Initial Brief of Respondent South Carolina Department of Health and Environmental Control and Respondent South Carolina Department of Health and Environmental Control's Designation of Matter to be Included in the Record on Appeal**, along with the **Proofs of Service**.

By copy of this letter and pursuant to the Court's standing Order, we are providing a copy of the same to all counsel of record. Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Vito M. Wicevic", is written over a white background.

Vito M. Wicevic

Enclosures

cc: David B. Summer, Jr., Esquire (w/Enclosures via Email)  
William R. Thomas, Esquire (w/Enclosures via Email)  
Faye A. Flowers, Esquire (w/Enclosures via Email)  
Elizabeth Crum, Esquire (w/Enclosures via Email)  
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