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INDEPENDENT REGULATORY  
REVIEW COMMISSION



*Saint Mary's Home of Erie*

SAINT MARY'S AT ASBURY RIDGE  
SAINT MARY'S EAST

September 4, 2008

Gail Weidman  
Office of Long-Term Care Living  
Bureau of Policy and Strategic Planning  
P.O. Box 2675  
Harrisburg, PA 17105

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Dear Ms Weidman:

Enclosed find comments on the Proposed Assisted Living Regulations, as they would impact us at Saint Mary's East.

If there are further questions feel free to contact us.

Sincerely,

Mary Fromknecht SSJ  
Administrator

Assisted Living Regulations  
Saint Mary's Home of Erie d/b/a Saint Mary's East  
Personal Care license #447630

**2800.1 Procedural Requirements for Licensure or approval of ALR**

While "aging in place" is a noble goal, Saint Mary's would wish to have the ability to define limits. These limits would be provided upon admission and through contract.

**2800.11 (C1 & 2)**

Our present annual licensing fee for Personal Care is \$50.00. The \$500.00 recommended application or renewal fee does not seem exorbitant. The \$105.00 per bed fee that may be adjusted by the Department annually at a rate not to exceed the Consumer Price Index will present a burden to the Residents as well as the organization. Under these regulations Saint Mary's cost would be  $\$500.00 + \$105 \times 104 = \$11,420$ .

**2800.96 Requirement for AED's in First Aid Kit**

Saint Mary's East believes in the need for accessibility to an AED. Having one in each First Aid Kit is cost prohibitive. We have three kits in Personal Care and at a cost of approximately \$2000.00 each, our costs would increase by \$4000.00. We recommend that AEDs be placed strategically for accessibility to all staff at all times.

**2800.101 Resident Living Unit**

Our present Personal Care Home is licensed for 131 persons having 104 rooms, some of which are apartments. Of these rooms

41 – meet the 175 sq. ft. requirement for Assisted Living.

If the information received suggesting that 'dual licensing' is not permitted and the 175 sq. ft. regulation is enforced by the Assisted Living Regulations, Saint Mary's East will be unable to use over half of our Personal Care Rooms. This will be a significant financial hardship amounting to (at 2008 charges):

\$128,895 monthly or \$1,546,740 annually.

Saint Mary's East already awards annual Benevolent Care in the approximate amount of \$700,000.

We have 44 rooms with square footage between 125 sq. ft. and 175 sq ft with 19 under the 125 sq. ft. In every instance these rooms have baths and closets, which are not included in the square footage. We request that that square footage requirement for Assisted Living be eliminated in order to more readily serve all Residents under the Assisted Living Regulations. We believe that size ought to be 'consumer choice', not a regulation.

We 'hear' that 'dual licensing' will not be permitted. We are making a case for 'dual licensing' if the square footage requirement is not adjusted. In this case Saint Mary's East will request both Assisted Living Licensing and Personal Care.

Licensing. We believe, however, that the square footage requirement as it is, is excessive.

**2800.101(d1) Kitchen Capacity**

We have placed both refrigerators and microwaves in many of our rooms to date and continue to do so at the Resident's request. We will make this same service available in all Assisted Living Rooms. We estimate the cost to be approximately \$600 per room.

All rooms are near enough to kitchenettes to have access to a sink with running water and a stovetop.

**2800.101(j1) Fire Retardant Mattresses**

Saint Mary's East allows residents to bring their own familiar furniture and hence their own comfortable bed. In most cases the mattresses are not fire retardant. If we are required to provide mattresses the Resident will have to not only get used to new surroundings but also to a whole new 'sleeping experience'. This requirement will be very costly as we will need to be certain that each mattress fits the Resident's personal bed correctly, since mattresses and beds vary in length, width and depth.

**2800.130(a) Automatic Smoke detectors / Fire Extinguishers**

At present smoke detectors are required to be no further than 15 ft. from each Resident door. Adding smoke detectors in each room will be financially prohibitive as our fire alarm systems are not capable of an expansion of this dimension. Saint Mary's is requesting a definition of "automatic Smoke Detectors"; if the definition includes battery operated detectors we are able to meet the requirement at an approximate cost of

$\$25.00 \times 104 = \$2,600 + \text{annual battery changes} \times 2$ . These battery changes will require approximately 20 maintenance hours each spring and fall x average maintenance per hour of \$20.00 or  $20 \times \$20.00 \times 2 = \$800.00$  annually.

The regulations include a fire extinguisher in each living space. At an approximate cost of \$75.00 per extinguisher our costs would be:

$\$75.00 \times 104 + \$7,800 + \text{annual inspection (approx. \$350)} + \text{monthly checks by maintenance (approx. 5 hours per mo.)}$  Fire Extinguishers are replaced every four years.

**2800.171(d) Vehicle Accessibility**

LIFT services are provided in our local community; our Residents have memberships and use the service regularly. We presently provide a handicapped accessible vehicle for Activities and other such outings.

2800.171(d) **Administrative staffing**

Saint Mary's presently staffs our Personal Care Home with a forty hour plus per week Director. When she is not available the Personal Care Home is supported and supervised by the two NHA's who are on the premises. If the Assisted Living Regs continue to require an Additional Administrator in Assisted Living we will educate or hire for that purpose. This will be an additional cost to the organization in education as well as Administrative Expense and is prohibitive. An NHA should qualify as a Personal Care and an Assister Living Administrator with no additional education required.

Prepared by

Mary Fromknecht SSJ  
Nursing Home Administrator  
Saint Mary's East.