#2712

Partners in Personal Care
(PIP)
PO Box 57 United, PA 15689

May 26, 2010

Independent Regulatory Review Commission
33 Market Street 14th Floor
Harrisburg, PA 17101

Dear Commissioners:

Partners in Personal Care (PIP), formerly the Westmoreland County Personal Care Home Administrator's Association, is an organization of providers of Personal Care services in Southwestern Pennsylvania. Our organization previously commented on the proposed Assisted Living Regulations and therefore offer comment on the final draft.

The majority of our membership are small (8 – 30 bed) family owned and operated Personal Care Homes. The concern expressed by our membership continues to be the vague difference between Personal Care Homes (PCH) and Assisted Living Residences (ALR). The DPW has attempted to explain the difference in the final form comment unfortunately this does not alleviate the apprehension of our members.

Many of our members will not qualify to apply for ALR licensure because of the physical requirements. Those members that would qualify with a physical site have concerns about the operating costs for ALR. These costs range from the licensure fees, staffing requirements (RN & dietician), and transportation requirements. Many of the small homes cater to SSI residents, if these residents qualify for ALR funding they would transition to the ALR because of the physical amenities provided.

As the department stated; PCH assists with supplemental health care services, ALF provide these services. The definition of supplemental health care services needs to be clarified. The PCH regulations 2620 had excludable conditions when the PCH 2600 regulations were promulgated, excludable conditions were removed. The PCH home pre-admission screening for potential residents addresses their medical care needs. These medical care needs do not exclude a potential resident from residing in a PCH but the PCH must document who will monitor the follow-up for these conditions which would be a physician or home health agency. One of these conditions is third stage or multiple decubiti (bed sore). In the proposed ALR regulations, Stage 3 is an excludable condition. This is an example of the need for clarification.

How will a potential resident be able to make a decision on choosing their housing option when the providers are uncertain of the difference between PCH and ALR? Many of the ALR regulations are the exact number and wording of the PCH regulations, another confusing area.

Another question our members are asking is; what type of state funding will be provided for the ALR residents. The DPW does not address any of these questions in the final form comments. Our organization was involved with the process for the PCH 2600 regulations. We were present at the hearing February 2005, when DPW secretary, Estelle Richman, proclaimed to the IRRC commissioners that no home would close because of the implementation of the 2600 regulations. Instead we witnessed a significant percentage of PCH closures. In April 2006 there were 1633 PCH in the state; in April 2010 there are 1407 PCH in the state. Will the new Assisted Living Residences cause more PCH to close?

We are not addressing individual regulations in this comment. We will address the fact that the DPW has taken liberty with PCH 2600 regulations with the Licensing Measurement Instrument (LMI) to implement regulatory guidelines through interpretation of regulations. We implore the commission to provide oversight to the regulatory agency of the ALR to prevent this problem from developing.

PIP supports changes that are in the best interest of the residents that we serve. Overall, these regulations will not benefit them. The increased cost to operate an ALR will only put this housing option out of the reach of the average Pennsylvania senior.

Respectfully submitted:

Partners in Personal Care

Sherry Andreo	Mark Sayre	Jennie Long	Margie Zelenak	Julie Alakson
President	Vice President	Secretary	Treasurer	Education Coordinator

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From: Jewett, John H.
Sent: Wednesday, May 26, 2010 10:22 AM
To: Gelnett, Wanda B.
Cc: Smith, James M.; Johnson, Leslie A. Lewis; Wilmarth, Fiona E.
Subject: FW: ALR 2800 commnet
Attachments: PIP comments ALR 2800.doc

Final comments on #2712

From: Margie Zelenak [mailto:zelenak@zoominternet.net]
Sent: Wednesday, May 26, 2010 10:17 AM
To: Jewett, John H.
Cc: jenburnett@state.pa.us; elasmith@state.pa.us
Subject: ALR 2800 commnet

John,

Attached are the comments from Partners In Personal Care (PIP).

Thank you,
Margie Zelenak