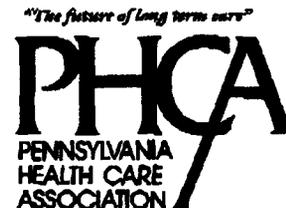


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June 12, 2000

Robert E. Nyce, Executive Director
Pennsylvania Independent Regulatory Review Commission
333 Market Street
Harrisburg, Pennsylvania 17101

Re: DOE 6-262 - Nurse Aide Applicant Criminal History Record Information

Dear Mr. Nyce:

Please accept this communication in response to the notice of publication of final form regulation DOE 10-6-262. The Pennsylvania Health Care Association recognizes that the Department has addressed specific concerns raised in our comments submitted during the proposed publication in 1998.

We are concerned, however, that publication at this time triggers the Department's enforcement of the requirement that nurse aide trainee candidates must possess a FBI clearance at the time of enrollment in a training program. Due to the unprecedented labor shortage plaguing this and many other industries the ability to staff nursing care facilities will be hampered by the long turn around time required to process an FBI clearance.

This delay is the result of restricted access to the FBI as a law enforcement entity to other governmental agencies acting as an intermediary for a nursing care facility. Direct access to the FBI is an issue under consideration in Washington. Until such time direct access is available, facilities, particularly those located along Pennsylvania's borders, may find themselves unable to consider candidates for nurse aide positions who are not current residents of Pennsylvania or have not been residents for the preceding two year period.

We think it is important that the IRRRC be aware of the implications surrounding the enforcement of this regulation. Our sister association, the Pennsylvania Association of County Affiliated Homes (PACAH) shares our concern on this issue and will be contacting you under separate cover.

Sincerely,

Veronica M. Thompson, BSN, MA, RN
Director of Quality Management

PENNSYLVANIA HEALTH CARE ASSOCIATION
FAX TRANSMITTAL

DATE:

6/12/00

TO:

R. E. Myce, Spec Dir

COMPANY:

Pa IRRC

FAX NUMBER:

783 2664

FROM:

V Thompson

Pennsylvania Health Care Association
315 North Second Street
Harrisburg, PA 17101-1305
Telephone: (717) 221-1800
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MESSAGE:

Thank you
(VT)

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