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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
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ON LEGISLATIVE REFORM

RULES

INDEPENDENT REGULATORY
REVIEW COMMISSION

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September 14, 2007

Janice Staloski, Director
Bureau of Community Program Licensure and Certification
132 Kline Plaza, Suite A
Harrisburg, PA 17104-1579

Dear Ms. Staloski:

I am writing with respect to the proposed home care regulations (No. 10-184) issued by the Department of Health.

As you know, many important questions and concerns have been raised during the public comment period. My staff and I recently had the opportunity to sit down with the Pennsylvania Home Care Association and local providers to discuss the regulations in detail. As a result of that meeting, as well as public comments forwarded by your office, I believe there are several issues that need to be addressed.

First, what was the rationale behind changing (10) through (16) in Section 611.55 (Training Requirements) from optional to mandatory? Many have expressed concerns that these standards go beyond the scope of practice for home care workers whose sole function is to provide assistance with activities of daily living. Secondly, I would like clarification as to why (1) through (5) in Section 611.56 (Health Evaluations) were added. It is my understanding that these additional conditions exceed the requirements of other care agencies such as nursing homes and hospitals. In addition, there seems to be much confusion as to what is meant by the term "screened" in section 611.56. For example, does it imply the individual must undergo a physical evaluation and testing, answer a series of questions, or both?

These are just a few of the issues that I believe deserve your attention before final-form regulations are drafted. Thank you for your kind consideration of this request. I look forward to your prompt response.

Sincerely,

A handwritten signature in cursive script that reads "Phyllis Mundy".

Rep. Phyllis Mundy

Cc: Tim Hennessey, Republican Chairman, House Aging & Older Adult Services Committee
Frank Oliver, Democratic Chairman, House Health and Human Services Committee
George Kenney, Republican Chairman, House Health and Human Services Committee
Calvin B. Johnson, M.D., Secretary, Department of Health
Arthur Coccodrilli, Chairman, Independent Regulatory Review Commission
Karin Simpson, Senior counsel, Department of Health