

Pennsylvania Psychiatric Society

The Pennsylvania District Branch of the American Psychiatric Association

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Cc: Chris Markham, IRRC

Oct. 3, 2002

Mr. John R. McGinley, Jr., Esq. Chairman, Independent Regulatory Review Commission 333 Market Street, 14th 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at intake, necessitating a delay in treatment and, in some cases, no treatment at all (the patient by that time having rescinded consent).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 ្មា



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PCPA promotes a community-based, responsive and viable system of agencies providing quality services for individuals receiving mental health, mental retardation, addictive disease and other related human services.

ORIGINAL: 2291

September 30, 2002

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

Dear Chairman McGinley,

The purpose of this letter is to request, on behalf of the members of the Pennsylvania Community Providers Association, that the Independent Regulatory Review Commission approves the regulation changes submitted by the Department of Welfare for 55 Pa. Code, Chapter 1223 Outpatient Drug and Alcohol Clinic Services. This change, long overdue, will eliminate the medical assistance requirement of a physical exam for the provision of outpatient drug and alcohol treatment.

The Pennsylvania Community Providers Association (PCPA) is a private non-profit association representing nearly 200 community-based agencies that provide mental health, mental retardation, substance abuse, children's, and other human services. Nearly half of PCPA's 200 members provide drug and alcohol services. Our members cover all 67 counties in the Commonwealth, and it is estimated that they serve almost 1 million Pennsylvanians each year.

PCPA has been working with the Department of Welfare and many other stakeholders since 1998 to change these regulations. All parties involved are in agreement that these regulations are outdated and unnecessary. The current regulations are wasting scarce state dollars and prohibiting people from getting needed drug and alcohol treatment. PCPA strongly supports the regulation changes as submitted and requests that the Commission approve them as soon as possible.

If you have any questions or need further information please contact Lynn Cooper of my staff.

Sincerely,

George J. Kimes Executive Director

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