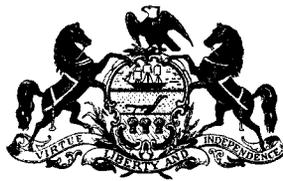


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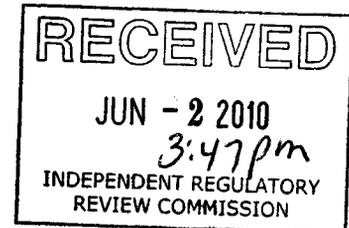
House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

AGING AND OLDER ADULT SERVICES
Republican Chairman

CONSUMER AFFAIRS
POLICY

June 2, 2010



2712

*The Honorable Arthur Coccodrilli, Chairman
Independent Regulatory Review Commission
Fourteenth Floor—Harristown 2
333 Market Street
Harrisburg, PA 17101*

Dear Mr. Coccodrilli:

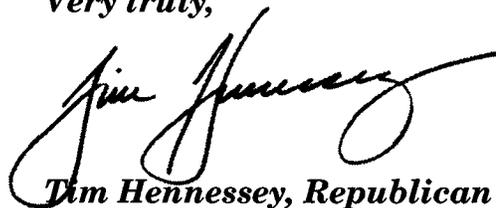
On behalf of the Republican members of the House Aging and Older Adult Services Committee, I write to indicate limited satisfaction with the changes made to the Final-form Assisted Living Residence Licensure regulations--#14-514. While we would have preferred that more of the suggested changes from our letters of October 9th and 14th of 2008 were incorporated into the final proposal, we are pleased with the inclusion of some of them.

Since legislative intent is an overriding factor to consider in the final phase of regulatory review, it is important to remain aware of the language in Act 56 of 2007 whereby "It is in the best interest of all Pennsylvanians that a system of licensure and regulation be established for assisted living residences in order to ensure accountability and a balance of availability between institutional and home and community-based long-term care for adults who need such care". One major concern which the IRRC should consider, therefore, is what effect these regulations will have upon our current personal care homes. While current personal care home regulations seem to prohibit those providers from offering any services now classified as assisted living services, we believe that there are personal care homes which routinely "push the envelope", not to flaunt the personal care home regulations, but rather, to assure that their patients have access to these services. This would seem especially acute in rural areas, where providers of assisted living services may be few and far between.

Testimony at public hearings suggested that only a very limited number of personal care homes were expected to apply for assisted living licensure—10% in the first 12 months, and perhaps 7% in the following years. It's not clear whether the majority of assisted living residences will be in urban settings, but if it plays out that way, personal care home residents who need even limited assisted living services may find themselves with no assisted living residences available in their part of the Commonwealth. They may have no intermediate alternative available, other than a more expensive nursing home. Such an effect would certainly run contrary to the legislative findings and declarations contained in Act 56. It was never our intent to create an assisted living licensure program that would, in effect, limit access to care for seniors and other adults in need of such care.

Again, we recommend that the IRRC should consider whether final adoption of the assisted living regulations will have a deleterious impact on current personal care home practices, which in some circumstances, may be stretching the personal care home regulations.

Very truly,



***Tim Hennessey, Republican Chairman
Aging & Older Adult Services Committee***

TH/cat

***cc: The Honorable Phyllis Mundy
Republican members of the Aging & Older Adult Services Committee***