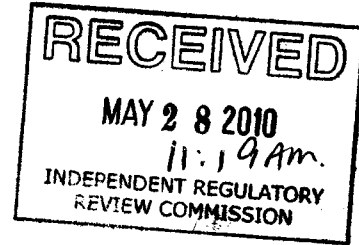




Pennsylvania Homecare Association



May 27, 2010

2712

Arthur Coccodrilli, Chair
Independent Regulatory Review Commission
333 Market St, 14th Floor
Harrisburg, PA 17101

RE: Final regulations by the Department of Public Welfare, providing for the licensure of assisted living residences - # 14-514.

Dear Chairman Coccodrilli:

The Pennsylvania Homecare Association represents more than 400 agencies that deliver care and support directly in the homes of more than one million elderly and disabled citizens in the state of Pennsylvania, including thousands of individuals that currently reside in assisted living facilities. Our members provide a wide array of services including home health care, personal care and hospice care. Our association is also a member of the Pennsylvania Assisted Living Consumer Alliance.

We commend the Department for including several vital changes in the final-form regulations that provide greater protection and clarity for consumers.

However, if Pennsylvania is to continue with its efforts to create a long-term care system that promotes independence by adding assisted living to its array of home and community-based services; **these regulations must offer choices to consumers while providing fair and reasonable expectations of a more "home-like" setting than an inpatient facility.**

Our members' primary concern is guaranteeing consumers' choice in regard to supplemental health care and ensuring that health care services are provided by appropriately licensed health care providers. Unfortunately, the regulations read that "a residence may require residents to use providers of supplemental health care services as provided in §2800.142."

While we recognize that an ALR may require residents to use providers of supplemental health care services designated by the ALR per 62 P.S. § 1057.3(a)(12), ALR residents should be offered an appeal or exceptions process.

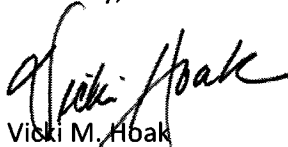
With the growing increase of Medicare Advantage plans and anticipated changes under health care reform, a resident entering a ALR today cannot anticipate their future medical needs nor can they foresee what supplemental health care providers may or may not contract with their insurer.

Your
**partner in
bringing care
home**

While the admission packet must include the costs of supplemental health care services, residents should not have to give up their right to access covered Medicare services or services offered through their long-term care insurance if the ALR supplemental health care provider is not an approved provider of that insurer.

Thank you for considering our members' concerns and recommendations for revisions to the ALR final regulations. These changes are necessary in order for ALR residents to maintain their freedom, choice and autonomy while providing fair and reasonable expectations of a more "home-like" setting than an inpatient facility.

Sincerely,



Vicki M. Hobak
Executive Director

Cc: Representative Phyllis Mundy, Chair, House Aging and Older Adult Services Committee
Senator Pat Vance, Chair, Senate Health and Public Welfare Committee
Honorable Harriet Dichter, Secretary, Department of Public Welfare
Honorable John Michael Hall, Secretary, Department of Aging

Jewett, John H.

From: Eric Kiehl [EKiehl@pahomecare.org]
Sent: Friday, May 28, 2010 11:11 AM
To: Jewett, John H.; Smith, James M.
Subject: regulation #14-514 (#2712)
Attachments: PHA_Comments_AL_Final_Regulations.pdf

Please accept the attached letter from the Pennsylvania Homecare Association as comments on the final assisted living regulations – regulation #14-514.

Please let us know if you have any questions.

Thank you,

Eric S. Kiehl
Public Affairs Director
Pennsylvania Homecare Association
(717) 975-9448 ext. 26
ekiehl@pahomecare.org

Confidentiality - The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.