

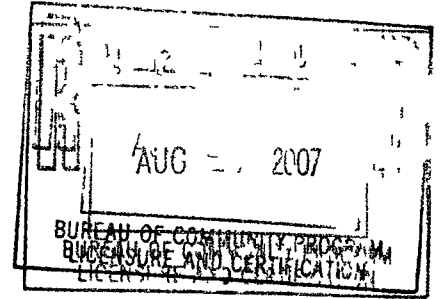
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**Family of Services,  
Western Pennsylvania**

Hospice  
HomeTech  
Complete Care  
Visiting Nurses Association  
Medical Equipment and Supplies  
154 Hindman Road • Butler, Pennsylvania 16001  
724-282-6806 • 800-245-3042 • FAX 724-282-7517

August 24, 2007



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

Dear Ms. Staloski:

Thank you for the opportunity to comment on the Department of Health Proposed Regulation No. 10-184 dealing with licensure for Home Care Agencies and home care registries. We have thoroughly reviewed the proposed regulation and have attended public hearings held by the Pennsylvania Department of Health regarding these regulations. As part of our 40 years of community service, we provide home health, hospice, durable medical equipment, and private duty personal care services to the residents of Butler and Armstrong counties. It is our private duty company which would be licensed under this proposed regulation.

In general, we welcome regulation in the provision of these services within the Commonwealth to safeguard the consumer. The general requirements of the regulations should ensure that competent workers who are free from communicable disease and criminal backgrounds are available to care for persons requiring this type of personal care in their homes.

We are concerned with several sections in the proposed regulation and find them without merit, onerous, and expensive. Our first concern relates to § 611.53 Child Abuse Clearance. We fully support requiring all direct care workers providing care to children have a child abuse clearance. However, the regulations as written would require that all staff, including office staff, have this same clearance. In our case, we have approximately 200 patients/clients receiving services at any given time. Approximately 4 or 5 of those receiving care are 18 years of age or less. Having all 80 of our private duty staff, as well as our six office staff members undergo Childline Verification would be cost prohibitive (\$10 each for 86 employees = \$860 to care for five patients). If this part of the regulation is unchanged in the final regulations we will most certainly stop our services to children as cost prohibitive. We would recommend that those workers that provide direct care to children should be required to have Childline Verification, not everyone in the company regardless of their duties.

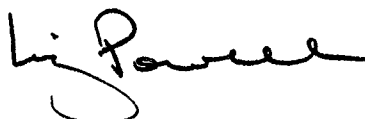
Section § 611.55 Training Requirements details, in letter d, the items that a competency program must address. We are concerned that some of these workers do not provide personal care, but may just be companions. The competency testing as outlined is not consistent with their training or work responsibilities. We would recommend that items 1-9 remain as stated, but that items 10-16 have the phrase "as appropriate" added to the requirements.

Section § 611.56 Health Evaluations requires an annual screening assessment of each worker. This seems to us to be an unnecessary burden which is very unlikely to yield any desired results. Screening once a year for acute infectious diseases would certainly result in a very low yield of positive findings for staff only if you happened to screen them at exactly the right time in their short illness. It would be most beneficial to require agencies to have a policy that instructs their workers to not present themselves for work if they have symptoms of acute illnesses such as fever, jaundice, diarrhea, etc.

Finally in section § 611.57 related to Consumer Protection number 6 is not likely to be helpful to the patient/consumer. We would recommend information specific to the skills and abilities that the direct care workers have and what services they can and cannot provide.

Thank you again for soliciting our comments on this important subject. We heartily endorse the need for such regulation and oversight of private pay services. We know that having these services available at an affordable price in our community is a priority. Our desire would be to implement meaningful legislation and regulation that achieves the goal of customer protection and ~~quality care without adding unnecessary overhead costs, which could easily drive up the overall~~ cost of the private pay services and make them too costly for the average consumer. Please contact me for any questions or follow-up.

Sincerely,

A handwritten signature in black ink, appearing to read "Liz Powell". The signature is fluid and cursive, with a large initial "L" and "P".

Liz Powell, RN, MN, CRNP  
Chief Operating Officer

LP/jat

cc: Vicki Hoak - PHA

**DEPARTMENT OF  
HEALTH**

WE ARE FAXING YOU 3 PAGES, INCLUDING THIS COVER PAGE.

PLEASE DELIVER IMMEDIATELY TO: Karen Simpson

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT: ( ) 783 - 1379

DATE: 8/30/07

SENT BY: Cindy Boyne

MESSAGE: Home Care Comments

Fax #: 717.772.0232

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