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TO: Independent Regulatory Review Committee  
 FROM: Linda Sell, Director of Our Lady of the Alleghenies Residence  
 Garvey Manor  
 128 Logan Blvd.  
 Hollidaysburg, PA 16648  
 RE: Assisted Living Regulations 2800 comments  
 DATE: September 4, 2008

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To Whom It May Concern:

After careful and thoughtful review of the 2800 regulations for Assisted Living Residence our facility would like to voice our comments and concerns over these regulations.

Our Lady of the Alleghenies Residence has included the term "Assisted Living" in its description since its opening in 2003. As a part of Garvey Manor, a skilled nursing facility, we have been able to appropriately serve aged residents until their needs have been determined by their physician or the local Office on Aging to require a higher level of care. In return, Our Lady of the Alleghenies Residence has admitted residents from the nursing facilities that have been determined to no longer need that level of service. The burning questions in our mind are:

- What population will be served in the Assisted Living level of care? Will the progression of care be Personal Care, Assisted Living then Nursing Facility?
- At what cost?
- What method of reimbursement will the State provide?
- What will happen to those residents that have long term care policies using the terms assisted living/personal care interchangeably?

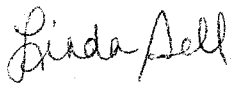
Specific points of concern are:

- 2800.11 Procedural requirements for licensure or approval of ALR – under this regulation if we chose to be an ALR our fee would go from \$30 to \$6170
- 2800.101(d) Kitchen capacity – the physical limitations of these ALR residents appear to be greater than PCH residents but a kitchen is required in each unit, the logic is questioned.
- 2800.56 (b) Administrator Staffing – requiring the designee to have the same training as the administrator seems to mandate that ALRs have two full time administrators especially in conjunction with 2800.57(a) regarding direct care staffing.
- 2800.60(b) Additional Staffing based on needs of the residents – this is too open ended and gives the Department the ability to require more staff based on their unnamed requirements.
- 2800.64 Administrator Training – Will this be a new course and test or will it be the PCH Administrator course?
- 2800.66 Staff Training Plan – The staff training plan requires that dates, times and locations of trainings are given at the beginning of each training year. The issue carries over from the 2600 regulations – How are we to know what, when

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- 2800.66 Staff Training Plan (cont)  
and where trainings will occur?
- 2800.96(a) First Aid kit – The inclusion of the automatic electronic defibrillation device creates an issue regarding resident advance directives. What thought has been given to following these articles?
- 2800.98 Indoor Activity Space – The square footage requirements will definitely limit the number of current facilities that will qualify as ALRs.
- 2800.101(d) Resident Living Units/kitchen capacity – Again the requirement of a kitchen for residents with increased physical limitations is a concern.
- 2800.101(j)(1) Fire retardant mattress – Does this limit resident from using their own bed?
- 2800.101(o) Door on the bedroom – Limits residents' mobility within living unit
- 2800.171(d) Vehicles shall be accessible to wheelchair users – Is this to be interpreted that all vehicles, whether used to transport wheelchair residents or not, must be able to accommodate wheelchairs?
- 2800.224(b) Requiring written decision denying admission and provide a basis for their denial.
- 2800.226(c) Notification to the Department – The 2600 LMI has been interpreted recently by Karen Kroh and notes that the Department is not required to be notified.
- 2800.227(b) Requiring a licensed practical nurse to have supervision of a registered nurse to review and approve the support plan almost requires the facility to have an RN on staff otherwise their review of the support plan for a resident unknown to them would be ineffective.
- 2800.229(e) Excludable conditions; exceptions – The care needs listed in §2800.229(e)(1-9) are currently served in PCH does their inclusion in ALR indicate that they will soon be excluded from PCH admissions?

The time and effort that have gone into these regulations are greatly appreciated. It is our hope that these regulatory issues can be resolved to assure that the needs of all seniors can be met.

Sincerely,   
Linda Sell  
Director of Our Lady of the Alleghenies Residence