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June 30, 2008

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

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Dear Ms. Staloski,

As Chairman of the Board of the Drug and Alcohol Service Providers Organization of Pennsylvania, I am writing to reiterate our opposition to changes to the state's drug and alcohol confidentiality regulations as reflected in our letters of January 4, 2008 and May 19, 2008.

I also wish to comment on the poor process of the Department of Health in its desire to change these important regulatory safeguards for a population already stigmatized by society.

The initial changes to the regulations were proposed without any stakeholder feedback and, incredibly, without the advise and comment of the Pennsylvania Advisory Council on Drug and Alcohol Abuse. Since the initial publication of the proposed changes, the Pennsylvania Council has voted three times to oppose all changes to the current regulations. At the April 16, 2008 Council meeting, the discussion centered on a new set of proposed regulations which again, incredibly, had not been distributed to the public for their review and comment. After the April 16th meeting, interested parties were organizing their thoughts to oppose the new regulations only to have a third set of regulations sent out. I am not sure whether this process is a result of incompetence, disingenuousness, or a lack of concern for those in the treatment and recovery advocacy fields opposed to the terrible regulatory changes.

In reviewing the proposed draft regulations as well as the FAQ section, it becomes clear that those writing these regulatory changes do not have the grasp or total knowledge of the present regulations as they should. I would recommend that before any further action is taken on these rule changes that those writing the proposed changes and FAQ section attend a complete and thorough training on the present confidentiality regulations given by the Division of Drug and Alcohol Program Licensure.

Sincerely,

Mark G. Sarneso
Chairman, DASPOP

cc: Governor Ed Rendell
✓Independent Regulatory Review Commission
Senate Public Health and Welfare Committee
House Health and Human Services Committee