



**Pennsylvania  
Psychiatric Society**

*The Pennsylvania  
District Branch of the  
American Psychiatric Association*

Oct. 3, 2002

Mr. John R. McGinley, Jr., Esq.  
Chairman, Independent Regulatory Review Commission  
333 Market Street, 14<sup>th</sup> Floor  
Harrisburg, PA 17101

Original: 2291

ATTN: Mr. Robert Nyce, Executive Director  
By facsimile: 783-2664

Dear Mr. McGinley:

I am writing on behalf of Frederic Bauer, MD, and the Pennsylvania Psychiatric Society, in support of the Department of Public Welfare's Final-Omit Regulation on Drug and Alcohol Clinic Outpatient Services (#14-476).

We have worked with DPW on the issue addressed by this regulation for several years, specifically through Dr. Bauer, who chairs our Committee on Addiction Psychiatry. The regulation as submitted to IRRC addresses our initial concerns and accurately reflects the language that we discussed with the Office of Medical Assistance Programs.

We support the proposed regulation as a medically appropriate solution to the practical problem created by the current, regulatory requirement for a comprehensive medical examination within 15 days of intake and prior to the provision of treatment. We understand that some clinics were unable to provide these examinations at intake, necessitating a delay in treatment and, in some cases, no treatment at all (the patient by that time having rescinded consent).

Diagnosing patients with drug and alcohol problems, and determining the most appropriate level of care, can be difficult as many of these patients have complicated mental and physical health problems requiring a diagnostic examination and treatment plan by a physician.

It thus is inappropriate to simply eliminate the need for a medical evaluation. The solution provided by the Final-Omit Regulation will allow treatment to begin prior to the evaluation, if it is based on a specified level-of-care assessment meeting certain criteria, but it preserves the physician's involvement through a review within 15 days. The most critical factor in our support for the regulation is that a physician must perform a comprehensive medical examination or psychiatric evaluation if the need is indicated either by the initial assessment or by the physician's own review of that assessment.

This proposal was developed by the Department of Public Welfare after considerable consultation with interested parties and experts in the field, and we urge the members of the Commission to approve the regulation.

As always, we appreciate your interest in our perspective and we appreciate the opportunity to comment.

Sincerely yours,

Gwen Yackee Lehman  
Executive Director

Cc: Chris Markham, IRRC

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Gwen Yackee Lehman  
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INDEPENDENT REGULATORY REVIEW COMMISSION



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