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INDEPENDENT REGULATORY
REVIEW COMMISSION

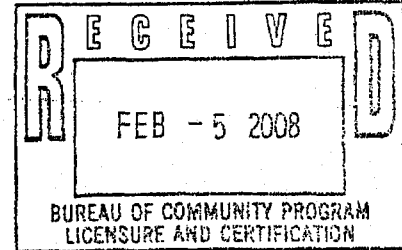
Kirkbride Center

www.KirkbrideCenter.com

111 North 49th Street
Philadelphia, PA 19139
215-471-2600
Fax: 215-471-2897

January 11, 2008

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



Dear Ms. Staloski:

This letter is in response to the request for written comments about proposed revisions to the Pennsylvania Code section governing the confidentiality of chemical dependency patient records and information. Although we are generally in favor of the provisions governing the release of information to governmental entities such as courts and probation officers, the Kirkbride Center as a provider has significant issues with further limitations on the release of information to Managed-Care Organizations (MCOs).

Specifically, providers such as the Kirkbride Center – which is licensed for 14 residential detox beds, 124 adult residential beds and 39 psychiatric beds – often are placed in a practical dilemma related to the demands for patient information from MCOs versus the MCOs' willingness to pay for services. This situation creates an ethical problem for providers who want to provide treatment to patients, stay in business and, at the same time, remain compliant with state licensing regulations. A mechanism for reporting to the state MCOs that do not adhere to the strictures outlined in the proposed revisions may prove helpful.

In addition, we have long thought that the Bureau must meet directly with management of MCOs in the Philadelphia area to ensure that providers are not penalized for following the state's confidentiality limitations.

Should you have questions, please feel free to call me at (215) 471-2314.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Weisenberger".
Scott Weisenberger, LPC
Executive Director