



Menno Haven Retirement Communities

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Menno Haven Retirement Communities
2011 Scotland Avenue
Chambersburg, PA 17201
FAX (717) 261-0860
(717) 262-1000

August 14, 2008

Gail Weidman
Office of Long Term Living
Department of Public Welfare
6th Floor, Bertolino Building
Harrisburg, PA 17102

Menno Village
2075 Scotland Avenue
Chambersburg, PA 17201
FAX (717) 263-6988
(717) 263-8545

Dear Ms. Weidman:

Menno Haven Retirement Communities, Inc., is a not-for-profit Mennonite sponsored organization and member of PANPHA consisting of three retirement communities located in Chambersburg, PA. We provide care to 1100 plus residents of which 175 or more are receiving licensed personal care. We have reviewed the proposed assisted living regulations and we believe they are unnecessarily burdensome, expensive and not in the best interest of our residents and seniors in general.

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Penn Hall
1425 Philadelphia Avenue
Chambersburg, PA 17201
FAX (717) 261-1764
(717) 261-0220

Following is a list of our concerns:

Northfield at Menno Haven
2227 Scotland Avenue
Chambersburg, PA 17201
FAX (717) 262-9069
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- 1) **Licensure Fees:** The proposed fee would mean that our two facilities would need to pay in excess of \$13,000 each per year. The additional cost would directly impact the resident's daily rate without providing any additional care or service. Additional cost to our residents would mean higher rates and a quicker spend down of their personal financial resources. When residents exhaust their funds, reimbursement from the Commonwealth is not available, serving only to cause financial hardship for the facility.
- 2) **Administrator Requirements:** The proposed regulation calls for a designee to be present when the named administrator is not present, and that said designee holds all qualifications of the fully credentialed administrator. Surely, the Department does not expect this to be the case on a 24/7 basis. We would support a temporary qualified administrator to serve in lieu of the permanent administrator during vacation periods or other extended leaves. But, if the administrator is on the property to fulfill the weekly hourly requirement, that should suffice; no additional administrator should be required.

ElderDay Adult Day Center
1427 Philadelphia Avenue
Chambersburg, PA 17201
FAX (717) 709-4509
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- 3) Supervision by RN in Assessment and Support Plan Development: An RN is not needed in the assisted living setting. This would be a requirement that simply adds undue expense to both the resident and facility.
- 4) Discharge of Resident: The draft regulations place the Ombudsman's Office in the center of transfers and discharges. While we embrace the need for an Ombudsman, we feel that role should be to provide counseling services, not legal advice.
- 5) Resident Room Requirements (Physical Plant): We believe the proposed square footage requirements work against the ability of seniors to afford care. Building construction costs are already high and costs continue to escalate rapidly. Every square foot added for a minimum room size will mean an increase in daily room rates. If the Department wishes to address access for seniors to facilities, this requirement is contradictory to that intent. In addition to the square footage requirement is the necessity for newly constructed facilities to include a kitchen with hot and cold running water. This is a service that many of our residents would not use since we have dining facilities offering three full meals per day.
- 6) Resident Contract: We ask that proposed resident contract requirements be more equitably balanced between the resident and facility. An automatic renewal on a month-to-month basis is a fair, and simple method to use. The administrative responsibilities of a facility to discharge a resident requires a 30-day notice, regardless if the request is initiated by the resident or facility. The two parties entering in to the agreement should have equal contract termination rights. Allowing the resident to give a 14-day notice with the facility required to give 30 days is simply unjust.

In general, we find the draft regulations to be administratively burdensome, contradictory to public policy and extremely expensive.

Thank you for the opportunity to comment.

Sincerely,

Tim Johnson
Chief Operating Officer

cc: PANPHA Office
Rep. Rob Kauffman
Rod Mason