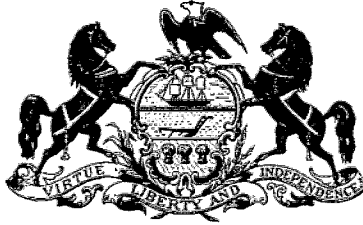


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COMMONWEALTH OF PENNSYLVANIA
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October 9, 2008

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

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Dear Chairman Coccodrilli:

The proposed Assisted Living regulations will have an unfortunate impact on personal care home providers, and I am deeply concerned for all these facilities in my legislative district and across the state. There are fatal flaws in the proposed regulations that will cause most, if not all, assisted living facilities to close their doors. Plus, Pennsylvania's low-income seniors will not be able to seek assisted living as they will not be able to afford it.

I would like to comment about the proposed regulations:

- . Some excellent existing facilities do not have sufficient space to allow for proposed physical requirements.
- . Costs involved to build a replacement facility to include proposed requirements are much too high to even consider. Passing this on to residents is too much.
- . There is no assurance that future funding and regulatory changes will not be put in place that would jeopardize continuation of a facility.
- . Given recent increases in food, energy and related expenses, facility losses for 2008 and 2009 are expected to worsen.
- . Administrator requirements imply that a qualified administrator be present 24/7, which would increase the per-resident cost. Requiring that an administrator be present at least 40 hours/week doubles the mandated 20 hours which seems excessive in light of the fact that administrators are being asked to accumulate continuing education credits throughout the year.
- . A facility must be able to ensure the integrity of its medication administration regimen, and to deviate from that system will pave the way for medication administration errors. A facility should not be forced to accept drugs from a pharmacy if that pharmacy refuses to package prescription drugs in a manner consistent with the facility's operation.

These proposed regulations do little to meet the overwhelming financial crisis confronting the state's long-term care needs. Act 56 of July 2007 was geared more toward issues of resident independence, dignity and choice, NOT issues of physical structure and paperwork compliance as addressed in the proposed regulations. What motivation do providers have under these regulations to want to continue providing excellent care to our seniors as they are now doing?

Please accept these comments regarding the proposed Assisted Living regulations. We may need these assisted living facilities ourselves some day.

Sincerely,



RoseMarie Swanger
STATE REPRESENTATIVE
102nd Legislative District

cc: Secretary Estelle Richman
Senator Pat Vance
Senator Edwin Erickson
Representative Phyllis Mundy
Representative Tim Hennessey
Members, House Aging and Older Adult Services Committee
Kim Kauffman, Executive Director, IRRC
Daniel Snyder, Countryside Christian Community
Orla Nugent, Columbia Cottage

RMS/lh