

PENNSYLVANIA ASSOCIATION OF COUNTY DRUG AND ALCOHOL ADMINISTRATORS, INC.



Original: 2186

17 North Front Street • Harrisburg, PA 17110
Kathleen Hubert, Executive Director

717-232-7554 voice • 717-232-2162 fax
www.pacdaa.org

April 25, 2002

Independent Regulatory Review Commission
333 Market Street
Harrisburg, Pennsylvania 17101

To Whom It May Concern:

RE: 10-164 IRRC #2186 Drug and Alcohol Prevention and Intervention Activities

We are writing to provide comment on the final form regulations submitted by the Department of Health, to repeal the standards for approval of drug and alcohol prevention and intervention activities, 10-164 IRRC #2186.

Our association concerns, which were stated in a letter written May 15, 2001 to the Department of Health, have still not been addressed. In that letter, which is attached here, we stated that there should be no elimination of the current prevention regulations until an alternative process has been definitively established. There has been no indication that any of the recommendations presented by a group of stakeholders, who worked on an alternative process for two years, will be considered.

We believe that taxpayer funds would be placed at risk for ineffective use if no alternative process is established to certify or approve those programs that wish to participate in the delivery of prevention services. By eliminating standards without any alternative to replace them, it appears that we are devaluing prevention and the need for such services.

Finally, if the approval of such prevention and intervention programs will be managed through contracts with the Single County Authorities, as the Department of Health's explanations indicate, there will be costs involved to local government. We disagree with the statement that there would be "no measurable fiscal impact on the Commonwealth, local government, the private sector, or the general public."

Sincerely,

Kim P. Bowman
PACDAA Chairperson and Executive Director,
Chester County Department of Drug & Alcohol

Kathleen K. Hubert
PACDAA Executive Director

2002 APR 29 AM 8:51
INDEPENDENT REGULATORY REVIEW COMMISSION

Original: 2186

PACDAA

Pennsylvania Association of County Drug & Alcohol Administrators, Inc.

17 North Front Street

Harrisburg, PA 17101

(717) 232-7554

May 15, 2001

John Hair
Department of Health
Bureau of Community Program Licensure and Certification
132 Kline Plaza, Suite A
Harrisburg, PA 17104

Dear John,

I am writing on behalf of the Pennsylvania Association of County Drug and Alcohol Administrators (PACDAA) to **oppose the deletion of existing prevention regulations and their oversight by the PA Department of Health, Division of Drug and Alcohol Licensure** as published in the PA Bulletin, Doc. No. 01-679. While we agree that the existing regulations do not reflect current drug and alcohol prevention practice in Pennsylvania, we believe the rescission is being done prematurely. As a result drug and alcohol prevention services, and the significant public dollars used to fund, will be at great risk.

A large amount of state, federal, and local public funding supports drug and alcohol prevention services throughout the state. These services touch on most segments of our communities. Therefore **it is essential that we insure a baseline standard** is met. By eliminating standards, without any alternative to replace them, it appears that we are devaluing prevention and the need for these services.

There has been a great deal of work done on an alternative by many stakeholders. However, there has yet to be a finished product distributed that has had any, much less adequate, time for comment from affected parties. **There should be no elimination of the current prevention regulations until an alternative, which has been commented on by affected parties, has been definitively established.**

Finally, **adequate financial resources for implementation must accompany whatever alternative is established.** The transfer of this responsibility from licensing to another entity results in a shift in costs that must be addressed. The Fiscal Impact note of the Proposed Rulemaking states that there would be "no measurable fiscal impact on the Commonwealth, local government, the private sector, or the general public. We strongly disagree with this statement.



Page 2

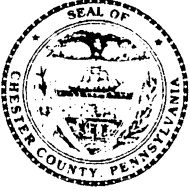
Whatever alternative is established will require oversight. If this occurs via SCA contracts, it will require new staff at the County level. If it occurs via an independent certification body it will require funding to the selected body from the state, a new fee from prevention providers, or both. As many prevention organizations are grass-root, non-profits the need to pay this fee may also have the unintended effect of eliminating effective resources. If no alternative is established then large amounts of taxpayer funds are put at risk for ineffective use.

Thank you for your consideration of our comments regarding this important issue.

Sincerely,

Kim P. Bowman ^{AK}
Kim P. Bowman,
Chairperson

Kathy Hubert ^{AK}
Kathy Hubert,
Executive Director



THE COUNTY OF CHESTER



COMMISSIONERS:
Karen L. Martynick, Chairman
Colin A. Hanna
Andrew E. Dinniman

DEPARTMENT OF DRUG AND ALCOHOL SERVICES
Government Services Center, Suite 325
601 Westtown Road
P.O. Box 2747
West Chester, PA 19380-0990

Original: 2186

KIM P. BOWMAN, M.S.
Executive Director

ADMINISTRATION:
Phone: 610-344-6620 Fax: 610-344-5743
CASE MANAGEMENT:
Phone: 610-344-5630 Fax: 610-344-5436

May 2, 2002

Mr. John Hair
Department of Health
Bureau of Community Program Licensure and Certification
132 Kline Plaza, Suite A
Harrisburg, PA 17104

Re: Department of Health – Proposed Regulations No. 10-164
Rescission of Drug and Alcohol Abuse Prevention Program Approval
Standards

Dear John:

I am writing to oppose the proposed final form regulations No. 10-164 containing the rescission of the existing prevention regulations and their oversight by the PA Department of Health and Division of Drug and Alcohol Licensure. Concerns raised at the time the regulations were proposed have not been addressed. I have attached my initial letter.

To date no alternative to these regulations has been established. Although the letter from the Secretary accompanying these regulations states that “viable, non-regulatory alternatives exist to monitor prevention services”, these alternatives have not been communicated or provided to stakeholders for input.

While a group of stakeholders met to work with the Department on an alternative, this was two (2) years ago and there has never been a final product provided to stakeholders for comment. Additionally, when the workgroup ended there were several substantive issues that had still not been addressed. I am very concerned that existing regulations would be eliminated without a viable replacement that has been even minimally shared with stakeholders for comment.

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EXECUTIVE DIRECTOR

Page 2
Mr. John Hair
May 2, 2002

I also must take issue with the Department's position that there will be no costs associated with this action. Millions of public dollars are expended on prevention services in the Commonwealth. Given the level of funding and importance of these services it would be irresponsible and unlikely for all standards and oversight to be eliminated. Therefore, assuming that there will, or should, be some alternative that replaces the Licensing oversight there will continue to be costs involved. The reality is that these costs will just be shifted to another entity.

The Department also states that "approximately 156 approved prevention facilities will no longer be required to incur expenses associated with complying with regulatory standards". Again, this appears inaccurate. Compliance with whatever alternative is established to the prevention regulations will have associated costs for providers. Unfortunately, since the alternative that will be used has not been provided to stakeholders for comment there is no way of knowing if the cost would be more or less than compliance with current standards.

As I stated in my initial letter, I do not disagree with the need to make the oversight of alcohol, tobacco, and other drug prevention services more responsive to the current practice. However, to eliminate the current system without a replacement does not seem responsible. To exacerbate this concern, the existing system is being eliminated with only a vague promise that an alternative exists. Without the provision of a concrete plan to stakeholders who can provide input on the viability and impact of the alternative, from both a programmatic and fiscal perspective, a change does not seem prudent.

Thank you for your consideration of these comments. If you have any questions or would like clarification of any of the concerns expressed, please do not hesitate to contact me.

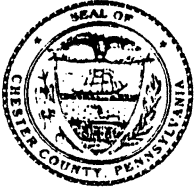
Sincerely,



Kim P. Bowman

KPB/gja

CC: Independent Regulatory Review Commission



THE COUNTY OF CHESTER



COMMISSIONERS:
Colin A. Hanna, Chairman
Karen L. Martynick
Andrew E. Dinniman

KIM P. BOWMAN, M.S.
Executive Director

DEPARTMENT OF DRUG AND ALCOHOL SERVICES
Government Services Center, Suite 325
601 Westtown Road
P.O. Box 2747
West Chester, PA 19380-0990

ADMINISTRATION:
Phone: 610-344-6620 Fax: 610-344-5743
CASE MANAGEMENT:
Phone: 610-344-5630 Fax: 610-344-5436

May 11, 2001

Mr. John Hair
Department of Health
Bureau of Community Program Licensure and Certification
132 Kline Plaza, Suite A
Harrisburg, PA 17104

Dear John:

I am writing to oppose the proposed deletion of existing prevention regulations and their oversight by the PA Department of Health, Division of Drug and Alcohol Licensure as published in the PA Bulletin, Doc. No. 01-679. I agree that the current regulations are not relevant to current drug and alcohol prevention practice in Pennsylvania. However, to delete these regulations without an alternative that has had stakeholder input in the final product is premature. If the regulations are deleted at this time, we place drug and alcohol prevention services and the significant public dollars used to fund them at great risk.

A large amount of public funding supports drug and alcohol prevention services throughout the state. Therefore, it is essential that we insure a baseline standard is met. These services touch on most segments of our communities. By eliminating standards, without any alternative to replace them, we devalue prevention and the need for these services.

There should be no elimination of the current prevention regulations until an alternative, which has been commented on by affected parties, has been definitively established. There has been a great deal of work done on an alternative by many stakeholders. However, there has yet to be a finished product distributed that has had any, much less adequate time for comment from affected parties.

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DEPARTMENT OF HEALTH
BUREAU OF COMMUNITY PROGRAM LICENSURE AND CERTIFICATION

Page 2
Mr. John Hair
May 11, 2001

Finally, adequate financial resources for implementation must accompany whatever alternative is established. The transfer of this responsibility from licensing to another entity results in a shift in costs that must be addressed. The Fiscal Impact note of the Proposed Rulemaking states that there would be "no measurable fiscal impact on the Commonwealth, local government, the private sector, or the general public". The Cost and Paperwork Estimate states "There will be neither additional costs nor additional paperwork to the Commonwealth, local governments or the private sector resulting from the deletion of these regulations". I strongly disagree with these statements.

Whatever alternative is established will require oversight which is a new responsibility for someone. If this occurs via SCA contracts, it will require new staff at the County level. If it occurs via an independent certification body, it will require funding to the selected body from the state, and a new fee from prevention providers, or both. As many prevention organizations are grass-root, non-profits, the need to pay this fee may also have the unintended effect of eliminating effective resources. If no alternative is established, then large amounts of taxpayer funds are put at risk for ineffective use.

Thank you for your consideration of our comments regarding this important issue.

Sincerely,



Kim P. Bowman

KPB/st

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2002 MAY -3 AM 10:10

INDEPENDENT REGULATORY COMMISSION

**LACKAWANNA COUNTY COMMISSION
ON DRUG AND ALCOHOL ABUSE**

Phone (570) 963-6820
Fax (570) 963-6617

**JOSEPH CORCORAN
RANDY CASTELLANI
ROBERT CORDARO**
COMMISSIONERS
ANN MARIE SANTARSIERO
EXECUTIVE DIRECTOR

May 3, 2002

Mr. Robert E. Nyce
Executive Director
Independent Regulatory Review Commission
14th Floor, 333 Market Street
Harrisburg, PA 17101

Re: Regulation No. 10-164(IRRC #2186)

Dear Mr. Nyce:

On May 21, 2001 I submitted a statement to the PA DOH, Bureau of Community Program Licensure and Certification, expressing the opposition of the northeast regional Single County Authorities to the proposed repeal of the regulations governing the standards for approval of prevention and intervention activities within the Commonwealth. This opposition was based on the lack of an alternative certification process in place to assume the responsibilities of the Bureau.

As a member of the work group which met monthly over a two year period revising the standards to address state-of-the-art practices and approaches to prevention, I can state that our primary concern was to preserve the integrity and professionalism of the field.

While no one questions the need for the regulatory oversight of the treatment system, it is worrisome that the same concern does not seem to apply to the prevention field. It should be noted that it is prevention specialists and the programs they represent that are in the forefront of the battle against substance abuse. It is absolutely critical that the communities and schools they serve be assured of their knowledge and expertise. This can only be achieved through an on-going certification and credentialing process.

The need to maintain baseline standards for prevention should not be interpreted as an effort to deny a role to grassroots groups in responding to the needs of their communities. In fact such groups have long had the support of the Single County Authorities in developing and delivering innovative programs to their respective target populations. Rather it should be seen as an affirmation of the evolutionary process which has raised the field of prevention to a recognized and respected component within the substance abuse delivery system.

In closing let me state that requiring compliance with regulatory standards should not be considered an undue burden but a means to measure, support and enhance program performance. It is our hope that deregulation be re-evaluated and an alternative process be instituted in the immediate future to protect the integrity of the prevention field.

Sincerely,

Ann Marie Santarsiero
Ann Marie Santarsiero
Executive Director
Lackawanna SCA

AMS:mmw

c.c. Gene Boyle, Director
Bureau of Drug and Alcohol Programs
PA. DOH

John Hair, Director
Bureau of Community Program Licensure and Certification
PA. DOH

Kathy Hubert, Executive Director
PACDAA

Northeast Regional SCA Administrators



2002 MAY -3 AM 10:10

JOSEPH CORCORAN
RANDY CASTELLANI
ROBERT CORDARO
COMMISSIONERS
ANN MARIE SANTARSIERO
EXECUTIVE DIRECTOR

**LACKAWANNA COUNTY COMMISSION
ON DRUG AND ALCOHOL ABUSE**

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REVIEW COMMISSION

FAX TRANSMISSION

FAX: 717/783-2664

TO: Robert E. Nyce, Executive Director

AGENCY/COMPANY: Independent Regulatory Review Commission

A total of 3 **pages, including this face sheet, accompanies this transmission.**

SENT BY: Ann Marie Santarsiero

Date: 5-3-02

Hard copy to follow.

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2002 MAY 10 AM 8:47

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LACKAWANNA COUNTY COMMISSION

ON DRUG AND ALCOHOL ABUSE

Phone (570) 963-6820

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INDEPENDENT REGULATORY
REVIEW COMMISSION

May 3, 2002

Mr. Robert E. Nyce
Executive Director
Independent Regulatory Review Commission
14th Floor, 333 Market Street
Harrisburg, PA 17101

RE: Regulation No. 10-164(IRRC #2186)

Dear Mr. Nyce:

Regarding the proposed repeal of regulations governing the standards for approval of prevention and intervention activities within the commonwealth, I wish to express my concern for our communities and the lack of standards for prevention activities.

I am very distressed about the deprofessionalism of prevention and the fact that once again, our field is becoming secondary in importance to treatment. We are reverting back to the '70's where every and anything was done in the name of prevention, at the taxpayers' expense. I believe that the experience, training, skills, knowledge, and methodology of the prevention field are just as, if not more important than those in the treatment field, and we should not allow our field to be given a back seat.

Yes, licensing is a chore, but it is a necessity to ensure the quality of our work, to set some standards for prevention, and to validate to the community and the human service system just who we are and what we do. It assures that we are accountable to the state and to the taxpayer for the services we provide and the funds that we receive to provide them.

Yes, the current standards are outdated, but for two years a committee met to revise them. Prevention has changed since those standards were developed and the standards are outdated. I certainly would hope the treatment field has changed and grown also, and will continue to do so and that their licensing standards are revisited and revised to reflect that.

Licensure or approval should not be eliminated, until another system is developed to replace it. Quality is an issue here! As a concerned parent, a taxpayer and a certified prevention professional, I am outraged!!!

Sincerely,

Dolly Michalszyk, CPS
Prevention Director



cc: Gene Boyle, Director
Bureau of Drug and Alcohol Programs
PA. DOH

LACKAWANNA COUNTY COMMISSION

ON DRUG AND ALCOHOL ABUSE

JOSEPH CORCORAN, Director
RANDY CASTELLANI, Bureau of Community Program Licenses
ROBERT COBARRO, PA. DOH
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ANN MARIE SANTARSIERO
EXECUTIVE DIRECTOR
Kathy Hubert, Executive Director
PACDAA

Northeast Regional SCA Administrators

Commonwealth Prevention Alliance



Mailing Address
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1830 South Atherton St.
State College, PA 16801

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2002 MAY -9 AM 8:52
INDEPENDENT REGULATORY REVIEW COMMISSION

Original: 2186

May 3, 2002

Independent Regulatory Review Commission
333 Market Street
Harrisburg, PA 17101

To Whom It May Concern:

RE: 10-164 IRRC #2186 Drug and Alcohol Prevention and Intervention Activities

I am writing on behalf of the Commonwealth Prevention Alliance (CPA) a member driven organization of prevention practitioners. We are writing to let you know that we oppose the deletion of existing prevention regulations and their oversight by the PA Department of Health, Division of Drug and Alcohol Licensure. We believe there should be no elimination of current prevention regulations until an alternative process has been established. CPA was invited to the table to consider these changes as well as the changing prevention field but have heard no indication that recommendations presented by that group of stakeholders has been or will be considered.

We concur the current standards are outdated but to ensure the quality of prevention services to Pennsylvania residents and to ensure effective use of taxpayers funds a baseline standard must be met.

Thank you for the opportunity to comment on this very important issue facing the prevention field today.

Sincerely,

Debra Davis Fye, CPS
President – Commonwealth Prevention Alliance