Original: 2294

Oct. 18, 2002

Dear Sir,

With reference to the closing of the Personal Care Home due to regulations that place it beyond the income of the men and women involved; We are poor beyond compt; we too old to work; cannot take care of our selves; and cannot do the things that ordinary flesh is heir to do. If we could we wouldn't be here. The increase in Price would make us beggars in the street. Some of us have been institutionalized all our lives, having been afflicted by the dread disease of Schizophrenia. Others have been here for knowing where they are or. Please reconsider your "Bill of Regulations which would put most of us out in the street.

Yours Truly
Juliet E. Remy
Colonial Gardens

10/18/07

Original: 2294

Dear Sir

Please do not change my living conditions here for me. I have to live my last days here because the other rooming houses makes me nervous. They gave me three other choices of rooming houses to choice from and I cant live at those rooming houses. If you close this rooming house I dont know what I am going to do about my nerves. I cant live in Pittsburgh any more because things are changes. Thank you for your kindness dear Sir

Thomas E. Rafter

Colonial Gardens,

Original: 2294

10/18/02

Dear Sirs,

I don't think getting Colonial Gardens out of a worthly to live here; should be.

My name is Peter Ali Prospero and I am a veteran of Vietnam Nam Era. I have no place to live.

I have a disease that will kill me from the army.

Colonial gardens is a Great Place to live. I hope you don't put us out of Lacuz lines.

Sincerely yours

Peter Ali Prospero

10/18/07 Original: 2294

nursing home and like it to
Paul metos recived your home
and was glad to live at the
nursing home and I sure like
the nurse home and the place at
the ~~Cath~~ter place in the nursing
home and would like to live at this
former room again at home and
would like be home again at
the next Rom Place gain home and
be home again.

Paul metos unknown

1910/02

Original: 2294

I would NOT LiKE OUR
Rigts FARTHER ENFRINGED
~~Ap~~eAPON BY STATE REGULATION

Raymond C Mickler

Original: 2294

10/18/02

This is Marty
I think Lyn runs a
very good home heare
she works very hard what
do you expect from
her I would like to
see someone do a
better job than Lyn
so the taking over the
home stuff got to
a-wit

Signed Marty
McLinder
Colonial gardens

10/16/02

Original: 2294

To Whom it May Concern,

I'm an employee at Colonial Gardens Rest House for the last six years. I come work here because I enjoy working and caring for the forty patient we have. All of our Gentlemen are VA Vets and I feel that the regulations are a little to strict. Yes there should be regulations but they need to be fair for all.

Sincerely Yours.

Susan L. Huerkin

Original: 2294

CORPORATE OFFICE
One Corporate Drive
Hunker, PA 15639
724-755-1070
Fax 724-755-1072

SOMERSET
138 East Main Street
Somerset, PA 15501
814-445-9718
Fax 814-445-2999

LIGONIER
R.D. #4, Box 107
Ligonier, PA 15658
724-593-7720
Fax 724-593-7720

NEW STANTON
One Easy Living Drive
Hunker, PA 15639
724-925-1159
Fax 724-755-0615

LAKESIDE
Lakefront Resort Community
724-755-1070
Adjacent New Stanton

October 18, 2002

Dear Mary Low Harris:

My name is Istvan (Steve) Upor, I am 72 years old, an engineer and an architect who got interested and concerned about the process of aging and the life saving opportunities that Personal Care can provide.

I am an author of engineering design text books, a professor of two European Universities (Budapest and Rome), and I owned or managed more than 20 companies in different fields. I have provided job opportunities to hundreds.

The above experience and 15 years as an administrator in the Personal Care field, forced me to write about Personal Care under the title; "Issues of Aging, Up Close & Personal".

I have served on each of the subcommittees of the Secretary of the Department of Public Welfare's Personal Care Home Advisory panel which were created in regards to the new regulations. I have spent my own money to attend and to serve in the interest of aging with a perfect attendance record.

Therefore, I can personally attest that every point discussed and agreed in the subcommittees where understood, agreed and promised to be incorporated in the 2600 regulations by DPW, but they were not. None!!! Zilch!!!!

I am alarmed and disgusted that so much effort was completely and totally ignored by the Department of Public Welfare. What are the motives of the DPW? That is what I question. They not only ignored all agreement but were not willing to publish the changes until the submittal to the Pa Bulletin on October 5th. When finally it was published, it was expanded to double the pages, that were difficult to download from the website. When the NAPCHAA President wanted to make copies and distribute it to their membership, Teleta Nevius of the DPW office of Licensing and Management, requested that he does not distribute them.

All of the serious changes were crammed in at end of the regulation, when you are too tired and confused to analyze them:

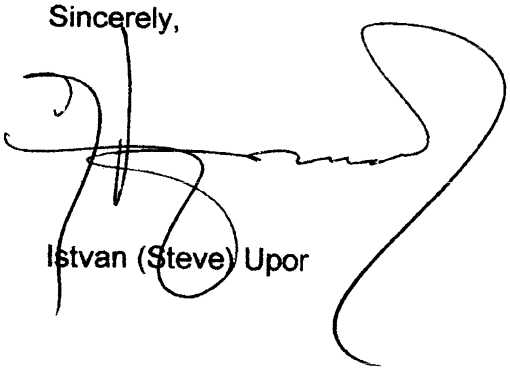
2600.226	Support Plan
2600.224	Description of services
2600.201	Safe Management Techniques
2600.181	Self-Administration

I am concerned that this regulation has not offered any solution on how to strengthen enforcement. This was the reason for the Auditor General's report regarding the DPW's lack of enforcement which prompted these unnecessary changes in the first place. The new regulations will require far more inspections, but the DPW proposes far less inspections.

Regulation 2600 will change the meaning and character of personal care which is the only alternative to nursing homes. The cost will raise to such extent that the elderly will not be able to afford personal care. It's cost is equal or in excess of nursing homes. Therefore, it will eliminate almost all but 196 out of 1776. Only, maybe, those who are more than 100 bed capacity may remain.

That is the reason for my submission to you of my cost study for the proposed 2600 regulations. Which I will be willing to explain, prove or defend to anyone, anywhere, anytime!

Sincerely,



Istvan (Steve) Upor

Regulatory Analysis Form

This space for use by IRRC

(1) Agency

Department of Public Welfare

(2) I.D. Number (Governor's Office Use)

IRRC Number:

(3) Short Title

Personal Care Homes

(4) PA Code Cite

55 PA Code Chapters 2600 and 2620

(5) Agency Contacts & Telephone Numbers

Primary Contact: Teleta Nevius 717-705-0383

Secondary Contact: Ellen Whitesell 717-705-0388

(6) Type of Rulemaking (check one)

- [x] Proposed Rulemaking
- [ ] Final Order Adopting Regulation
- [ ] Final Order, Proposed Rulemaking Omitted

(7) Is a 120-Day Emergency Certification Attached?

- [x] No
- [ ] Yes: By the Attorney General
- [ ] Yes: By the Governor

(8) Briefly explain the regulation in clear and nontechnical language.

(1). These proposed regulations establish requirements to protect the health, safety and well-being of adults who receive services in personal care homes in Pennsylvania.

(2). The Department's intent is to update the current regulations which have not been revised for 11 years, by strengthening health and safety requirements of residents based on public input and research. The Department seeks to provide an appropriate balance between regulatory requirements and the need for life safety protection of the residents in personal care homes.

(9) State the statutory authority for the regulation and any relevant state or federal court decisions.

Section 211 and Articles IX and X of the Public Welfare Code (62 P. S. § 211, §§ 901-922 and §§ 1001-1087)

(8) (1) Statement without Merit
Feather Houstoun, Secretary of Public Welfare's letter to the Honorable Vincent J. Hughes, PA State Senator, of September 23, 2002,
"The Personal Care Industry has experienced tremendous growth."
It would not have experienced tremendous growth, if the reputation of Personal Care Homes was not that they already "protect the health, safety and well-being of adults" under the current 2620 regulations. Even though the number of elderly is declining until 2005, there was no growth in SSI residents, only Private Pay residents.

(8) (2) Untrue statement
The 950 public comments and input and recommendations of the PCH Advisory Committee and Sub committees were ignored. That is why we recommend not to adopt it!
The Department seeks to upset the current balance and to eliminate PCH/AL by making the regulations even more stringent than Nursing Home regulations and to raise the resident's cost accordingly.

10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, ite the specific law, case or regulation, and any deadlines for action

lo.

11) Explain the compelling public interest that justifies the regulation. What is the problem it ldresses?

he personal care home industry has had a tremendous growth since the promulgation of the original :gulations 20 years ago. The changing character of personal care residents and the complexity of their eeds require updated standards.

12) State the public health, safety, environmental or general welfare risks associated with non-gulation.

'ithout minimum health and safety standards, this vulnerable population would not be protected. ll 50 states have regulations to protect the health, safety and welfare of residents served in personal re home facilities. However, not all facilities are referred as Personal Care Homes The majority of e states refer to them as Assisted Living Facilities, which is the current terminology used by the dustry.

3) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible d approximate the number of people who will benefit.)

e current legal capacity of approximately 80,000 residents in personal care homes statewide, will ve caretakers who are better trained to meet and provide their health and safety needs.

(10) Speaks for itself

(11) The regulation originates from 1981
It was Updated in 1991
Added Subsection 2620.24a 1993
Re-published 2000
Interpretive guideline never updated 1992
Since there is no compelling public interest, when there were 950 objections against and nothing for it . We have served on all of the sub committees and attended all the Advisory Panel meetings that was open to the public. How has the character of a 85 year old person changed in the last 10 years?

(12) Untrue
We have current standards which protect the elderly.
The cost of these new standards needs to be justified.
To insinuate that all 50 states has standards but PA does not, is not true. Most states do not regulate Assisted Living. Pennsylvania only recently and they where put under the same standards that were adopted for Personal Care Homes, even though Assisted Living is the terminology used for the less frail housing facilities.

(13) Not one person will benefit
As a start, SSI residents (10,529) will be displaced since the current daily reimbursement from the state is less than half compared to the 1998 study conducted by the Personal Care Home Advisory Committee for the Department of Public Welfare or the study by the Center for Health Policy Commission by the DPW. And for the 53,926 Private Pay cost will go up $107,048.00 per person per year. DPW will benefit since they can regulate from the office desk. They have added all the reports and paper work for the administrators but have eliminated yearly inspections. Inspections will now be every two years for 75% of the homes and every 3 years for 25%.
The PCH is an industry that delivers household care, any medical care is by a home health agency. The agencies employ registered nurses. To what level do you want to train employees who are paid $6.00 per hour. The retention of employees is our preeminent aim. What they need is experience, not classroom education. The average retention in healthcare is less than a year. We had in one year 56 employees for 15 positions.
It would have helped if anyone at the DPW/OLM would ever have worked in a Personal Care Home as an aide.

Regulatory Analysis Form

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

Once the new regulations are promulgated, newly hired or promoted staff will be required to meet enhanced staff qualifications

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

The Department's January 2002 statistical report shows that there are approximately 1,786 Personal Care Homes with a bed capacity of 79,929 in the Commonwealth.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

The Department has maintained statewide open communications with PCH providers, consumers and their family members, PCH consumer advocates, advocates for the elderly and for persons with disabilities, large and small provider organizations, consumer organizations, the PCH Advisory Committee, legislative staff, the Division of Personal Care Home staff, and other interested parties. (See attached list). The Department convened a briefing February 2001 to discuss the regulations project. In April 2001, the Department posted an early version of the regulations on the DPW web site and mailed letters to providers informing them how to access the document. Copies of the regulations were mailed upon request to those without Internet access and to all PCH stakeholders. Copies were also forwarded to legislators for their constituents requesting copies. The Department sponsored a 3-day conference in May 2001 for these groups to review an early version of the regulations, and to provide comments and suggestions in developing regulations that reflect current nationwide industry trends and needs in protecting the health, safety, and welfare of PCH residents. The Department mailed all meeting participants the notes from the meeting, and also provided an additional 2 weeks for interested persons to provide comments. The Department has received over 950 comments and suggestions, and encourages comments on an ongoing basis. In March 2002, the Department posted the PCH Preview on the DPW web site and notified all stakeholders in writing about how to access the document. The Department has reviewed and considered all comments and suggestions while drafting the proposed regulations. The Department continues to meet with PCH stakeholders to visit facilities across the state, and to conduct public forums to present and discuss the drafting of the proposed regulations. Please refer to Attachment #1 for a list of stakeholders.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

The total cost to each licensed personal care home related to the sections listed below is estimated to be $680:
2600.16, 2600.23, 2600.27, 2600.59, 2600.60, 2600.107, 2600.201, 2600.29, 2600.57e, & 2600.126.
This cost is associated with the requirement that the PCH's have printed policy and procedure manuals ($14), obtain 18 additional Continuing Education Credits per year ($266), refund the resident's personal needs allowance when discharged ($300) and obtain a yearly furnace inspection ($100).

(14) 720 small operators can't afford the cost of Administrator, registered nurse, training of labor for employees prior to working with the residents.
1056 Medium to large operators can't afford the cost the same' as for small operators. It is insane the amount of paperwork, liability insurance and separate documentation for each resident.
The state will pay for the displaced SSI resident
$872,380,295.00
The state will pay for the Private self pay resident at a nursing home $4.4 billon – less what the resident will have to contribute.

(15) Plus 2.8 children and their children who will have to send each month a 5 fold check to cover the increased cost and kiss good-bye any inheritance. The state and the legislature now will have to come up with the cash.

(16) I am a 72 year old gentleman, since it will affect me personally and professionally, I was at each advisory committee meeting and participated in each subcommittee. All my facilities were visited by Teleta Nevius and Ellen Whitesell and we had a lovely lunch.
I swear under penalty of law, that through this process they promised to all that they will incorporate all suggestions, which they have not done. Not one iota. We all were deceived and the DPW has pushed through their singular will!!!!!!
The department states; "received over 950 comments and suggestions". What they have not said is that all were against the regulation changes. They state; "reviewed and considered all comments". Apparently they rejected all since they were nowhere incorporated. In early summer we submitted a detailed written comment, item by item, through WCPCHAA which was totally and completely ignored among the 950 comments.

(17) As presented, this is a fraud. It is evident that the cost will vary by the number of residents that each facility serves.
See my calculations which show a cost per each resident of $107,048.00 per year as opposed to DPW's $680.00 per facility.
The cost to the state of PA will be 4.4 billon since PCH will seize to exist and will be replaced by junior nursing homes.

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

None.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required.

There is no additional cost for state government.

(18) Fire department, emergency management
(but that is necessary)

(19) 4.4 Billion
See my detailed submittal.
DPW to require; 24 Policy and Procedure manuals at each inspection, 59 Documentations, intermittently and at each inspection for 1800 facilities.
It is ridiculous when the problem is with less than 1% of PCH. The DPW will require this much paperwork from 99% who already fare excellent. Then to achieve compliance, the DPW cancelled their yearly inspections and altered it to every 3 years. They have loosened the requirements for inspection verification and replaced it with paperwork.

(20) In the table below provide an estimate of the Community, local government, and state government for the current year and five subsequent years.
($ Amounts in Thousands)

	Current FY 2001-2002	FY +1 2002-2003	FY +2 2003-2004	FY +3 2004-2005	FY +4 2005-2006	FY +5 2006-2007
SAVINGS:						
Regulated Community	NA	NA	NA	NA	NA	NA
Local Government	NA	NA	NA	NA	NA	NA
State Government	NA	NA	NA	NA	NA	NA
Total Savings	NA	NA	NA	NA	NA	NA
COSTS:						
Regulated Community *	NA	$1,215	$1,190	$1,190	$1,190	$1,190
Local Government	NA	NA	NA	NA	NA	NA
State Government	none	none	none	none	none	none
Total Costs	none	$1,215	$1,190	$1,190	$1,190	$1,190
REVENUE LOSSES:						
Regulated Community	NA	NA	NA	NA	NA	NA
Local Government	NA	NA	NA	NA	NA	NA
State Government	NA	NA	NA	NA	NA	NA
Total Revenue Losses	NA	NA	NA	NA	NA	NA

(20) Since all preceding estimates of DPW are untrue, so is this table.

(20a) Explain how the cost estimates listed above were derived.

* Estimated cost of printing a procedure manual at $14 per manual x 1,786 PCHs based on recent experience of printing OSP Program Instructions and Requirements, 18 additional CEU's per administrator at a cost of $266 per year x 1,786 PCHs based on a survey of community colleges, an annual furnace inspection at $100 x 1,786 PCHs based on an average cost from surveyed providers and refund of the Personal Needs Allowance (PNA) upon discharge at $300 based on 5 discharges per year per PCH x the PNA of $60.

(20b) Provide the past three year expenditure history for programs affected by the regulation.
($ Amounts in Thousands)

Program	FY -3	FY -2	FY -1	Current FY
a. OSP Administrative Costs				
State	$2,232	$2,272	$2,367	$2,773
Federal	0	0	0	0
Total	$2,232	$2,272	$2,367	$2,773
b. OLRM Administrative Costs				
State				
Federal	0	0	0	0
Total	0	0	0	0

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

The benefits of these regulations outweigh any costs incurred, which are necessary to ensure health and safety protection for Personal Care Home residents, many of whom are vulnerable and need services. The Department carefully considered all costs involved

(22) Describe the non-regulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

Non-regulatory alternatives were not considered since regulations are necessary, and absent those, there is great potential of risk to the health, safety and welfare of Personal Care Home residents.

(20a) This is the same calculation that was presented under (17) which is a fraud. Consequently to repeat (17) is also a fraud. I know fraud is a strong statement. I know here is no time or space to explain my point in detail but for example:

5 cents is the cost to print a page, $14.00 divided with
5 cents equals 280 pages each operator has to write his
own regulations not just copy them.

2600 is 153 pages written by a 16 person department for 2 ½ years and it is still useless. It is not just printing cost involved but labor.

Administrative Costs:

18 hours administrators training.
Now in small towns or the country there are no training courses. It is required to take the course which involves travel to and from the workplace. Time and travel has to be paid. If it is beyond 40 hours, time and half needs to be paid according to Labor and Industry regulations. An administrator or designee needs to be 7 x 24 in place. This will also require overtime for the designee. See my calculations submitted, there are 67 cost relevant items.

No one on this earth is this amateurish. Yes, this is Fraud!

(21) 2600 cost is outrageous. See my estimates, 5.4 times current cost or about $107,048.00 per resident per year. The benefit, evidently, would be none. Since these new regulations are to be implemented because the Personal Care Industry is poorly operated. DPW Secretary Feather Houstoun's letter of September 23rd states: "tremendous growth with respect to the Personal Care Home Population". When the PCH is private pay would the consumer choose a poorly operated facility. All the problems that occur are with SSI dominated facilities. The DPW's own research asked for $1800.00 monthly per person subsidy but currently it is $899.30 but none has the decency to fight for a fair raise.

(22) It should be considered, what was the Auditor General's finding; to enforce the current regulations but how can DPW close all the facilities that are SSI dominated just because they can't afford to operate it well out of the $29.00 per pay for each SSI resident. What will you do with all the SSI resident? Put them out on the street or to a nursing home for $4,600.00 per month. That is why DPW not enforce the current regulations. No one has the guts to bite the bullet and raise the SSI subsidy to a fair level. In spite of each study commissioned by the DPW condemns the current level. The low subsidy is the overriding problem not the current regulations. The new regulation is nothing but a smoke screen to hide the real problem - - - SSI subsidy is less than half of the fair rate.
As long as PCH private pay resident has grown in numbers, SSI acceptance was down. The Area Agency on Aging option assessment is sending them to nursing homes when the PCH will not accept them for the current $29.00 SSI rate. You will not be able to accept any SSI resident to a PCH when as a consequence of this new regulation, PCH will escalate 5.4 time respectfully to current costs.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

Not applicable.

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

No, the Federal Government does not provide Personal Care Home standards.

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

These regulations were developed with input and collaboration from providers and other stakeholders noted on Attachment #1, and those referenced in #16 of this RAF. We believe these regulations will offer an appropriate level of health and safety protection for residents, and will place the Commonwealth in line with the other states and the Personal Care Home industry nationwide.

26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

Yes. Upon final adoption of 55 Pa. Code Chapter 2600, this rulemaking will replace the current Personal Care Home Licensing regulations at 55 Pa. Code Chapter 2620 will be repealed.

27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

No public hearings are planned or scheduled at this time. The Department will continue to meet with stakeholders, providers, or provider associations, consumers, family members and advocates as appropriate.

28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports, which will be required as a result of implementation, if available.

Yes, these regulations require the development and use of documents that will assist a PCH to offer services in a planned and organized way, to professionally develop staff, both of which will help to insure health and safety protection of PCH residents. These regulations require a PCH to use, prepare, and implement the pre-admission screening tool, and both the initial and annual assessments. A PCH is required to develop its own quality assessment plan, policy and procedure manual, safe management techniques quality improvement plan, staff-training plan, and individual staff-training plan. Staff will have faster reference and guidance in handling various situations through the documentation of written policies and procedures, management plans, and delivery and management procedures for services starting with admission through discharge. A PCH will be required to report the following situations to the Commonwealth: Filing for bankruptcy by a PCH or its legal entity, misuse of residents funds by the

(23) To double the SSI Subsidy. Ask for my study called "Fair SSI Rate" Reverse the flow to nursing homes and save on each reversed SSI resident 7.6 times the extra SSI cost at PCH.

(24) Federal government provides nursing home standards and in many respects it is less stringent than the 2600 regulations. Nursing homes will end up costing less!

(25) Never was provider or stakeholders opinion accepted. It was only listened to. We were mislead throughout the process to believe that our opinion counted and changes would be made in the published PA Bulletin version, which they were not. I was at every meeting. There was never a comparison offered from other states by DPW.,

(26) Until the regulation 2600 will make sense, keep the existing regulation 2620 which produced a successful industry for the last 20 years.

(27) DPW not only does not want public meetings. It does not want to disseminate the proposed regulations to the public or stakeholders. There was only one female consumer who came to the subcommittee meeting. When she was asked about the proposed regulations, she answered "and how will I pay for all this".

(28) The department offers here all the proof that all prior answers to each question are phony!
Can you create this many policy and procedure manuals (24), new documentations (59), update it constantly resident by resident as changes occur, which is often daily from $680.00 per facility proposed by DPW, daily and forever. Then you require employees whose wages are an average of $6.00 to fill out all that paperwork , remember it, execute it as is written and not by their best judgment, in fact only by the book. For example, if it is written , bath them twice a week Monday and Thursday. They have an incontinent accident on Thursday afternoon. The dilemma is, should I wash them again or not, and you need then to change the entire documentation. You will call in the resident to sign a new agreement, their family, their representative, their advocate (if one exists) but you can't charge for it for 30 days. Then since this is a new agreement, they have 72 hours to rescind it. So should I wash all that shit now as I would do it instinctively or must I wait 72 hours since they have the right to rescind.
Only crazy people want to put every effort in writing since they do not trust there own mother (who raised 7 children and a husband and had no admission plan from admission to discharge). By the way in the subcommittee we have already created the assessment tool form, which is still a bureaucratic monstrosity but DPW rejected it and want me back on October 24th and I already object.

'CH staff or legal entity, no staff are present to supervise the PCH, and a condition that results in an inscheduled closure of the home and the relocation of the residents for more that one day of operation. The pre-admission screening tool and assessment forms will be developed with stakeholder input prior o the effective date of these regulations.

29) Please list any special provisions which have been developed to meet the particular needs of ffected groups or persons including, but not limited to, minorities, elderly, small businesses, and armers.

ll PCHs - The contract requirements have been expanded to further protect residents and families, ncluding a 72-hour right of rescission of the contract, a requirement to address a resident's service eeds 365 days a year, and a mandate to list the actual amount of allowable resident charges for each ervice or item.

Elderly – A facility that chooses to operate a secured unit for persons with dementia will be able to pen this type of special unit without having to submit a waiver for the Department's review and pproval. To operate a secured unit, a facility must comply with all regulations relating to secured units equirements.

Residents with Physical Disabilities - Residents with physical disabilities will have larger bedrooms to llow for easy passage and comfortable use of assistive devices.

30) What is the anticipated effective date of the regulation; the date by which compliance with the egulation will be required; and the date by which any required permits, licenses or other approvals must e obtained?

mmediately upon publication of a final rulemaking, except for § 2600.58 (a), (b), and (c) where ompliance will be extended to one year after the final rulemaking.

31) Provide the schedule for continual review of the regulation.

Regulations will undergo ongoing review during implementation and application. The Department will letermine revisions as appropriate.

(29) All the PCH industry needs is to address is the unfair SSI rates ($29.00 per day) not a word!
The resident has a right of rescission of the contract, but who admits them to the home is the hospital, doctor, family, or POA. Therefore, legally no one needs to pay since he or she does not want to be there which nullifies the contract. But according to the regulation 2600 you can't discharge them only if they won't pay. He doesn't want the contract, but will not move out, what then?
People do not go to a PCH because they choose to move there. The families can no longer be caregivers and they are who choose to move them. The right of rescission exists in the current regulation with a thirty day notice clause.
Or you can sign in and be admitted as a respite for the first 3 days. Why is this phony compulsion to change everything for the worse, without thinking.

Elderly - Please, please do not put me in a secured unit. Have you thought about what is a secured unit –
A prison for the elderly.
You will be admitted by a doctor, AAA, hospital, family or PCH. Why? No body wants to take care of you.
In 13 years of operating 3 large homes, never did we refuse to care for anyone. Bad Regulations!

Resident with physical disabilities - Most can exist in a smaller room therefore existing homes should be grand fathered. But 100 square feet is really nothing when you need to use a lift or wheel chair.

(30) It should be avoided since the current regulation is quite successful This enforcement of 2620 is not stringent enough on the SSI dominated homes.

(31) Think how bad is this regulations "undergo ongoing review", when the current regulation 2620 was revised only once in 20 years.

This study represents the cost as a consequence of regulation 2600.

The cost to the each resident would be $107,048.00 per year

The cost to the state would be $4.4 billon

This cost study was prepared using the following assumptions:

1 All cost was based on Easy Living Estates of Somerset.
A small rural town facility with about 30 residents

2 Salary and overhead
Administrator $45,000 + 32% for taxes, Workman's Comp., Unemployment, Etc. = $59,400.00 or $29.70 per hour
Average Labor $6.00 per hour + 32% = $7.92 per hour

3 Total staff 15 employees plus extra

"NO COST TO THE PUBLIC"

This was the statement made by Feather Houstoun, Secretary of Public Welfare, on page 12 of her letter.

There are 18 policy and procedure manuals and 59 separate documentations that are being required.
Along with the additional calculations that will be needed from the support plan for staffing requirements,
the DPW will have to double the inspectors for Personal Care Homes.
With approximately 64 inspectors statewide at an annual salary of $35,000.00 + 32% = $46,200.00

This would cost the State, per year **$2,956,800.00**

If the 2600 regulations are implemented, PCH homes will close.
This will force the state to transfer the residents to skilled nursing facilities.
May 2002 census of PCH Residents 53,926
53,926 x $227 per day x 365 days

This would cost the State, per year **$4,468,038,730.00**

The cost to implement 2600.181 (e), alone, will cause PCH homes to close.
This is as stupid and malicious as a regulation can get.
The intent of just this one regulation is to close the door on Personal Care Homes.
I am an administrator but I can't recall all what is required to meet the requirements for self-administration of medicine.
Therefore, most likely no PCH/AL resident can, that is why they consented to be a resident in the first place.
They will not qualify for residency, therefore they will need to be transferred to a skilled nursing facility,
at a cost to the state, because Personal Care Homes will be out of business.

As a consequence of the new regulation, no SSI resident will be accepted at PCH/AL facilities.
The state pays $29.00 per day, the fair SSI rate should be $51.98.

Current SSI Population in State	10,529.00
Nursing home Daily rate	$227.00

10529.00 x $227.00 x 365 days

This would cost the State, per year **$872,380,295.00**

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.20 (b) (7)	To take resident to the bank once a month		$3,654.00		
	Mileage 15 miles x .30 = $4.50				
	Administrator Labor 1 Hour $29.70				
	$29.70 x 10 residents x 12 months				
2600.20 (b) (10)	To write and obtain signature at death	$59.40			
	Administrator Labor 2 hours x $29.70				
2600.23 (2)	At hire and weekly		$23,166.00		
	15 positions				
	Administrator Labor 1 hour $29.70				
	15 x 29.70 x 52				
2600.24 (1)	Securing Transportation	$7.42			
	Administrator Labor 15 minutes				
2600.24 (2)	Shopping	$34.20			
	Administrator Labor 1 hour $29.70				
	Mileage 15 miles x .30 = $4.50				
2600.24 (3)	Making Appointment	$7.42			
	Administrator Labor 15 minutes				
	Keeping appointment	$34.20			
	Administrator Labor 1 hour $29.70				
	Mileage 15 miles x .30 = $4.50				
2600.24 (6)	Correspondence	$9.90			
	Administrator Labor 20 minutes				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.25	Personal Hygiene		$21,681.00		
	Time needed to document				
	Direct Care Staff 15 min/day/resident				
	Staff wage $7.92				
	$1.98 x 365 x 30 residents				
2600.26	Resident Contract	$29.70			
	to Explain	once per contract			
	Admission Director Labor 30 Minutes				
	Witness Administrator 30 minutes				
2600.26 (a)	If the resident agrees	$14.85			
	Admission Director Labor 30 minutes	once per contract			
2600.26 (a) (3 & 4)	Itemize Charges	$59.40			
	Admission Director Labor 2 hours	once per contract	each occurrence		
2600.26 (a) (6)	Detailed Refund Policy	$7.42			
	Admission Director Labor 15 minutes	once per contract			
2600.26(a) (10)	30 day advance letter		$325,215.00		
	Administrator labor 1 hour $29.70				
	This can change daily				
	$29.70 x 365 x 30 residents				
2600.26 (a) (11)	List of Services		$162,607.50		
	Admission Director Labor 30 minutes				
	This can change daily				
	$14.85 x 365 x 30 residents				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.26 (a) (12)	Any Additional Services		$325,215.00		
	This is to detailed "any"				
	Manager 30 minutes				
	Admission Director 30 minutes				
	$29.70 x 365 x 30				
2600.26 (d)	Extra person for Saturday, Sunday, Holiday		$6,969.60		
	Sat & Sun 104 days x 8 hours = 832 hours				
	Holiday 6 days x 8 hours = 48 hours				
	880 hours x $7.92 = $6969.60 yearly				
2600.27 (a)	Quality Assessment & Management plan		$3,029.40		
	Manager Labor 30 minutes				
	Administrator Labor 1 hour				
	Manager x employees x months				
	$14.85 x 15 x 12 = $2673.00				
	Administrator x months				
	$29.70 x 12 = $356.40				
2600.27 (b) 5	Family council		$712.80		
	Manager 1 hour per month				
	$29.70 x 12				
	Administrator 1 hour per month				
	$29.70 x 12				
	Resident council		$712.80		
	Manager 1 hour per month				
	$29.70 x 12				
	Administrator 1 hour per month				
	$29.70 x 12				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.31 (a)	Family, advocate Notice	$89.10			
	Admission Director 3 hours	once per resident			
2600.31 (b)	"in a language"	$89.10			
	Interpreter 1 hour $29.70	once per resident			
	Admission Director 1 hour $29.70				
	Manager 1 Hour $29.70				
2600.31 (d)	Signed Statement of rights	$29.70			
	Manager or Admission director 1 hour	once per resident			
2600.31 (g)	Complaint decision		$92,664.00		
	Administrator and Manager 1 hour				
	per resident per week				
	$59.40 x 30 x 52				
2600.32 (v)	Resident Right		$37,315.20		
	Contracted services				
	Administrator 8 hours per week				
	$29.70 x 8 x 52 = $12355.20				
	Lawyer 8 hours per week				
	$60.00 x 8 x 52 = $24960.00				
2600.32 (w)	Resident right to appeal		$1,544.40		
	Administrator 1 hour per week				
	$29.70 x 52				
2600.31 (x)	Bonding each employee		$3,750.00		
	15 employees				
2600.53 (a) (2)	Associate Degree		$3,000.00		
	Additonal Salary				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.53 (d)	Administrator's responsibility		$7,000.00		$7,000.00
	Liability Insurance premium				
2600.54 (2)	Have a high school diploma or GED		$15,000.00		
	.50 per hour per employee per year				
	.50 x 2000 hours in a year x 15 employees				
2600.56 (a)	"each" mobile resident 50% cost of wages		$53,385.27		
	half needs less than 1 hour				
	half needs more than 1 hour				
	$80,886.78 (yearly wage cost) x 32% (cost				
	of taxes, Unemployment, etc) / 50%				
2600.56 (a)	immobile "special needs"		$53,385.27		
	50% cost of wages				
2600.56 (c)	Administrator designee		$138,600.00		
	7 days x 24 hour at $40,000/year				
	4.2 designee at $25,000/year				
	overhead 32% = $33,600.00				
2600.57 (b)	Administrator Training		$26,000.00		
	additional salary for administrator				
	additional salary for 4.2 designee				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.57 (e)	Administrator 24 hours annual training		$16,251.84		
	18 hours additional				
	9-2 hour clases (including travel) = 36 hours				
	total 54 hours x $29.70 = $1603.80				
	Replacement administrator				
	32 hours x $29.70 = $950.40				
	Administrator designee				
	same training as administrator				
	4.2 x $2554.20				
	Cost of Class				
	Administrator 18 hours x $25.00 = $450.00				
	Designees 4.2 x 24 hours x $25.00 =$2520.00				
2600.57 (e) (1)	CPR & First Aid		$183.50		
	3 hour class + 2 hours travel = 5 hours				
	5 hours x $29.70 = $148.50				
	Cost of Class = $35.00				
2600.58 (a)	Prior to working with residents		$9,937.62		
	1 30 minutes				
	(I) 30 minutes				
	(ii) 15 minutes				
	(iii) 10 minutes				
	(iv) 10 minutes				
	(v) 30 minutes				
	(vi) 45 minutes				
	(vii) 5 minutes				
	2 15 minutes				
	3 10 minutes				
	4 15 minutes				
	5 30 minutes				
	total 21 hours				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
	21 hours x 56 employee = 1176 hours 1176 hours x $7.92 = $9313.92 Administrator 21 hours x $29.70 = $623.70				
2600.58 (c)	Training		**$10,644.48**		
	24 hours x $7.92 = $190.08 $190.08 x 56 employees = $10,644.48				
2600.58 (e)	24 hours annual training		**$8,553.60**		
	24 hours x 30 employees x 720 hours Wages $7.92 + overtime $3.96 = $11.88 $11.88 x 720 = $8553.60				
2600.59	Staff Training Plan		**$1,722.60**		
	1 3 hours 2 5 hours 3 2 hours 4 8 hours 58 hours total by administrator 58 hours $29.70 = $1722.6o				
2600.60	Individual staff training plan		**$712.80**		
	4 hours 1 2 hours 2 16 hours 3 2 hours 24 hours by administrator 24 x $29.70 = $712.80				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.85 (d)	Trash - covered		$86,724.00		
	1 hour per room per day = 30 hours labor $7.92 per hour = $237.60 $237.60 x 365 days = $86,724.00				
2600.89	Water		$475.20		
	$150 each 3 months + labor Test and Delivery = 4 hours each time $150.00 x 4 = $600.00 per year 16 hours x $29.70 = $475.20				
2600.90	Communication System		$1,200.00		
	$100.00 month x 12 months				
2600.98 (c)	Indoor Activity space		$28,416.96		
	24 hours per week 24 x $7.92 employee = $190.08 12 x $29.70 administrator = $356.40 $546.48 x 52 weeks = $28,416.96				
2600.101 (l)	Resident's Privacy - curtains around beds	$15,000.00			
	$500.00 per room x 30				
2600.101 (k) (1)	Bed description	$6,000.00			
	$200.00 per bed x 30				
2600.101 (r)	Lift chair as a comfortable chair	$75,500.00			
	$2500.00 x 30				
2600.102 (g)	Bathrooms - toiletry items for everyone	$3,000.00			
	$100.00 x 30 residents				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.102 (j)	Toiletry and linens	$450.00			
	$15.00 x 30 residents				
2600.103 (b)	Sanitzed after each meal		$26,017.20		
	3 hours per meal = 9 hours per day				
	9 $ $7.92 = $71.28 per day				
	$71.28 x 365 days = $26,017.20				
2600.103 (e)	Food labeled and rotated		$823.68		
	2 hours per week				
	2 x $7.92 x 52 weeks = $823.68				
2600.105 (g)	Laundry - lint removal		$17,344.80		
	15 minutes x 24 hours x 365 days = 2190 hours				
	2190 hours x $7.92 = $17344.80				
2600.107 (b)	Written emergency procedures - annually		$437.60		
	8 hours x $29.70 administrator = $237.60				
	Saftey inspector $200.00 per year				
2600.126	Furnace inspection		$200.00		
2600.130 (f)	Written record smoke detectors / alarms		$5,400.00		
	$450.00 per month				
2600.130 (i)	Fire alarm system for 5 immobile	$6,000.00			
	new panel cost				
2600.142 (a)	resident support plan		$10,692.00		
	1 hour x 30 residents x $29.70 administrator				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.142 (b)	Train resident about needs				
	1 hour x 30 residents x $29.70 administrator	**$891.00**			
2600.161 (f)	Therapeutic diets		**$34,689.60**		
	This will double cost of kitchen				
	12 hours per day x $7.92 x 365 days				
2600.161 (g)	Drink every 2 hours		**$45,990.00**		
	Cost of beverage .35 x every 2hours x				
	30 residents x 365 days				
2600.163 (d)	Staff with infected wound, etc.		**$2,468.96**		
	Will raise kitchen cost 10%				
	12 hours x $7.92 x 365 days / 10%				
2600.181 (e)	Resident must know medication		**$874,177.92**		
	4.2 RN's x 24 hours a day x $23.76 X 365				
2600.181 (e)	53,926 x $227 per day x 365 days			**$4,468,038,730.00**	
	Cost to state if all PCH homes close				
	See comment at the end.				
2600.182 (a)	Medication Storage - original container		**$8,672.40**		
	1 hour x 3 times a day x 365 days				
	$7.92 x 3 x 365 = $8672.40				
2600.184 (b) 1	Documentation		**$13,008.60**		
	1.5 hours x 3 times a day x 365 days				
	$76.92 x 1.5 x 3 x 365 = $13,008.60				
2600.201 (b)	Quality Improvement program		**$46,332.00**		
	Administrator				
	1 hour x $29.70 x 30 residents x 52 weeks				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.223	Description of services		$650,430.00		
	Administrator 2 hours per resident per day 2 x $29.70 x 30 x 365				
2600.225 (d) (3&4)	Assessment - Hospital Discharge / Agency		$5,346.00		
	Administrator 1 hour x 6 times per year $29.70 x 6 x 30 residents				
2600.226	Development of support plan				
	Cost was addressed in 2600.223				
	Total Cost	**Each Time Cost** **$107,312.81** **varies**	**Yearly Cost Average facility** **$3,211,460.60**	**Cost to State** **$4,468,038,730.00**	**Additional Insurance** **$7,000.00**

At an average facility, the present private pay is $55.28 per day or $20,177.00 per year.
This new regulation as proposed will cost $107,048.00 per year per resident or $293.28 per day.
Plus the items listed as "each time"
Currently Personal Care Homes, cost to the public is 1/2 the amount of Nursing Homes.
With this new regulation 2600, Personal Care Homes will cost twice as much.

10/18/01 Original: 2294

Dear Sirs,

I am a resident here in Colonial Garden Nursing Home and I have heard that you are considering closing our home down or putting strict regulations about our home that will prevent our freedom here.

I enjoy living here and if we are hampered about doing things we want to it would put a burden of it on us. Please consider how we feel about our being here and don't make these new regulations.

Sincerely yours,
Lenard J. Cohen

Original: 2294

14-475 (L41)

October 18, 2002

To Whom it may concern:

It has come to my attention that the regulations for Personal care homes and Assisted Living Homes may be changing. While I agree some changes are necessary,I am concerned about the low income people who call these places home. Where will they go? How will the system benefit them? Higher quality care will push them out of their home. Higher paid professionals, RN's ,LPN'S on duty at these homes will not only burden the owners and the residents with higher costs. Cost which I feel is unnecessary, these people do not require skilled care. I have been employed in a few of these homes for 12 years. The In-services and staff meetings are adequate to meet the residents needs. The residents in these homes need minimal assistance and take their own medication with the assistance of conscientious caring people. My fear is the residents will fall through the cracks, they don't require the skilled care of a nursing home, yet they may not be able to afford a Personal Care or Assisted Living Home. I ask again , Where will they go, what is the plan for the low income residents who reside in these homes, If these regulations are passed? All these residents need to keep their independence is a little assistance, a helping hand, not more burdens to overcome.

Sincerely,

Mary kay Wolkiewicz

Mary Kay Wolkiewicz

Evergreen Staff

#14-475 (28)

Original: 2294

Ms. Teleta Nevius, Director
Department of Public Welfare,
Office of Licensing & Regulatory Management
Room 316 Health & Welfare Building
PO Box 2675
Harrisburg, PA 17120

10/18/02

Dear Ms. Nevius

This letter provides formal public comment to the Chapter 2600 Personal Care Home Regulations published in the 10/4/02 edition of the Pennsylvania Bulletin. As a Personal Care Home employee, I am extremely concerned that these proposed regulations will seriously impact my employment options in Personal Care, and increase my personal liability in the care that is given. The proposed regulations will require far too much from PCH providers and turn our homes into facilities, not residential living.

- I am concerned first of all by the definition of abuse that is in the regulations. Item (i) does not consider actual intent by the employee to harm. This definition of abuse is based largely by how the resident responds. Thus if a resident FEELS like he was talked to inappropriately by staff, he can claim abuse very easily. And if a resident doesn't receive certain services, the Home will need to demonstrate that they did everything they could, no matter how burdensome, or possibly be accused of neglect (item v). Of course I am not trying to minimize the seriousness of resident abuse. However, we as employees- especially those in mental health environments- have rights and need protection too.
- Administrator qualification requirements (2600.57) and Direct care staff training has also significantly increased (2600.58-60). This is excessive in a residential living environment. PCH's are not skilled care as are nursing homes. DPW's implication is that our PCH, and myself as well, is not currently qualified to care for our residents adequately. I disagree.
- PCH providers, and also the staff, will be required to assume greater responsibility because of statutes in 2600.226 that make the Home responsible for developing Support Plans that document all the resident's needs, and how they are met. The regulations (2600.41) also require that the Home be the primary source of assistance in obtaining clothing, transportation, rehab, health and dental care. These tasks are now considered "resident rights" which places a very high legal responsibility upon me as a PCH worker. Personal care jobs are not very high paying, and they definitely will not compensate me adequately to take on this new liability.
- The proposed regulations (2600.228) do not give adequate ability to remove unsuitable residents from the home. Someone may not be a physical "danger" in the home, but because of their behavior, they may be extremely offensive or disruptive. It simply is not fair to make all the other residents suffer in order to let one person have his way. And as a staff person, I can say that the behavior of residents plays a big part in the quality of my working environment. If PCH's are forced to provide housing to people who are not willing to comply with House rules, many of us would probably need to seek employment outside this field.
- Finally, when detailing the costs of the new regs to the private and public sectors, there is no mention of the resulting manpower cost to the PCH for developing these home specific programs, procedures, Support Plans and other documents. There is no mention of the additional staff that will be required to maintain the programs, record keeping, or extra staff to do personal care that is not direct care. There is no consideration for the cost of removing administrators and staff from the home for additional training.

These regulations do not serve the short and long term needs of the Commonwealth. Public hearings should be held, and the draft again re-evaluated and revised to protect our interests.

Sincerely,

Pat Weaver
722 Baumgardner Rd.
Lancaster, PA 17603

Ms Teleta Nevius, Director
Dept. of Public Welfare,
Office of Licensing + Regulatory Mgmt.
Room 316 Health + Welfare Building
PO Box 2675
Harrisburg, PA 17120

17105-2675

Original: 2294

1/8/02

14-475 (746)

TO HOMECONSERend

I HAVE LIVED HERE FOR TWO YEARS I WAS NOT SURE WHEN I FRIST COME BUT I KNOW ~~NOW~~ NOW IT WAS THE BEST FOR ME. PLEAS DONT TAKE MY HOME FROM ME I DONT HAVE ANY PLACE TO GO. PLEEA CONSIDERHEE THE VET THAT SERVE THEIRE CONTRY AND SIR I KNOW YOU DONT WANT SOME ONE TO TELL YOU TO GET OUT OF YOU HOME THIS IS MY HOME AND I DONT HAVE ANY WERE TO GO SO PLEASE DONT TAKE MY HOME AWAY ME

A CONCERN

VET

Warner Salter

Original: 2294

14-475 (755)

10/18/07

Dear Sir

Please do not change my living conditions here for me. I have to live my last days here because the other rooming house makes me nervous. They gave me three other choices of rooming houses to choice from and I cant live at those rooming houses. If you close this rooming house I dont know what I am going to do about my nerves. I cant live in Pittsburgh any more because things are changes. Thank you for your kindness dear Sir

Thomas E. Rafter

Colonial Gardens.

#14-475
741

Original: 2294

2002 NOV 15 PM 3:08
REVIEW COMMISSION

October 18, 2002

Teleta Nevius, Director
Department of Public Welfare
Room 316 Health & Welfare Building
P.O. Box 2675
Harrisburg, PA 17120

Dear Teleta Nevius,

I am not in the habit of writing or calling members of the state or local government but at this time I feel compelled to do so by personal need. I have a relative in what is termed a Personal Care Home. These homes provide a steady controlled environment and supervised care for my relative who, though not critically ill, does need a small amount of help and supervision to accomplish some tasks that they used to be able to perform for themselves.

I was recently informed that some new pending regulations could put this care beyond my reach financially. And possibly lead to the closure of many such facilities in my local area. What I have discovered is that some people have thought that by increasing the amount and type of staff that personal care homes have, they could better help the residents. They seemed to have forgotten that the extra help will cost extra money, enough money that my family will not be left with a care option that meets our needs and our budget. The cost to our family will double or even triple!

I am hoping this letter will enlighten you to the proposed changes and you will do your part to keep personal care homes an affordable and readily available option for families that want to be able to frequently visit loved ones who need a little extra help as they mature.

Sincerely Yours,

Margaret Smith

RECEIVED
NOV 12
OFFICE OF LICENSING
REGULATORY MANAGEMENT

14-475 (757)

Original: 2294

10/18/02

Dear Sirs,

I don't think getting Colonial Gardens out of availability to live here; should be.

My name is Peter J. Di Prospero and I am a veteran of Vietnam Nam Era. I have no place to live. I have a disease that will kill me from the army.

Colonial gardens is a Great Place to live. I hope you don't put us out of business.

Take you

Peter J. Di Prospero

Original: 2294

10/18/02

14-475 (747)

I would NOT LiKE OUR
Rigts FARTHER ENFRINGED
~~Ope~~ APON BY STATE REGULATION

Raymond C Mickler

Original: 2294
10/18/02

14-475 (756)

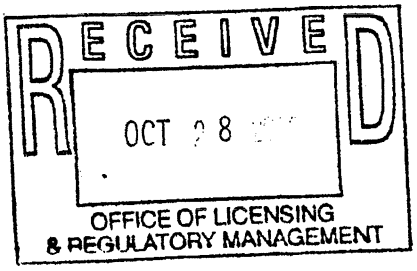
nursing home and like it to
Paul meters recived you home
and was glad to hear at the
nursing home and I sure like
the nurse home and the place at
the ~~[illegible]~~ ter place in the nursing
home and would like to be at the
farm more again at home and
would like be home again at
the west Sam Place gain home and
be home gain

Paul meters un~~[illegible]~~

#14-475 (100)

Original: 2294

October 18, 2002



Teleta Nevius, Director
Department of Public Welfare
Room 316 Health & Welfare Building
P.O. Box 2675
Harrisburg, PA 17120

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I am hoping this letter will enlighten you to the proposed changes and you will do your part to keep personal care homes an affordable and readily available option for families that want to be able to frequently visit loved ones who need a little extra help as they mature.

Sincerely Yours,

#14-475 (33)

Original; 2294

October 18, 2002

Dear Teleta Nevius:

I am a 83 year old female who is not in the habit of writing to members of state goverment, but feel compelled to do so at this time.

I currently reside in a small personal care home licensed for eight people, which I chose on my own for recovery after my recent shoulder surgery and would like to add that I am very pleased with my selection of a home. However, during my stay I have learned of a situation that is of great concern to me.

It is my understanding that new guidelines regarding the personal care industry are in the process of being changed and could possibly shut down the majority of small personal care homes.

As a senior citizen do we not have enough stumbling blocks to overcome, with Health Insurance-Rising Prescription cost etc, without now having to worry that when and should we decide to enter into a personal care home setting permanently, that it may not be there for us to do so.

The elimination of small personal care homes would lead to the institutional and sterile type setting that in past years have made so many of us shudder when we heard the words "PERSONAL CARE".

I did not grow old to have my ability to make decisions and choices for myself taken away, therefore, I urge you to stop this over-regulation of an important part of our health care system which allows friends and family to know that loved ones are properly cared for in the home of their choice.

Respectfully Submitted:

Mildred McKee

Mrs. Mildred McKee
Former Secretary of Blairsville
School Board, Indiana County, Pa.

14-475 (758)

Original: 2294
10/18/02

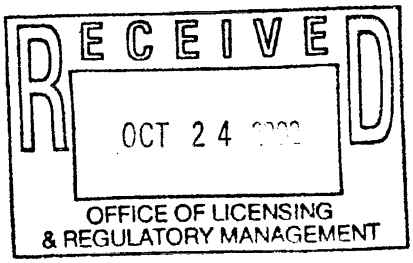
This is Marty
I think Lyn Runs a
very good home here
she works very hard what
do you expect from
her I would like to
see someon do a
better Job than Lyn
so the taking over the
home stuff got to
a wit

Signed Marty
McLinder
Colonial gardens

#14-475 (26)

Original: 2294

Ms. Teleta Nevius, Director
Department of Public Welfare,
Office of Licensing & Regulatory Management
Room 316 Health & Welfare Building
PO Box 2675
Harrisburg, PA 17120



10/18/02

Dear Ms. Nevius

This letter provides formal public comment to the Chapter 2600 Personal Care Home Regulations published in the 10/4/02 edition of the Pennsylvania Bulletin. As a Personal Care Home employee, I am extremely concerned that these proposed regulations will seriously impact my employment options in Personal Care, and increase my personal liability in the care that is given. The proposed regulations will require far too much from PCH providers and turn our homes into facilities, not residential living.

- I am concerned first of all by the definition of abuse that is in the regulations. Item (i) does not consider actual intent by the employee to harm. This definition of abuse is based largely by how the resident responds. Thus if a resident FEELS like he was talked to inappropriately by staff, he can claim abuse very easily. And if a resident doesn't receive certain services, the Home will need to demonstrate that they did everything they could, no matter how burdensome, or possibly be accused of neglect (item v). Of course I am not trying to minimize the seriousness of resident abuse. However, we as employees- especially those in mental health environments- have rights and need protection too.
- Administrator qualification requirements (2600.57) and Direct care staff training has also significantly increased (2600.58-60). This is excessive in a residential living environment. PCH's are not skilled care as are nursing homes. DPW's implication is that our PCH, and myself as well, is not currently qualified to care for our residents adequately. I disagree.
- PCH providers, and also the staff, will be required to assume greater responsibility because of statutes in 2600.226 that make the Home responsible for developing Support Plans that document all the resident's needs, and how they are met. The regulations (2600.41) also require that the Home be the primary source of assistance in obtaining clothing, transportation, rehab, health and dental care. These tasks are now considered "resident rights" which places a very high legal responsibility upon me as a PCH worker. Personal care jobs are not very high paying, and they definitely will not compensate me adequately to take on this new liability.
- The proposed regulations (2600.228) do not give adequate ability to remove unsuitable residents from the home. Someone may not be a physical "danger" in the home, but because of their behavior, they may be extremely offensive or disruptive. It simply is not fair to make all the other residents suffer in order to let one person have his way. And as a staff person, I can say that the behavior of residents plays a big part in the quality of my working environment. If PCH's are forced to provide housing to people who are not willing to comply with House rules, many of us would probably need to seek employment outside this field.
- Finally, when detailing the costs of the new regs to the private and public sectors, there is no mention of the resulting manpower cost to the PCH for developing these home specific programs, procedures, Support Plans and other documents. There is no mention of the additional staff that will be required to maintain the programs, record keeping, or extra staff to do personal care that is not direct care. There is no consideration for the cost of removing administrators and staff from the home for additional training.

These regulations do not serve the short and long term needs of the Commonwealth. Public hearings should be held, and the draft again re-evaluated and revised to protect our interests.

Sincerely, Nancy Lookingbill

#14-475 (19)

Original: 2294

Ms. Teleta Nevius, Director
Department of Public Welfare,
Office of Licensing & Regulatory Management
Room 316 Health & Welfare Building
PO Box 2675
Harrisburg, PA 17120

Dear Ms. Nevius

10/18/02

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These regulations do not serve the short and long term needs of the Commonwealth. Public hearings should be held, and the draft again re-evaluated and revised to protect our interests.

Sincerely,

Cheri Long

Original: 2294

14-475 (753)

Oct. 18, 2002

Dear Sir,

With reference to the closing of the Personal Care Home due to regulations that Place it beyond the income of the men and women involved; We are Poor beyond Concept; are too old to work; cannot take care of our selves; and cannot due the things that ordinary flesh is heir to do. If we could we wouldn't be here. The increase in Price would make us beggars in the street. Some of us have been institutionalize all our lives, having been afflicted by the dread desease of Schizophrenia. Others have been here for knowing where they are at. Please reconsider your "Bill of Regulations" which would Put most of us out in the street.

Yours Truly
Herbert P. Remy
Colonial Gardens

Original: 2294
10/18/07

14-475 (754)

Dear Sirs,

I am a resident here in Colonial Garden Nursing Home and I have heard that you are considering closing our home down or putting strict regulations about our home that will prevent our freedom here.

I enjoy living here and if we are hampered about doing things we want to it would put a burden of it on us. Please consider how we feel about our being here and don't make these new regulations.

Sincerely yours,
Lenard J. Cohen

#14-475 (4)

Original: 2094

CORPORATE OFFICE
One Corporate Drive
Hunker, PA 15639
724-755-1070
Fax 724-755-1072

SOMERSET
138 East Main Street
Somerset, PA 15501
814-445-9718
Fax 814-445-2999

LIGONIER
R.D. #4, Box 107
Ligonier, PA 15658
724-593-7720
Fax 724-593-7720

NEW STANTON
One Easy Living Drive
Hunker, PA 15639
724-925-1159
Fax 724-755-0615

LAKESIDE
Lakefront Resort Community
724-755-1070
Adjacent New Stanton

Easy Living
ESTATES AND MANAGEMENT CORPORATION
PERSONAL CARE & ASSISTED LIVING

October 18, 2002

Dear Director Teleta Nevius:

My name is Istvan (Steve) Upor, I am 72 years old, an engineer and an architect who got interested and concerned about the process of aging and the life saving opportunities that Personal Care can provide.

I am an author of engineering design text books, a professor of two European Universities (Budapest and Rome), and I owned or managed more than 20 companies in different fields. I have provided job opportunities to hundreds.

The above experience and 15 years as an administrator in the Personal Care field, forced me to write about Personal Care under the title; "Issues of Aging, Up Close & Personal".

I have served on each of the subcommittees of the Secretary of the Department of Public Welfare's Personal Care Home Advisory panel which were created in regards to the new regulations. I have spent my own money to attend and to serve in the interest of aging with a perfect attendance record.

Therefore, I can personally attest that every point discussed and agreed in the subcommittees where understood, agreed and promised to be incorporated in the 2600 regulations by DPW, but they were not. None!!! Zilch!!!!

I am alarmed and disgusted that so much effort was completely and totally ignored by the Department of Public Welfare. What are the motives of the DPW? That is what I question. They not only ignored all agreement but were not willing to publish the changes until the submittal to the Pa Bulletin on October 5th. When finally it was published, it was expanded to double the pages, that were difficult to download from the website. When the NAPCHAA President wanted to make copies and distribute it to their membership, Teleta Nevius of the DPW office of Licensing and Management, requested that he does not distribute them.

All of the serious changes were crammed in at end of the regulation, when you are too tired and confused to analyze them:

2600.226	Support Plan
2600.224	Description of services
2600.201	Safe Management Techniques
2600.181	Self-Administration

I am concerned that this regulation has not offered any solution on how to strengthen enforcement. This was the reason for the Auditor General's report regarding the DPW's lack of enforcement which prompted these unnecessary changes in the first place. The new regulations will require far more inspections, but the DPW proposes far less inspections.

Regulation 2600 will change the meaning and character of personal care which is the only alternative to nursing homes. The cost will raise to such extent that the elderly will not be able to afford personal care. It's cost is equal or in excess of nursing homes. Therefore, it will eliminate almost all but 196 out of 1776. Only, maybe, those who are more than 100 bed capacity may remain.

That is the reason for my submission to you of my cost study for the proposed 2600 regulations. Which I will be willing to explain, prove or defend to anyone, anywhere, anytime!

Sincerely,

Istvan (Steve) Upor

Regulatory Analysis Form

This space for use by IRRC

(1) Agency

Department of Public Welfare

(2) I.D. Number (Governor's Office Use)

IRRC Number:

(3) Short Title

Personal Care Homes

(4) PA Code Cite

55 PA Code Chapters 2600 and 2620

(5) Agency Contacts & Telephone Numbers

Primary Contact: Teleta Nevius 717-705-0383

Secondary Contact: Ellen Whitesell 717-705-0388

(6) Type of Rulemaking (check one)

- [x] Proposed Rulemaking
- [ ] Final Order Adopting Regulation
- [ ] Final Order, Proposed Rulemaking Omitted

(7) Is a 120-Day Emergency Certification Attached?

- [x] No
- [ ] Yes: By the Attorney General
- [ ] Yes: By the Governor

(8) Briefly explain the regulation in clear and nontechnical language.

(1). These proposed regulations establish requirements to protect the health, safety and well-being of adults who receive services in personal care homes in Pennsylvania.

(2). The Department's intent is to update the current regulations which have not been revised for 11 years, by strengthening health and safety requirements of residents based on public input and research. The Department seeks to provide an appropriate balance between regulatory requirements and the need for life safety protection of the residents in personal care homes.

(9) State the statutory authority for the regulation and any relevant state or federal court decisions.

Section 211 and Articles IX and X of the Public Welfare Code (62 P. S. § 211, §§ 901-922 and §§ 1001-1087)

(8) (1) Statement without Merit
Feather Houstoun, Secretary of Public Welfare's letter to the Honorable Vincent J. Hughes, PA State Senator, of September 23, 2002,
"The Personal Care Industry has experienced tremendous growth."
It would not have experienced tremendous growth, if the reputation of Personal Care Homes was not that they already "protect the health, safety and well-being of adults" under the current 2620 regulations. Even though the number of elderly is declining until 2005, there was no growth in SSI residents, only Private Pay residents.

(8) (2) Untrue statement
The 950 public comments and input and recommendations of the PCH Advisory Committee and Sub committees were ignored. That is why we recommend not to adopt it!
The Department seeks to upset the current balance and to eliminate PCH/AL by making the regulations even more stringent than Nursing Home regulations and to raise the resident's cost accordingly.

10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, ite the specific law, case or regulation, and any deadlines for action

o.

1) Explain the compelling public interest that justifies the regulation. What is the problem it ldresses?

e personal care home industry has had a tremendous growth since the promulgation of the original gulations 20 years ago. The changing character of personal care residents and the complexity of their eds require updated standards.

2) State the public health, safety, environmental or general welfare risks associated with non-gulation.

ithout minimum health and safety standards, this vulnerable population would not be protected. l 50 states have regulations to protect the health, safety and welfare of residents served in personal e home facilities. However, not all facilities are referred as Personal Care Homes The majority of states refer to them as Assisted Living Facilities, which is the current terminology used by the lustry

) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible l approximate the number of people who will benefit.)

e current legal capacity of approximately 80,000 residents in personal care homes statewide, will e caretakers who are better trained to meet and provide their health and safety needs.

(10) Speaks for itself

(11) The regulation originates from 1981
It was Updated in 1991
Added Subsection 2620.24a 1993
Re-published 2000
Interpretive guideline never updated 1992
Since there is no compelling public interest, when there were 950 objections against and nothing for it . We have served on all of the sub committees and attended all the Advisory Panel meetings that was open to the public. How has the character of a 85 year old person changed in the last 10 years?

(12) Untrue
We have current standards which protect the elderly.
The cost of these new standards needs to be justified.
To insinuate that all 50 states has standards but PA does not, is not true. Most states do not regulate Assisted Living. Pennsylvania only recently and they where put under the same standards that were adopted for Personal Care Homes, even though Assisted Living is the terminology used for the less frail housing facilities.

(13) Not one person will benefit
As a start, SSI residents (10,529) will be displaced since the current daily reimbursement from the state is less than half compared to the 1998 study conducted by the Personal Care Home Advisory Committee for the Department of Public Welfare or the study by the Center for Health Policy Commission by the DPW. And for the 53,926 Private Pay cost will go up $107,048.00 per person per year. DPW will benefit since they can regulate from the office desk. They have added all the reports and paper work for the administrators but have eliminated yearly inspections. Inspections will now be every two years for 75% of the homes and every 3 years for 25%.
The PCH is an industry that delivers household care, any medical care is by a home health agency. The agencies employ registered nurses. To what level do you want to train employees who are paid $6.00 per hour. The retention of employees is our preeminent aim. What they need is experience, not classroom education. The average retention in healthcare is less than a year. We had in one year 56 employees for 15 positions.
It would have helped if anyone at the DPW/OLM would ever have worked in a Personal Care Home as an aide.

Regulatory Analysis Form

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

Once the new regulations are promulgated, newly hired or promoted staff will be required to meet enhanced staff qualifications

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

The Department's January 2002 statistical report shows that there are approximately 1,786 Personal Care Homes with a bed capacity of 79,929 in the Commonwealth.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved if applicable.

The Department has maintained statewide open communications with PCH providers, consumers and their family members, PCH consumer advocates, advocates for the elderly and for persons with disabilities, large and small provider organizations, consumer organizations, the PCH Advisory Committee, legislative staff, the Division of Personal Care Home staff, and other interested parties. (See attached list). The Department convened a briefing February 2001 to discuss the regulations project. In April 2001, the Department posted an early version of the regulations on the DPW web site and mailed letters to providers informing them how to access the document. Copies of the regulations were mailed upon request to those without Internet access and to all PCH stakeholders. Copies were also forwarded to legislators for their constituents requesting copies. The Department sponsored a 3-day conference in May 2001 for these groups to review an early version of the regulations, and to provide comments and suggestions in developing regulations that reflect current nationwide industry trends and needs in protecting the health, safety, and welfare of PCH residents. The Department mailed all meeting participants the notes from the meeting, and also provided an additional 2 weeks for interested persons to provide comments. The Department has received over 950 comments and suggestions, and encourages comments on an ongoing basis. In March 2002, the Department posted the PCH Preview on the DPW web site and notified all stakeholders in writing about how to access the document. The Department has reviewed and considered all comments and suggestions while drafting the proposed regulations. The Department continues to meet with PCH stakeholders to visit facilities across the state, and to conduct public forums to present and discuss the drafting of the proposed regulations. Please refer to Attachment #1 for a list of stakeholders.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

The total cost to each licensed personal care home related to the sections listed below is estimated to be $680:
2600.16, 2600.23, 2600.27, 2600.59, 2600.60, 2600.107, 2600.201, 2600.29, 2600.57e, & 2600.126.
This cost is associated with the requirement that the PCH's have printed policy and procedure manuals ($14), obtain 18 additional Continuing Education Credits per year ($266), refund the resident's personal needs allowance when discharged ($300) and obtain a yearly furnace inspection ($100).

(14) 720 small operators can't afford the cost of Administrator, registered nurse, training of labor for employees prior to working with the residents.
1056 Medium to large operators can't afford the cost the same' as for small operators. It is insane the amount of paperwork, liability insurance and separate documentation for each resident.
The state will pay for the displaced SSI resident $872,380,295.00
The state will pay for the Private self pay resident at a nursing home $4.4 billon – less what the resident will have to contribute.

(15) Plus 2.8 children and their children who will have to send each month a 5 fold check to cover the increased cost and kiss good-bye any inheritance. The state and the legislature now will have to come up with the cash.

(16) I am a 72 year old gentleman, since it will affect me personally and professionally, I was at each advisory committee meeting and participated in each subcommittee. All my facilities were visited by Teleta Nevius and Ellen Whitesell and we had a lovely lunch.
I swear under penalty of law, that through this process they promised to all that they will incorporate all suggestions, which they have not done. Not one iota. We all were deceived and the DPW has pushed through their singular will!!!!!!!
The department states; "received over 950 comments and suggestions". What they have not said is that all were against the regulation changes. They state; "reviewed and considered all comments". Apparently they rejected all since they were nowhere incorporated. In early summer we submitted a detailed written comment, item by item, through WCPCHAA which was totally and completely ignored among the 950 comments.

(17) As presented, this is a fraud. It is evident that the cost will vary by the number of residents that each facility serves.
See my calculations which show a cost per each resident of $107,048.00 per year as opposed to DPW's $680.00 per facility.
The cost to the state of PA will be 4.4 billon since PCH will seize to exist and will be replaced by junior nursing homes.

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

None.

(18) Fire department, emergency management
(but that is necessary)

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required.

There is no additional cost for state government.

(19) 4.4 Billion
See my detailed submittal.
DPW to require; 24 Policy and Procedure manuals at each inspection, 59 Documentations, intermittently and at each inspection for 1800 facilities.
It is ridiculous when the problem is with less than 1% of PCH. The DPW will require this much paperwork from 99% who already fare excellent. Then to achieve compliance, the DPW cancelled their yearly inspections and altered it to every 3 years. They have loosened the requirements for inspection verification and replaced it with paperwork.

Regulatory Analysis Form

(20) In the table below provide an estimate of the regulated community, local government, and state government for the current year and five subsequent years.
($ Amounts in Thousands)

	Current FY 2001-2002	FY +1 2002-2003	FY +2 2003-2004	FY +3 2004-2005	FY +4 2005-2006	FY +5 2006-2007
SAVINGS:						
Regulated Community	NA	NA	NA	NA	NA	NA
Local Government	NA	NA	NA	NA	NA	NA
State Government	NA	NA	NA	NA	NA	NA
Total Savings	NA	NA	NA	NA	NA	NA
COSTS:						
Regulated Community *	NA	$1,215	$1,190	$1,190	$1,190	$1,190
Local Government	NA	NA	NA	NA	NA	NA
State Government	none	none	none	none	none	none
Total Costs	none	$1,215	$1,190	$1,190	$1,190	$1,190
REVENUE LOSSES:						
Regulated Community	NA	NA	NA	NA	NA	NA
Local Government	NA	NA	NA	NA	NA	NA
State Government	NA	NA	NA	NA	NA	NA
Total Revenue Losses	NA	NA	NA	NA	NA	NA

(20) Since all preceding estimates of DPW are untrue, so is this table.

(20a) Explain how the cost estimates listed above were derived.

* Estimated cost of printing a procedure manual at $14 per manual x 1,786 PCHs based on recent experience of printing OSP Program Instructions and Requirements, 18 additional CEUs per administrator at a cost of $266 per year x 1,786 PCHs based on a survey of community colleges, an annual furnace inspection at $100 x 1,786 PCHs based on an average cost from surveyed providers and refund of the Personal Needs Allowance (PNA) upon discharge at $300 based on 5 discharges per year per PCH x the PNA of $60 .

(20b) Provide the past three year expenditure history for programs affected by the regulation. ($ Amounts in Thousands)

Program	FY -3	FY -2	FY -1	Current FY
a. OSP				
Administrative Costs				
State	$2,232	$2,272	$2,367	$2,773
Federal	0	0	0	0
Total	$2,232	$2,272	$2,367	$2,773
b. OLRM				
Administrative Costs				
State				
Federal	0	0	0	0
Total	0	0	0	0

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

The benefits of these regulations outweigh any costs incurred, which are necessary to ensure health and safety protection for Personal Care Home residents, many of whom are vulnerable and need services. The Department carefully considered all costs involved

(22) Describe the non-regulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

Non-regulatory alternatives were not considered since regulations are necessary, and absent those, there is great potential of risk to the health, safety and welfare of Personal Care Home residents.

(20a) This is the same calculation that was presented under (17) which is a fraud. Consequently to repeat (17) is also a fraud. I know fraud is a strong statement. I know here is no time or space to explain my point in detail but for example:

5 cents is the cost to print a page, $14.00 divided with
5 cents equals 280 pages each operator has to write his
own regulations not just copy them.

2600 is 153 pages written by a 16 person department for 2 ½ years and it is still useless. It is not just printing cost involved but labor.

Administrative Costs:

18 hours administrators training.
Now in small towns or the country there are no training courses. It is required to take the course which involves travel to and from the workplace. Time and travel has to be paid. If it is beyond 40 hours, time and half needs to be paid according to Labor and Industry regulations. An administrator or designee needs to be 7 x 24 in place. This will also require overtime for the designee. See my calculations submitted, there are 67 cost relevant items.

No one on this earth is this amateurish. Yes, this is Fraud!

(21) 2600 cost is outrageous. See my estimates, 5.4 times current cost or about $107,048.00 per resident per year. The benefit, evidently, would be none. Since these new regulations are to be implemented because the Personal Care Industry is poorly operated. DPW Secretary Feather Houstoun's letter of September 23rd states: "tremendous growth with respect to the Personal Care Home Population". When the PCH is private pay would the consumer choose a poorly operated facility. All the problems that occur are with SSI dominated facilities. The DPW's own research asked for $1800.00 monthly per person subsidy but currently it is $899.30 but none has the decency to fight for a fair raise.

(22) It should be considered, what was the Auditor General's finding; to enforce the current regulations but how can DPW close all the facilities that are SSI dominated just because they can't afford to operate it well out of the $29.00 per pay for each SSI resident. What will you do with all the SSI resident? Put them out on the street or to a nursing home for $4,600.00 per month. That is why DPW not enforce the current regulations. No one has the guts to bite the bullet and raise the SSI subsidy to a fair level. In spite of each study commissioned by the DPW condemns the current level. The low subsidy is the overriding problem not the current regulations. The new regulation is nothing but a smoke screen to hide the real problem - - - SSI subsidy is less than half of the fair rate.
As long as PCH private pay resident has grown in numbers, SSI acceptance was down. The Area Agency on Aging option assessment is sending them to nursing homes when the PCH will not accept them for the current $29.00 SSI rate. You will not be able to accept any SSI resident to a PCH when as a consequence of this new regulation, PCH will escalate 5.4 time respectfully to current costs.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

Not applicable.

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

No, the Federal Government does not provide Personal Care Home standards.

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

These regulations were developed with input and collaboration from providers and other stakeholders noted on Attachment #1, and those referenced in #16 of this RAF. We believe these regulations will offer an appropriate level of health and safety protection for residents, and will place the Commonwealth in line with the other states and the Personal Care Home industry nationwide.

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

Yes. Upon final adoption of 55 Pa. Code Chapter 2600, this rulemaking will replace the current Personal Care Home Licensing regulations at 55 Pa. Code Chapter 2620 will be repealed.

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

No public hearings are planned or scheduled at this time. The Department will continue to meet with stakeholders, providers, or provider associations, consumers, family members and advocates as appropriate.

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports, which will be required as a result of implementation, if available.

Yes, these regulations require the development and use of documents that will assist a PCH to offer services in a planned and organized way, to professionally develop staff, both of which will help to insure health and safety protection of PCH residents. These regulations require a PCH to use, prepare, and implement the pre-admission screening tool, and both the initial and annual assessments. A PCH is required to develop its own quality assessment plan, policy and procedure manual, safe management techniques quality improvement plan, staff-training plan, and individual staff-training plan. Staff will have faster reference and guidance in handling various situations through the documentation of written policies and procedures, management plans, and delivery and management procedures for services starting with admission through discharge. A PCH will be required to report the following situations to the Commonwealth: Filing for bankruptcy by a PCH or its legal entity, misuse of residents funds by the

(23) To double the SSI Subsidy. Ask for my study called "Fair SSI Rate" Reverse the flow to nursing homes and save on each reversed SSI resident 7.6 times the extra SSI cost at PCH.

(24) Federal government provides nursing home standards and in many respects it is less stringent than the 2600 regulations. Nursing homes will end up costing less!

(25) Never was provider or stakeholders opinion accepted. It was only listened to. We were mislead throughout the process to believe that our opinion counted and changes would be made in the published PA Bulletin version, which they were not. I was at every meeting. There was never a comparison offered from other states by DPW.,

(26) Until the regulation 2600 will make sense, keep the existing regulation 2620 which produced a successful industry for the last 20 years.

(27) DPW not only does not want public meetings. It does not want to disseminate the proposed regulations to the public or stakeholders. There was only one female consumer who came to the subcommittee meeting. When she was asked about the proposed regulations, she answered "and how will I pay for all this".

(28) The department offers here all the proof that all prior answers to each question are phony!
Can you create this many policy and procedure manuals (24), new documentations (59), update it constantly resident by resident as changes occur, which is often daily from $680.00 per facility proposed by DPW, daily and forever. Then you require employees whose wages are an average of $6.00 to fill out all that paperwork , remember it, execute it as is written and not by their best judgment, in fact only by the book. For example, if it is written , bath them twice a week Monday and Thursday. They have an incontinent accident on Thursday afternoon. The dilemma is, should I wash them again or not, and you need then to change the entire documentation. You will call in the resident to sign a new agreement, their family, their representative, their advocate (if one exists) but you can't charge for it for 30 days. Then since this is a new agreement, they have 72 hours to rescind it. So should I wash all that shit now as I would do it instinctively or must I wait 72 hours since they have the right to rescind.
Only crazy people want to put every effort in writing since they do not trust there own mother (who raised 7 children and a husband and had no admission plan from admission to discharge). By the way in the subcommittee we have already created the assessment tool form, which is still a bureaucratic monstrosity but DPW rejected it and want me back on October 24th and I already object.

CH staff or legal entity, no staff are present to supervise the PCH, and a condition that results in an nscheduled closure of the home and the relocation of the residents for more that one day of operation. he pre-admission screening tool and assessment forms will be developed with stakeholder input prior o the effective date of these regulations.

29) Please list any special provisions which have been developed to meet the particular needs of ffected groups or persons including, but not limited to, minorities, elderly, small businesses, and armers.

ll PCHs - The contract requirements have been expanded to further protect residents and families, ncluding a 72-hour right of rescission of the contract, a requirement to address a resident's service eeds 365 days a year, and a mandate to list the actual amount of allowable resident charges for each ervice or item.

lderly – A facility that chooses to operate a secured unit for persons with dementia will be able to pen this type of special unit without having to submit a waiver for the Department's review and pproval. To operate a secured unit, a facility must comply with all regulations relating to secured units equirements.

Residents with Physical Disabilities - Residents with physical disabilities will have larger bedrooms to low for easy passage and comfortable use of assistive devices.

30) What is the anticipated effective date of the regulation; the date by which compliance with the egulation will be required; and the date by which any required permits, licenses or other approvals must e obtained?

mmediately upon publication of a final rulemaking, except for § 2600.58 (a), (b), and (c) where ompliance will be extended to one year after the final rulemaking.

31) Provide the schedule for continual review of the regulation.

Regulations will undergo ongoing review during implementation and application. The Department will etermine revisions as appropriate.

(29) All the PCH industry needs is to address is the unfair SSI rates ($29.00 per day) not a word!
The resident has a right of rescission of the contract, but who admits them to the home is the hospital, doctor, family, or POA. Therefore, legally no one needs to pay since he or she does not want to be there which nullifies the contract. But according to the regulation 2600 you can't discharge them only if they won't pay. He doesn't want the contract, but will not move out, what then?
People do not go to a PCH because they choose to move there. The families can no longer be caregivers and they are who choose to move them. The right of rescission exists in the current regulation with a thirty day notice clause.
Or you can sign in and be admitted as a respite for the first 3 days. Why is this phony compulsion to change everything for the worse, without thinking.

Elderly - Please, please do not put me in a secured unit. Have you thought about what is a secured unit –
A prison for the elderly.
You will be admitted by a doctor, AAA, hospital, family or PCH. Why? No body wants to take care of you.
In 13 years of operating 3 large homes, never did we refuse to care for anyone. Bad Regulations!

Resident with physical disabilities - Most can exist in a smaller room therefore existing homes should be grand fathered. But 100 square feet is really nothing when you need to use a lift or wheel chair.

(30) It should be avoided since the current regulation is quite successful This enforcement of 2620 is not stringent enough on the SSI dominated homes.

(31) Think how bad is this regulations "undergo ongoing review", when the current regulation 2620 was revised only once in 20 years.

This study represents the cost as a consequence of regulation 2600.

The cost to the each resident would be $107,048.00 per year

The cost to the state would be $4.4 billon

This cost study was prepared using the following assumptions:

1 All cost was based on Easy Living Estates of Somerset.
A small rural town facility with about 30 residents

2 Salary and overhead
Administrator $45,000 + 32% for taxes, Workman's Comp., Unemployment, Etc. = $59,400.00 or $29.70 per hour
Average Labor $6.00 per hour + 32% = $7.92 per hour

3 Total staff 15 employees plus extra

"NO COST TO THE PUBLIC"

This was the statement made by Feather Houstoun, Secretary of Public Welfare, on page 12 of her letter.

There are 18 policy and procedure manuals and 59 separate documentations that are being required.
Along with the additional calculations that will be needed from the support plan for staffing requirements,
the DPW will have to double the inspectors for Personal Care Homes.
With approximately 64 inspectors statewide at an annual salary of $35,000.00 + 32% = $46,200.00

This would cost the State, per year **$2,956,800.00**

If the 2600 regulations are implemented, PCH homes will close.
This will force the state to transfer the residents to skilled nursing facilities.
May 2002 census of PCH Residents 53,926
53,926 x $227 per day x 365 days

This would cost the State, per year **$4,468,038,730.00**

The cost to implement 2600.181 (e), alone, will cause PCH homes to close.
This is as stupid and malicious as a regulation can get.
The intent of just this one regulation is to close the door on Personal Care Homes.
I am an administrator but I can't recall all what is required to meet the requirements for self-administration of medicine.
Therefore, most likely no PCH/AL resident can, that is why they consented to be a resident in the first place.
They will not qualify for residency, therefore they will need to be transferred to a skilled nursing facility,
at a cost to the state, because Personal Care Homes will be out of business.

As a consequence of the new regulation, no SSI resident will be accepted at PCH/AL facilities.
The state pays $29.00 per day, the fair SSI rate should be $51.98.

Current SSI Population in State	10,529.00
Nursing home Daily rate	$227.00

10529.00 x $227.00 x 365 days

This would cost the State, per year **$872,380,295.00**

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.20 (b) (7)	To take resident to the bank once a month		$3,654.00		
	Mileage 15 miles x .30 = $4.50				
	Administrator Labor 1 Hour $29.70				
	$29.70 x 10 residents x 12 months				
2600.20 (b) (10)	To write and obtain signature at death	$59.40			
	Administrator Labor 2 hours x $29.70				
2600.23 (2)	At hire and weekly		$23,166.00		
	15 positions				
	Administrator Labor 1 hour $29.70				
	15 x 29.70 x 52				
2600.24 (1)	Securing Transportation	$7.42			
	Administrator Labor 15 minutes				
2600.24 (2)	Shopping	$34.20			
	Administrator Labor 1 hour $29.70				
	Mileage 15 miles x .30 = $4.50				
2600.24 (3)	Making Appointment	$7.42			
	Administrator Labor 15 minutes				
	Keeping appointment	$34.20			
	Administrator Labor 1 hour $29.70				
	Mileage 15 miles x .30 = $4.50				
2600.24 (6)	Correspondence	$9.90			
	Administrator Labor 20 minutes				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.25	Personal Hygiene		$21,681.00		
	Time needed to document				
	Direct Care Staff 15 min/day/resident				
	Staff wage $7.92				
	$1.98 x 365 x 30 residents				
2600.26	Resident Contract	$29.70			
	to Explain	once per contract			
	Admission Director Labor 30 Minutes				
	Witness Administrator 30 minutes				
2600.26 (a)	If the resident agrees	$14.85			
	Admission Director Labor 30 minutes	once per contract			
2600.26 (a) (3 & 4)	Itemize Charges	$59.40			
	Admission Director Labor 2 hours	once per contract	each occurrence		
2600.26 (a) (6)	Detailed Refund Policy	$7.42			
	Admission Director Labor 15 minutes	once per contract			
2600.26(a) (10)	30 day advance letter		$325,215.00		
	Administrator labor 1 hour $29.70				
	This can change daily				
	$29.70 x 365 x 30 residents				
2600.26 (a) (11)	List of Services		$162,607.50		
	Admission Director Labor 30 minutes				
	This can change daily				
	$14.85 x 365 x 30 residents				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.26 (a) (12)	Any Additional Services		$325,215.00		
	This is to detailed "any"				
	Manager 30 minutes				
	Admission Director 30 minutes				
	$29.70 x 365 x 30				
2600.26 (d)	Extra person for Saturday, Sunday, Holiday		$6,969.60		
	Sat & Sun 104 days x 8 hours = 832 hours				
	Holiday 6 days x 8 hours = 48 hours				
	880 hours x $7.92 = $6969.60 yearly				
2600.27 (a)	Quality Assessment & Management plan		$3,029.40		
	Manager Labor 30 minutes				
	Administrator Labor 1 hour				
	Manager x employees x months				
	$14.85 x 15 x 12 = $2673.00				
	Administrator x months				
	$29.70 x 12 = $356.40				
2600.27 (b) 5	Family council		$712.80		
	Manager 1 hour per month				
	$29.70 x 12				
	Administrator 1 hour per month				
	$29.70 x 12				
	Resident council		$712.80		
	Manager 1 hour per month				
	$29.70 x 12				
	Administrator 1 hour per month				
	$29.70 x 12				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.31 (a)	Family, advocate Notice	$89.10			
	Admission Director 3 hours	once per resident			
2600.31 (b)	"in a language"	$89.10			
	Interpreter 1 hour $29.70	once per resident			
	Admission Director 1 hour $29.70				
	Manager 1 Hour $29.70				
2600.31 (d)	Signed Statement of rights	$29.70			
	Manager or Admission director 1 hour	once per resident			
2600.31 (g)	Complaint decision		$92,664.00		
	Administrator and Manager 1 hour				
	per resident per week				
	$59.40 x 30 x 52				
2600.32 (v)	Resident Right		$37,315.20		
	Contracted services				
	Administrator 8 hours per week				
	$29.70 x 8 x 52 = $12355.20				
	Lawyer 8 hours per week				
	$60.00 x 8 x 52 = $24960.00				
2600.32 (w)	Resident right to appeal		$1,544.40		
	Administrator 1 hour per week				
	$29.70 x 52				
2600.31 (x)	Bonding each employee		$3,750.00		
	15 employees				
2600.53 (a) (2)	Associate Degree		$3,000.00		
	Additonal Salary				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.53 (d)	Administrator's responsibility		$7,000.00		$7,000.00
	Liability Insurance premium				
2600.54 (2)	Have a high school diploma or GED		$15,000.00		
	.50 per hour per employee per year				
	.50 x 2000 hours in a year x 15 employees				
2600.56 (a)	"each" mobile resident 50% cost of wages		$53,385.27		
	half needs less than 1 hour				
	half needs more than 1 hour				
	$80,886.78 (yearly wage cost) x 32% (cost				
	of taxes, Unemployment, etc) / 50%				
2600.56 (a)	immobile "special needs"		$53,385.27		
	50% cost of wages				
2600.56 (c)	Administrator designee		$138,600.00		
	7 days x 24 hour at $40,000/year				
	4.2 designee at $25,000/year				
	overhead 32% = $33,600.00				
2600.57 (b)	Administrator Training		$26,000.00		
	additional salary for administrator				
	additional salary for 4.2 designee				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.57 (e)	Administrator 24 hours annual training		$16,251.84		
	18 hours additional				
	9-2 hour clases (including travel) = 36 hours				
	total 54 hours x $29.70 = $1603.80				
	Replacement administrator				
	32 hours x $29.70 = $950.40				
	Administrator designee				
	same training as administrator				
	4.2 x $2554.20				
	Cost of Class				
	Administrator 18 hours x $25.00 = $450.00				
	Designees 4.2 x 24 hours x $25.00 =$2520.00				
2600.57 (e) (1)	CPR & First Aid		$183.50		
	3 hour class + 2 hours travel = 5 hours				
	5 hours x $29.70 = $148.50				
	Cost of Class = $35.00				
2600.58 (a)	Prior to working with residents		$9,937.62		
	1 30 minutes				
	(I) 30 minutes				
	(ii) 15 minutes				
	(iii) 10 minutes				
	(iv) 10 minutes				
	(v) 30 minutes				
	(vi) 45 minutes				
	(vii) 5 minutes				
	2 15 minutes				
	3 10 minutes				
	4 15 minutes				
	5 30 minutes				
	total 21 hours				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
	21 hours x 56 employee = 1176 hours 1176 hours x $7.92 = $9313.92 Administrator 21 hours x $29.70 = $623.70				
2600.58 (c)	Training		$10,644.48		
	24 hours x $7.92 = $190.08 $190.08 x 56 employees = $10,644.48				
2600.58 (e)	24 hours annual training		$8,553.60		
	24 hours x 30 employees x 720 hours Wages $7.92 + overtime $3.96 = $11.88 $11.88 x 720 = $8553.60				
2600.59	Staff Training Plan		$1,722.60		
	1 3 hours 2 5 hours 3 2 hours 4 8 hours 58 hours total by administrator 58 hours $29.70 = $1722.6o				
2600.60	Individual staff training plan		$712.80		
	4 hours 1 2 hours 2 16 hours 3 2 hours 24 hours by administrator 24 x $29.70 = $712.80				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.85 (d)	Trash - covered		$86,724.00		
	1 hour per room per day = 30 hours labor $7.92 per hour = $237.60 $237.60 x 365 days = $86,724.00				
2600.89	Water		$475.20		
	$150 each 3 months + labor Test and Delivery = 4 hours each time $150.00 x 4 = $600.00 per year 16 hours x $29.70 = $475.20				
2600.90	Communication System		$1,200.00		
	$100.00 month x 12 months				
2600.98 (c)	Indoor Activity space		$28,416.96		
	24 hours per week 24 x $7.92 employee = $190.08 12 x $29.70 administrator = $356.40 $546.48 x 52 weeks = $28,416.96				
2600.101 (l)	Resident's Privacy - curtains around beds	$15,000.00			
	$500.00 per room x 30				
2600.101 (k) (1)	Bed description	$6,000.00			
	$200.00 per bed x 30				
2600.101 (r)	Lift chair as a comfortable chair	$75,500.00			
	$2500.00 x 30				
2600.102 (g)	Bathrooms - toiletry items for everyone	$3,000.00			
	$100.00 x 30 residents				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.102 (j)	Toiletry and linens	$450.00			
	$15.00 x 30 residents				
2600.103 (b)	Sanitzed after each meal		$26,017.20		
	3 hours per meal = 9 hours per day				
	9 $ $7.92 = $71.28 per day				
	$71.28 x 365 days = $26,017.20				
2600.103 (e)	Food labeled and rotated		$823.68		
	2 hours per week				
	2 x $7.92 x 52 weeks = $823.68				
2600.105 (g)	Laundry - lint removal		$17,344.80		
	15 minutes x 24 hours x 365 days = 2190 hours				
	2190 hours x $7.92 = $17344.80				
2600.107 (b)	Written emergency procedures - annually		$437.60		
	8 hours x $29.70 administrator = $237.60				
	Saftey inspector $200.00 per year				
2600.126	Furnace inspection		$200.00		
2600.130 (f)	Written record smoke detectors / alarms		$5,400.00		
	$450.00 per month				
2600.130 (i)	Fire alarm system for 5 immobile	$6,000.00			
	new panel cost				
2600.142 (a)	resident support plan		$10,692.00		
	1 hour x 30 residents x $29.70 administrator				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.142 (b)	Train resident about needs				
	1 hour x 30 residents x $29.70 administrator	$891.00			
2600.161 (f)	Therapeutic diets		$34,689.60		
	This will double cost of kitchen				
	12 hours per day x $7.92 x 365 days				
2600.161 (g)	Drink every 2 hours		$45,990.00		
	Cost of beverage .35 x every 2hours x				
	30 residents x 365 days				
2600.163 (d)	Staff with infected wound, etc.		$2,468.96		
	Will raise kitchen cost 10%				
	12 hours x $7.92 x 365 days / 10%				
2600.181 (e)	Resident must know medication		$874,177.92		
	4.2 RN's x 24 hours a day x $23.76 X 365				
2600.181 (e)	53,926 x $227 per day x 365 days			$4,468,038,730.00	
	Cost to state if all PCH homes close				
	See comment at the end.				
2600.182 (a)	Medication Storage - original container		$8,672.40		
	1 hour x 3 times a day x 365 days				
	$7.92 x 3 x 365 = $8672.40				
2600.184 (b) 1	Documentation		$13,008.60		
	1.5 hours x 3 times a day x 365 days				
	$76.92 x 1.5 x 3 x 365 = $13,008.60				
2600.201 (b)	Quality Improvement program		$46,332.00		
	Administrator				
	1 hour x $29.70 x 30 residents x 52 weeks				

Regulation	Calculation	Each Time Cost	Yearly Cost	Cost to State	Additional Insurance
2600.223	Description of services		$650,430.00		
	Administrator 2 hours per resident per day 2 x $29.70 x 30 x 365				
2600.225 (d) (3&4)	Assessment - Hospital Discharge / Agency		$5,346.00		
	Administrator 1 hour x 6 times per year $29.70 x 6 x 30 residents				
2600.226	Development of support plan				
	Cost was addressed in 2600.223				
	Total Cost	**Each Time Cost** **$107,312.81** **varies**	**Yearly Cost Average facility** **$3,211,460.60**	**Cost to State** **$4,468,038,730.00**	**Additional Insurance** **$7,000.00**

At an average facility, the present private pay is $55.28 per day or $20,177.00 per year.
This new regulation as proposed will cost $107,048.00 per year per resident or $293.28 per day.
Plus the items listed as "each time"
Currently Personal Care Homes, cost to the public is 1/2 the amount of Nursing Homes.
With this new regulation 2600, Personal Care Homes will cost twice as much.

Original: 2294

#14-475 (575)
"Same Commenter as 573, 574"

Phyllis N. Mrosco
R.D.#1, Box 261P
New Stanton, PA 15672-9608
412-580-6940

October 22, 2002

Teleta Nevius, Director
Department of Public Welfare
Room 316 Health & Welfare Building
P. O. Box 2675
Harrisburg, PA 17120

Dear Teleta Nevius:

In the detailed review of the published regulations, I fear we are now faced with a similar problem than was faced several years ago. We will once again have the dreaded "Interpretive Guidelines".

While you may think I am overstating the obvious, after reading several sections of the "proposed regulations" several of us (administrators/providers) called DPW's regional offices to ask their thoughts about some of the regulations.

Believe it or not, they read it completely differently than you thought it was written. Believe it or not, we actually agree that there are many items, which need to be rewritten and updated. But we ask, no beg, that we be a part of the process.

Pease respond on the idea of the Interpretive Guidelines.

Sincerely,

Phyllis N. Mrosco

Phyllis N. Mrosco

Original: 2294

#14-475 (576)
"Same Commenter as 573, 574, 575"

Phyllis N. Mrosco
R.D.#1, Box 261P
New Stanton, PA 15672-9608
412-580-6940

October 22, 2002

Teleta Nevius, Director
Department of Public Welfare
Room 316 Health & Welfare Building
P. O. Box 2675
Harrisburg, PA 17120

Dear Teleta Nevius:

Under 2600.56 Staffing (c) ".....The administrator shall be present in the personal care home an average of at least 20 hours per week, or in the alternative, a designee shall meet all of the qualifications and training for an administrator under 2600.53(relating to staff titles and qualifications for administrators.)

My understanding of this is that all facilities will have to have at least 2 administrators. This is incredible! You are attempting to redefine what the requirements are for being an administrator, putting many homes at risk for one administrator and now it appears we will need even more administrators in each facilities.

Can you be serious about this? Who will pay for these additional expenses? (Oh, I forgot---these new regulations will not cost the personal care home operators any additional monies.) Can you actually be serious about this?

I look forward to your answers.

I can be reached anytime at the above phone number or daily at my office, 412-244-9901. You can also fax me at 412-244-1548 or e-mail me at pmrosco@grane.com.

Thank you for your time in responding to my concerns.

Sincerely,

Phyllis N. Mrosco

Phyllis N. Mrosco

Original: 2294

#14-475 (577)
"same comments as 573, 574, 575, 576"

Phyllis N. Mrosco
R.D.#1, Box 261P
New Stanton, PA 15672-9608
412-580-6940

October 22, 2002

Teleta Nevius, Director
Department of Public Welfare
Room 316 Health & Welfare Building
P. O. Box 2675
Harrisburg, PA 17120

Dear Teleta Nevius:

While I appreciate the need to be sure our staff is of the highest caliber possible, there are many fine employees who do not have a high school diploma or GED. This should not rule them out as a potential employee. We are constantly struggling with keeping a full staff ratio as it is.

Please respond with your rationale for this.

I can be reached anytime at the above phone number or daily at my office, 412-244-9901. You can also fax me at 412-244-1548 or e-mail me at pmrosco@grane.com.

Thank you for your time in responding to my concerns.

Sincerely,

Phyllis N. Mrosco

Phyllis N. Mrosco

Original: 2294

#14-410 (578)
"Same commenter as 573, 574, 575, 576, 577"

Phyllis N. Mrosco
R.D.#1, Box 261P
New Stanton, PA 15672-9608
412-580-6940

October 22, 2002

Teleta Nevius, Director
Department of Public Welfare
Room 316 Health & Welfare Building
P. O. Box 2675
Harrisburg, PA 17120

Dear Teleta Nevius:

In 2600.57 Administrator Training, you are requiring us to get 24 CEU's a year. While this is admirable, but with the requirement for all the training necessary for staff, support planning and basic responsibilities of running a business, how and when do you suggest we get these hours? In addition, this far exceeds the nursing home requirement.

Please respond.

Sincerely,

Phyllis N. Mrosco

Phyllis N. Mrosco

Original: 2294

#14-475 (579)
"same commenter
as 573, 574,
575, 576, 577,
& 578"

Phyllis N. Mrosco
R.D.#1, Box 261P
New Stanton, PA 15672-9608
412-580-6940

October 22, 2002

Teleta Nevius, Director
Department of Public Welfare
Room 316 Health & Welfare Building
P. O. Box 2675
Harrisburg, PA 17120

Dear Teleta Nevius:

I cannot believe you are not having hearings for these many, many changes in the currently proposed regulations. The enormous impact these regulations will have on all the personal care/assisted living facilities in the state is worthy of hearings. The elderly population, which is served by the PCH/AL facilities, remains unaware that the new proposed regulations will raise prices.

While Feather Houston has publicly announced, "those proposed rulemaking would strengthen health and safety requirements". In addition, under General Public the statement reads, "There will be no costs to the general public as a result of this proposed rulemaking". Because I am aware of the finances of the personal care home, which my uncle lives in, I know these changes will in fact cause a huge increase in their budget, causing my uncle to be displaced.

So, should I be considered a "stakeholder"? Why are not those people who take care of the finances of those residents involved? Why no public hearings? Please respond!

I can be reached anytime at the above phone number or daily at my office, 412-244-9901. You can also fax me at 412-244-1548 or e-mail me at pmrosco@grane.com.

Thank you for your time in responding to my concerns.

Sincerely,

Phyllis N. Mrosco

Phyllis N. Mrosco