

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION**

<b>Barbara Hickey,</b>	)	
	)	
Plaintiff,	)	Docket No. 4:10-2696-TWL-TER
v.	)	
	)	
<b>Emma Forkner,</b> In Her Official Capacity as the Director of the South Carolina Department of Health and Human Services; and <b>Beverly Buscemi,</b> in Her Official Capacity as the Director of the South Carolina Department of Disabilities and Special Needs,	)	<b>ORDER</b>
	)	
Defendants.	)	
	)	

Upon consideration of the parties Joint Motion for Consent Order to Maintain Medicaid Services *Pendente Lite*, and the entire record herein, and finding said Motion well taken and upon consent of all parties, the Motion is GRANTED and it is hereby ORDERED that Plaintiff’s Medicaid services at issue in this case, to wit: fifty (50) hours per week of Personal Care Assistance II (“PC II”) services per week as currently being delivered shall be maintained by Defendants during the pendency of this action.

FURTHER, this Consent Order shall not be deemed to establish a right of Plaintiff to attorneys’ fees related to the obtaining of this Consent Order.

FURTHER, if Plaintiff, or her counsel, become aware of any action or inaction by Defendants or their agents that causes services to be reduced from those required by this Order, they shall promptly notify counsel for Defendants, and Defendants shall promptly cure any actions that are inconsistent with this Order.

**IT IS SO ORDERED** this 5<sup>th</sup> day of May, 2011 at Florence, South Carolina.

s/ Terry L. Wooten  
Terry L. Wooten  
United States District Judge