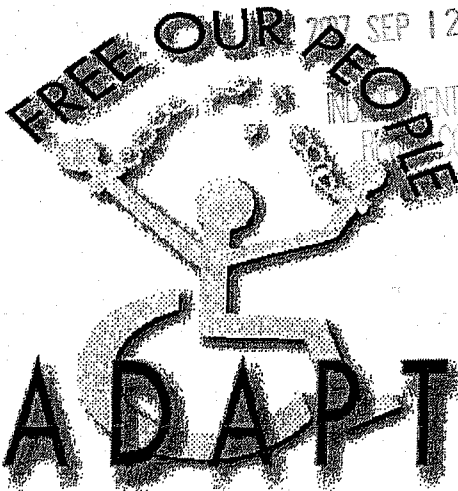


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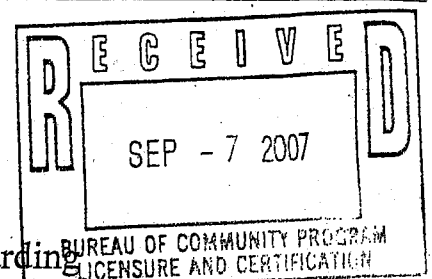
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# ADAPT of PA



INDEPENDENT REGULATORY COMMISSION

September 3, 2007



To the Dept of Health Regarding the Proposed Regulations published in the PA Bulletin Aug 2007:

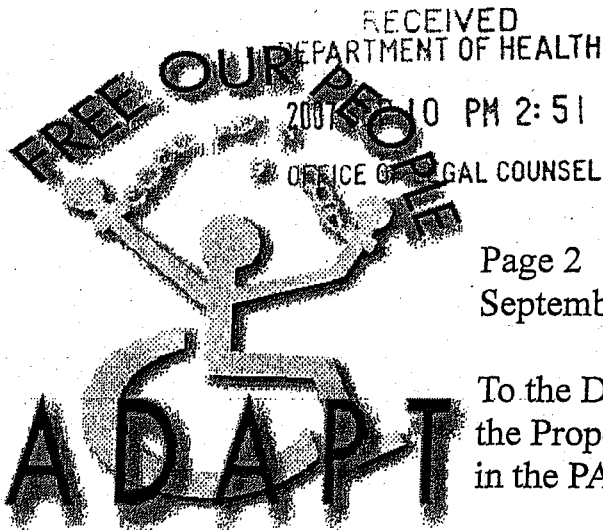
ADAPT sees the PA Department of Health in defiance of Act 69.

ACT 69 requires that the Dept of Health develop regulations in consultation with advisory groups that represent persons with physical disabilities. Dept of Health has not met the requirements of the law. Furthermore, the Dept of Health is required to take into consideration the preferences and philosophies of persons with physical disabilities who receive services and again has not met the requirements of that law.

ADAPT demands that the Department of Health meet with Pennsylvania ADAPT to discuss the regulations in-person in regional meetings specifically with ADAPT and with persons who are consumers of service.

The meetings held by the Department of Health are referred to as Stakeholder meetings but were not the type of meeting that was intended by the law. These meetings were dominated by provider agencies and the voices of consumers were drowned out at each meeting. These meetings were held at ridiculous times and locations that were impossible for most consumers of service to attend. This was pointed out repeatedly at the meetings by the few consumers who persevered to attend, yet no legally compliant meetings were scheduled. The participation of consumers was strongly discouraged by the process.

Technical assistance by consumers and consumer driven organizations was offered to the Department of Health to assist in designing a protocol of input of consumers and groups representing consumers, but there was no follow-up by the Department of Health. In essence, Consumers were discriminated against in the process of creating regulations and the requirements of Act 69 by the legislature on the PA Department of Health were ignored.



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DEPARTMENT OF HEALTH  
2007 SEP 10 PM 2:51  
OFFICE OF LEGAL COUNSEL

# ADAPT of PA

Page 2  
September 3, 2007

To the Dept of Health Regarding  
the Proposed Regulations published  
in the PA Bulletin Aug 2007:

The proposed regulations do not address the unique place of consumer-driven organizations nor the philosophies that oppose the medical oppression in personal assistance service organizations. The definition sections of the regulations do not define centers for independent living or consumer-driven organizations or the philosophies of consumer control and the rejection of the medical model in favor of the independent living model. As such, the Department of Health has imposed medically oriented regulations directly opposed to the language of Act 69.

ADAPT demands a meeting with the Department of Health by October 10, 2007, at a mutually convenient time and location. At that meeting, we will provide point-by-point comments on the proposed regulations and provide guidance on development of the necessary protocol to solicit the input of consumers of home and community based services.

Please contact ADAPT member Kathy Hertzog, at 814-397-2863, [kathyzog28@att.net](mailto:kathyzog28@att.net) as soon as possible to establish a meeting date with ADAPT.

Signed,

ADAPT of Pennsylvania