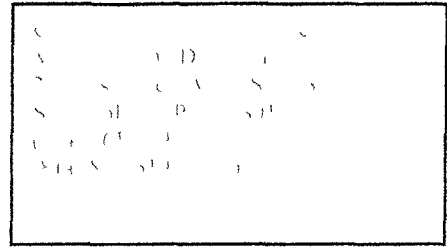


WHITE DFR RUN INC



“Committed to Excellence”

July 3, 2008

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

RECEIVED
2008 JUL 11 AM 9:25
INDEPENDENT REGULATORY
FEEDBACK COMMISSION

Dear Ms. Staloski,

As a recovering person with 14 years of abstinence, and a professional working in all levels of drug and alcohol treatment for 12 years, I strongly object to the Department of Health’s proposed regulation No. 10-186 as currently written.


As someone who has worked in both inpatient and outpatient levels of care, I have a clear understanding of the need to protect the rights of those in need of help. Those suffering from the disease of addiction do not need any unnecessary barriers when seeking treatment. Softening the current regulation will add those very barriers.

The latest draft seemed to ignore the questions and concerns brought to the Advisory Council at the meeting in April 2008. Some specific concerns I have include: the Definition of Government Officials, Definition of Program, Definition of Patient Records, Enforcement and Penalties for Violations, Act 106 of 1989 and Information to be Released With Consent. (See attached *Section-by-Section Review, 4/25/08 version.*) Also, new concerns from the latest draft include: a new definition of treatment (page 2, (a)), the new language on emotional/behavioral or environmental stressors (page 5, (c) (2) (ii) (D)) and the reinsertion of the oral consent provision (page 10, (f) (8)).

Under the new proposed rule, definitions are so ambiguous that the role of government and payer is confused with the role of those providing hands-on treatment thus inviting the payer to intervene with treatment and to substitute his/her judgment for that of the treating professional without ever having laid eyes on the individual.

In conclusion, I believe the current rules adequately protect the individual seeking treatment and their records. Managed care organizations and government agencies routinely inspect records. They need not be privy to sensitive confidential patient information other than those routine inspections. The changes proposed in the draft will significantly weaken and complicate the issue of confidentiality protection.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Boylan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Dan Boylan

cc. Representative Frank Oliver, Independent Regulatory Review Commission,
Senator Edwin Erickson, Representative George Kenney, Senator Vincent Hughes,
DASPOP