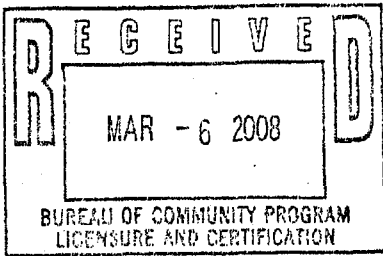




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2/22/08  
FYI

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03 FEB 25 AM 8:28  
DEPT. SECRETARY QA&HP  
REFER TO: *Dutton*  
*Jen Kaplan*  
*Mitchell*

321 East Fifth Avenue  
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February 18, 2008

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2008 MAR 12 AM 11:57  
INDEPENDENT REGULATORY  
REVIEW COMMISSION

Calvin B. Johnson, M.D., Secretary  
Pennsylvania Department of Health  
8<sup>th</sup> Floor West Health and Welfare Building  
P.O. Box 90  
Harrisburg, PA 17108

Re: 255.5 comments

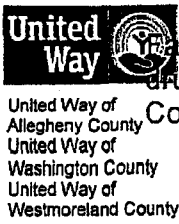
Dear Secretary Johnson:

I would like to take this opportunity to comment on the proposed amendment to confidentiality regulations 255.5. I have experienced three major problems with the regulations to date, two of which have been addressed by the amendment.

Under the current regulations, providers often had difficulty securing approvals and authorizations from insurance companies and managed care organizations with client consent, as we have been restricted to only disclosing information in the "five elements." As such, I am glad to see that the amended regulations expand the amount of drug and alcohol treatment information that may be disclosed to third party payors, while still protecting personal information.

Secondly, under the current regulations, providers often had a very difficult time working with other providers in the client's network of care such as CYS, SSA, and members of the criminal justice system. I have found that working collaboratively with such partners has been prohibited even if the client would have consented and doing so would have significantly benefited the client. So, I am also pleased to see that providers will be able to work more closely with the other providers in the client's network, with client consent.

However, I am disappointed to learn that the new amended regulations do not address clients that have a co-occurring condition and are receiving both drug and alcohol treatment and mental health treatment within the same organization.



Family Services of Western Pennsylvania is such an agency that provides both drug and alcohol and mental health services within the same organization. Consequently, the drug and alcohol staff frequently "share" clients with the

Family Services of Western Pennsylvania, a United Way agency, is accredited by the Council on Accreditation of Services for Families and Children, Inc. Family Services of Western Pennsylvania is a non-profit organization declared tax-exempt by the federal government (under section 501 C 3 of the IRS code) and the Commonwealth of Pa. A copy of our official registration may be obtained from the Pennsylvania Department of State by calling toll free from within Pennsylvania 800-732-0999. Registration does not imply endorsement. All donations to Family Services of Western Pennsylvania are tax deductible to the full extent of the law.