

14-504-2



THE COUNTY OF CHESTER

COMMISSIONERS
Carol Aichele
Andrew E. Dinniman
Donald A. Mancini

CHESTER COUNTY DEPARTMENT OF
CHILDREN, YOUTH AND FAMILIES
Chester County Govt. Services Center
601 Westtown Road, Suite 310
P.O. Box 2747
West Chester, PA 19380-0990
610-344-5800
www.chesco.org/cyf/



RECEIVED

JUL 20 2006

JAMES L. FORSYTHE
Executive Director

CHILD CARE INFORMATION SERVICES
610-344-5717 1-800-870-2323

July 18, 2006

Mr. Robert Robinson
Director, Human Services Licensing
Management and Research
Box 2476 Health and Welfare Building
Harrisburg, Pennsylvania 17105

RECEIVED
2006 JUL 21 AM 10:49
INDEPENDENT REGULATORY
REVIEW COMMISSION

RE: New General Rules of Administrative
Practice and Procedure

Dear Mr. Robinson:

I am writing to express my concern that the proposed New Rules do not give counties a legitimate appeal process with regard to the right to appeal the Department of Public Welfare's decision on the County's annual plan and budget (current regulation 3140.17 Review of County Plans and Budgets).

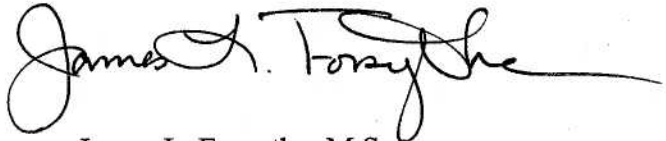
In order for counties to have a "fair hearing," the new rules must indicate a prescribed timeframe for the appeals to be heard. I propose sixty (60) days from the receipt of the appeal to the Department of Public Welfare, Office of Hearings and Appeals. The proposed new rules must also include a timeframe for the Department of Public Welfare's Office of Hearings and Appeals to render a decision on the appeal that was presented. I propose that a decision be rendered within thirty (30) calendar days from the hearing date.

If these new rules do not have these specified timeframes, then counties will have no legitimate means to challenge the Department's decision on the recommended dollar amount each County will receive (this is called a tentative allocation by DPW) in their fiscal year budget that was sent to the General Assembly. All appeals of this nature must be settled prior to the Department of Public Welfare sending any budgetary information to the Governor's Budget Office and the General Assembly.

The current appeal process has severely limited the County's right to relief because no appeal can be taken from the appropriation decisions made by the General Assembly. We must and deserve the right to a "fair hearing" and an appeal process that works.

Thank you for your considering my comments and recommendations. I can be reached @ 610-344-5862 if you wish to discuss these proposed rules.

Sincerely,

A handwritten signature in black ink that reads "James L. Forsythe". The signature is written in a cursive style with a long horizontal flourish extending to the right.

James L. Forsythe, M.S.
Executive Director

JLF/ew