

This document is a comment on the preliminary DRAFT final regulation. On June 24, 2009, the Department of Public Welfare provided a DRAFT final regulation for public review and comment. The DRAFT final can be found at : <http://www.irrc.state.pa.us/Documents/SRCDocuments/Regulations/2712/AGENCY/Document-12700.pdf>.

This is an informal process. The Department will consider these comments in preparation of a formal final regulation to be submitted at a later date.

#2710

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Senate of Pennsylvania

September 29, 2009

Secretary Estelle B. Richman  
Department of Public Welfare  
P.O. Box 2675  
Harrisburg, PA 17105-2675

Dear Secretary Richman:

We, the undersigned members of the Philadelphia Senatorial Delegation, write on behalf of the Philadelphia Housing Authority (PHA) concerning the Department of Public Welfare's Assisted Living Regulations, Regulation No. 14-514.

PHA is the single largest "landlord" in Pennsylvania and is the nation's fourth largest housing authority. PHA provides housing services to 81,000 individuals within the City of Philadelphia and offers a variety of services to its residents, such as job training, educational opportunities, and youth programs. Recognizing the need for services of its older population, PHA has designated several developments for use by senior citizens only. These communities allow seniors to enjoy a peer filled environment while maintaining a connection to their community in a manner that allows them to obtain the necessary services in order to maintain an independent lifestyle.

As the Department of Public Welfare continues its work on the regulatory proposal, on behalf of PHA we ask that you consider the following points:

- That the goal of the Department of Public Welfare for assisted living services be offered in conjunction with public and affordable housing, in order to make this long term care alternative available to low-income individuals. Providing for the effective combination of assisted living and affordable housing would significantly increase its availability to low-income persons.
- That the Department of Public Welfare clarify its intent regarding the combination of assisted living and public/affordable housing by including an affirmative statement in the Policy Statement portion within the final form regulations that are being prepared. While § 2800.18 of the regulations will likely permit the effective combination of public housing subsidies, low-income housing tax credits, or other affordable housing subsidies

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SERIOUSLY ILL INMATES

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with Assisted Living programming, we ask that the Department of Public Welfare clarify its intent by including the following:

- o Use in conjunction with affordable housing programs:

It is a goal of the Department to ensure low-income citizens of the Commonwealth have access to assisted living. In order to achieve this goal, the Department asserts that assisted living residences may be supported by affordable housing subsidies including, but not limited to: public housing operating subsidy, tenant based rental assistance, low-income housing tax credits, and other local, state, or federal low-income housing subsidy.

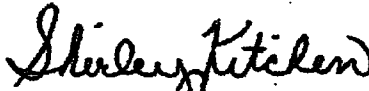
In the event of a conflict between the requirements of this chapter and federal requirements applicable to admissions or continued occupancy of public or affordable housing, regulated pursuant to the United States Housing Act of 1937 as amended (codified as amended at 42 U.S.C. 1437 et. seq.) and the regulations promulgated there under, federal regulation would prevail.

Public and affordable housing play an important role in the service network for many Pennsylvanians. As a result, we believe that these entities should play a vital role in providing these services to Pennsylvania's senior community. Given its outstanding track record, we believe PHA can efficiently provide these services to its residents who want to stay in their communities and that PHA can provide these services in such a way that will produce savings to the Commonwealth.

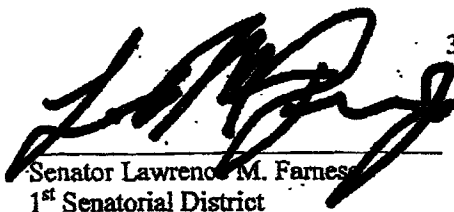
Please find enclosed a copy of PHA's recent comments to the Department's draft final form regulation for your review.

Thank you for your consideration.

Respectfully,



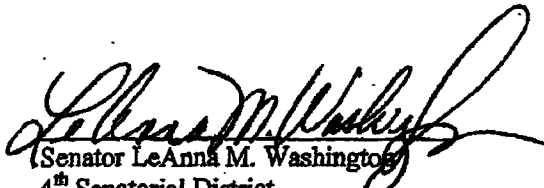
Senator Shirley M. Kitchen  
Delegation Chair  
3<sup>rd</sup> Senatorial District




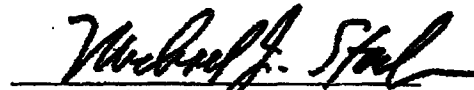
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Senator Michael J. Stack  
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Senator Anthony H. Williams  
8<sup>th</sup> Senatorial District

Enclosure: Pennsylvania Housing Authority's comments to the Department's final form regulation