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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

**DEMOCRATIC CHAIR,
NORTHEAST DELEGATION**

COMMITTEES

APPROPRIATIONS
COMMERCE AND ECONOMIC DEVELOPMENT
DEMOCRATIC CHAIR,
SUBCOMMITTEE ON HOUSING
EDUCATION

March 24, 1998

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Notebook

MAR 25 1998

Mr. Robert L Gioffre
Department of Public Welfare
P. O. Box 2675
Harrisburg, PA 17105-2675

Received
Refer to: _____

RE: Proposed Rulemaking - Chapter 3800 Child Residential and Day Treatment Facilities, PA Bulletin, Vol. 28, No. 7, February 14, 1998.

Dear Mr. Gioffre:

I am writing to comment on the Department of Public Welfare's proposed rulemaking regarding Child Residential and Day Treatment Facilities. I am concerned that the proposed regulatory changes may adversely affect the quality of services provided to children who are residents at these facilities for reasons I outline below.

The regulations would require less child care staff for children six years of age and under. It appears that this change has been proposed in order to reduce costs associated with providing care for this age group without sufficient regard to their child care needs.

Moreover, staff qualifications for employment at child care facilities would be reduced. The number of staff persons with four-year college degrees would be reduced to allow facilities to fill more staff positions with persons holding high school diplomas only. The proposed regulations have also reduced education requirements for supervisors and eliminated the requirement for facilities to maintain written personnel policies.

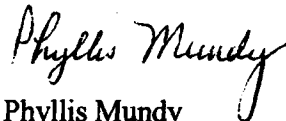
Additionally, the proposed regulations fail to define and recognize the unique populations of children and their needs. The regulations cover all children who are receiving any kind of treatment service, from a child who is seriously mentally retarded in a residential facility to an adjudicated youngster to an abused child who needs treatment to learn coping skills. This "one size fits all approach" seems ill-suited to address the specific challenges faced by diverse groups of special-needs children.

The regulations do include some positive changes. The increased focus on staff training as it pertains to working with children and ongoing training is a positive step. The requirement that facilities complete a health and safety assessment within 24 hours of entering the facility and maintain a log of all dispensed medications also strengthens the regulations. It also appears that individual service plans required of the facilities under the current regulations will be strengthened by making them conform with county agency family service plans. Finally, the addition of specific client rights and grievance procedures is also a welcome improvement.

Generally, however, these proposed regulations are a penny wise and a pound foolish. While this proposed rulemaking represents a consolidation of regulations, this consolidation would be accomplished at the cost of lowering standards for children with special needs rather than raising them.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in cursive script that reads "Phyllis Mundy". The signature is written in black ink and is positioned above the printed name.

Phyllis Mundy
State Representative
120th District