

Pennsylvania Association of Area Agencies on Aging, Inc.

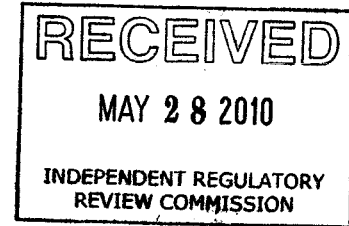
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2712

May 28, 2010

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



**RE: Regulation ID #12-514 (IRRC #2712)
Department of Public Welfare
Assisted Living Residences**

To the Independent Regulatory Review Commission:

The Pennsylvania Association of Area Agencies on Aging (P4A) would like to express our support of passage of the final form Assisted Living Regulations. The Association is a statewide, nonprofit organization representing Pennsylvania's 52 Area Agencies on Aging which serve all of the 67 counties in the Commonwealth.

Area Agencies on Aging serve as community focal points to coordinate services for older people and to responsibly present the issues and concerns of the aging population. With respect to assisted living services, the agencies serve as referral sources as well as consumer advocates through the Ombudsman program. They also are the gateway, through the Pre-admission Assessment process, to access Medical Assistance funding for long term living services for all adults.

As older adults represent the majority of those living in assisted living, our organization has strongly advocated for the establishment of Assisted Living regulations. Seniors and their families choose this service because it affords **both** independence and oversight. It provides them with privacy and independence, as well as with the security of knowing that help is "just around the corner". Many choose this group setting so they can share a meal with others and have people of their own age, with their own life experiences with whom they can interact. With final passage, of this legislation, "aging in place" will become a reality, truly addressing what seniors want.

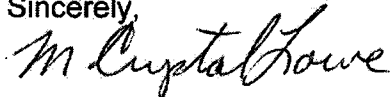
We were pleased with the input process as this version of the regulations was being developed. We actively participated in the Assisted Living Work Group and found it to be extremely helpful in identifying the varying perspectives of stakeholders. Through the months we worked together, we were able to examine assisted living in other states as well as compare it with our current personal care home regulations. The process was informative. In many instances, our discussion moved stakeholders positions closer together and, in some instances, consensus was actually achieved.

In participating, in addition to consumer protections, we kept in mind affordability. We remain very concerned that access to quality long term living services is not equal. The reimbursement for personal care home level of care is far too low, and there has been no real commitment to raise the reimbursement to keep pace with market prices. Assisted living, as it has been operated within Pennsylvania, is only for those who can afford the market price as it costs double or triple the amount of the current Personal Care Home reimbursement. The Assisted Living Waiver offers a little hope, but only if costs could be within a Medicaid payment range. So while in some areas of the regulations we wanted more, we felt the costs would be too high.

We are not in support of everything within the final form regulations. There continue to be areas of concern including the need to strengthen fire safety features (2800.131), the need to improve consumers choice of supplemental medical providers (2800.142), the need to enhance training requirements for personal care home administrators and direct care staff and a desire to see consumer protections strengthened in the area of informed consent (2800.30). But, there are so many other areas that include the services and the protections that we had come into these discussions hoping for, that we recommend that we move forward and finish this process.

Thank you for taking our comments into consideration. Please do not hesitate to contact me. I can be reached at 717-541-4214 or by e-mail at crystal@p4a.org.

Sincerely,



M. Crystal Lowe
Executive Director

Cc: Representative Phyllis Mundy, Chair, House Aging and Older Adult Services Committee, Senator Pat Vance, Chair, Senate Health and Public Welfare Committee, Secretary John Michael Hall, Deputy Secretary Jennifer Burnett

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From: Crystal Lowe [Crystal@p4a.org]
Sent: Friday, May 28, 2010 4:53 PM
To: IRRC
Cc: vance@pasen.gov; Mundy, Phyllis; Mike Hall (johhall@state.pa.us); jenburnett@state.pa.us; Meade, Lisa; Sipi Gupta; Beverly Sullivan (bsullivan@bcoa.us); Brian M Duke (bmduke@co.bucks.pa.us); Debra Mennecke (dmennecke@gecac.org); Dianna Benaknin (DLBenaknin@york-county.org); Frederick Shrimp (flshrimp@stepcorp.org); Holly Kyle (hkyle@usaaa17.org); Jacqueline Burch (burchj@co.lancaster.pa.us); Jim McQuown (jmcquown@verizon.net); Kathy Graham (kgraham@mjaaa.com); Louis Colbert (colbertl@co.delaware.pa.us); Mildred Morrison (mmorrison@county.allegheny.pa.us); Rodney Williams (rwilliam@PCAphl.org); Teresa Osborne (osbournet@lackawannacounty.org)
Subject: Comments regarding the Assisted Living Regulations from P4A
Attachments: Assisted Living Regulation.P4A Comments doc PDF.pdf

Attached please find P4A's comments regarding the proposed Assisted Living Regulations. Feel free to contact should any questions arise.

M. Crystal Lowe, Executive Director
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