

2623

Care For People

Denise George, Director-Berks County
(610) 944-7034 or (800) 322-9292



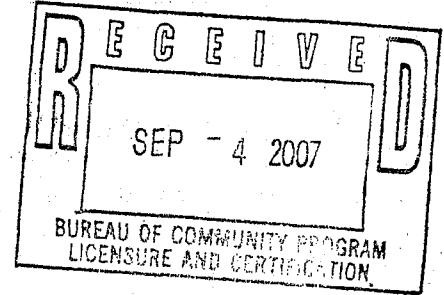
← 24-Hour Around-the-Clock
One-on-One, Personal Companion Care
In the Comfort of Your Own Home →

August 28, 2007

RECEIVED

2007 SEP 12 AM 9:11

INDEPENDENT REGULATORY



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

RE: Proposed Rulemaking, Department of Health [28 PA.CODE CH.611]

Dear Ms. Staloski:

Because I own a home care referral registry, **Care For People of Berks Co.**, last week I met with Rep. David Kessler who encouraged me to write this letter. He and I reviewed and discussed, at length, the proposed rulemaking that was published online in the PA Bulletin issue of August 3, 2007. Below are the concerns that we have about how these regulations will affect my clients, my caregivers and my business.

611.56 Health Evaluations

We are most concerned with the time constraints as far as compliancy with the health evaluations is concerned. In February, well after the first draft of the proposed regulations was published, we called the Department of Health and were told that a TB test would be what was required. We notified our caregivers to have that done and have spent the last few months trying to get all of them to send their test results in to us. Proposed now are screenings for five other diseases or conditions. It is not clear how these "screenings" are to be done. I even/discussed this with my own physician who was not at all clear on the exact interpretation of "screenings". For example, hepatitis A is not routinely tested for, according to my doctor. Testing is only recommended when the patient presents with symptoms consistent with the disease. This is one of the diseases mentioned in the proposed regulations to be screened for.

- How can our caregivers become compliant with these health evaluation requirements when we have no idea what the final requirements will be and will not know until the regulations are passed in final form? Rep. Kessler and I feel that there has to be a reasonable, specified time period after the regulations are passed during which meeting the health evaluation requirements can realistically be accomplished.

611.55. Training Requirements

Many of our caregivers provide strictly homemaker-companion care to their clients. This includes preparing meals, doing light housekeeping and errands and providing companionship. What purpose is there, then, for a competency test for them that covers skills such as: toileting, hair, skin and mouth care and "consumer control and the independent living philosophy"? This will certainly eliminate the senior caregivers who provide good, dependable care as well as contributing to their own financial well-being. We believe that the depth and scope of the subjects listed in the proposed rulemaking is excessive for caregivers who provide only homemaker-companion care.

As a home care registry that refers independent contractors, by law we cannot train our caregivers. Therefore, we are more

interested in all aspects of the competency exam and having one available for prospective caregivers as soon as possible.

- How do we get a competency examination written by us approved by the Department of Health? Will there be guidelines, outlines, formats and subject matter suggestions made available to us by the Department of Health?
- Once the regulations are in place will new caregivers have two years to take/pass the competency exam since new caregivers cannot be on the active caregiver roster until they have passed and there is no approved competency exam at this time?

611.51 Hiring or rostering of direct care workers.

(b) Documentation of face-to-face interviews

Care For People has been in business for nearly eighteen years and although face-to-face interviews have been standard operating procedure it is not possible to put a date on interviews so long after the fact.

- How do we handle documentation of caregivers already on our rosters? We cannot affix a date to something that happened five, ten or fifteen years ago.

611.57. Consumer protections

(a) Consumer rights.

(2) To receive 10-days advance written notice of intent of the home care registry to terminate service.

Occasionally there are instances when there are no more caregivers to refer to a particular client. This situation can arise because the client continually refuses any caregivers referred to her or the caregivers aren't willing to continue to work for the client.

- In cases like these we cannot give 10-days notice before the case is over. The best we can do is to refer them to another agency.

(b) Information to be provided.

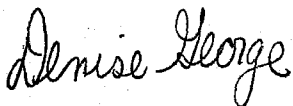
There are cases where the request for care comes from a hospital or a facility when the client is being discharged immediately or when a court decrees immediate care. There may be instances when there is no time to get an informational packet to the family members. An example is when the person requesting service for a family member lives out of town and a packet of information cannot be gotten to her before service is started.

- Can the family verbally give permission for the case to start without having first received the information?

Overall, we foresee reduced availability of care for the older citizens of PA if the proposed regulations go through as currently written. Because licensure requires compliance with the regulations and no home care agency can become immediately compliant we believe that allowing sufficient time to achieve compliance needs to be addressed by the final regulations. We hope that there will be many constructive comments that offer solutions to these issues and those of others.

We appreciate this opportunity to express our concerns.

Sincerely,



Denise George
Care For People of Berks County