

MATTHEW J. RYAN
THE SPEAKER

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HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

June 4, 2001

Robert Nyce, Director
Independent Regulatory Review Commission
14th Floor, Harristown 2
333 Market Street
Harrisburg, PA 17101

Dear Director Nyce:

The Health and Human Services Committee has not voted to disapprove the Department of Health's final form regulation #10-129 regarding the Head Injury Program, therefore it is deemed approved. However, I want to go on record with my serious reservations concerning the people currently receiving services now funded by the Head Injury Program. I am disappointed with the department's grandfathering provisions because they are inadequate for the continuing care of the people now enrolled in the program.

Because of a personal interest in one of the patients involved, I sought assurances from the department that the persons with traumatic brain injury now enrolled in the program will not lose their needed services because of the implementation of this regulation. They should continue receiving the services they need whether it be through the Department of Public Welfare Medical Assistance Waiver or through continued funding by the Head Injury Program. No one should be allowed to fall through the cracks.

Enclosed you will find copies of correspondence from the secretaries of Health and Public Welfare which promise to involve the patients and their families in treatment decisions and to assure appropriate, adequate care is available to them before any changes are made. While it would be preferable to see these assurances reflected in the regulation itself, I am inclined at this time to accept the agencies at their word.

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The department should move forward with promulgation of this regulation while remaining mindful that it is imperative to continue serving those who have come to rely upon the Head Injury Program. I will be monitoring the results of this regulation, and if people are harmed, I am prepared to address their needs through a change in the law.

Very truly yours,



MATTHEW J. RYAN
The Speaker

MJR:nr

cc: The Honorable Robert Zimmerman
Secretary
PA Department of Health

The Honorable Feather Houstoun
Secretary
PA Department of Public Welfare