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From: Kaufman, Kim
Sent: Monday, September 15, 2008 9:14 AM
To: Gelnett, Wanda B.
Cc: Jewett, John H.; Smith, James M.; Outreach
Subject: FW: PAELA comments on Regulation 14-514, Assisted Living Residences

2008 SEP 15 AM 9:39

INDEPENDENT REGULATORY
REVIEW COMMISSION

FYI

-----Original Message-----

From: Marielle Hazen [mailto:MHazen@hazenelderlaw.com]
Sent: Monday, September 15, 2008 9:04 AM
To: Kaufman, Kim; Wilmarth, Fiona E.
Subject: PAELA comments on Regulation 14-514, Assisted Living Residences

The attached has been submitted to the Office of Long-Term Living as the Pennsylvania Association of Elder Law Attorneys' comments on Regulation 14-514, Assisted Living Residences.

Please do not hesitate to contact me with any questions.

Sincerely,

Marielle F. Hazen, CELA*
 President
 Pennsylvania Association of Elder Law Attorneys
 2000 Linglestown Road, Suite 202
 Harrisburg, PA 17110
 (717)540-4332
mhazen@hazenelderlaw.com
**Certified Elder Law Attorney by the National Elder
 Law Foundation as authorized by the Pennsylvania Supreme Court*

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Pennsylvania Association of Elder Law Attorneys

A State Chapter of the National Academy of Elder Law Attorneys

P.O. Box 61051
Harrisburg, PA 17106

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September 12, 2008

Gail Weidman
Department of Public Welfare
Office of Long-Term Care Living
P.O. Box 2675
Harrisburg, PA 17105

Arthur Coccodrilli, Chair
Independent Regulatory Review Commission
333 Market St, 14th Floor
Harrisburg, PA 17101

Re: Comments to the Proposed Assisted Living Residence Regulations - # 14-514.

Dear Ms. Weidman and Chairman Coccodrilli:

The Pennsylvania Association of Elder Law Attorneys hereby endorses the Pennsylvania Bar Association's comments to the proposed assisted living residence regulations - # 14-514.

The Pennsylvania Association of Elder Law Attorneys (PAELA) is an association of attorneys who represent consumers of long term care in Pennsylvania. PAELA attorneys provide advice and counsel to seniors and their families statewide regarding residential and care placement issues, including representation with respect to facility admission applications, contracts, and needs assessments. Our members review with clients the financing options for care, and represent them through the often onerous process of applying for available public benefits. We also help families with the problems they encounter when attempting to access needed services, and when disputes arise between our clients and residential facilities. As a result, we know firsthand how crucial it is that the assisted living residence regulations include adequate consumer protection provisions to protect the often frail and vulnerable elderly who reside in these facilities.

Comments to Proposed ALR Regulations - # 14-514
September 12, 2008
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We are excited to see that the efforts over the past few years of the legislature, the Department of Public Welfare, and the many stakeholders have resulted in these important proposed regulations to establish minimum standards for assisted living residences in Pennsylvania. Successful promulgation of assisted living residence regulations has the potential to expand care options for individuals in need of care services, and to provide individuals with safe alternatives to allow them to age in place. In addition, it would lay the foundation for Pennsylvania to move forward with establishing a Medicaid waiver program for assisted living.

While we applaud the efforts thus far, we believe the regulations as proposed are lacking in some important consumer protections. We have reviewed the comments submitted on September 12, 2008, by the Pennsylvania Bar Association, and endorse those comments in their entirety. We respectfully request that the concerns outlined in the PBA comments be incorporated into the final version of the regulations.

We appreciate the opportunity to provide these comments. Please feel free to contact either Marielle Hazen or Jeffrey Marshall at the addresses below if you have any questions or would like additional information from us regarding these comments.

Sincerely,

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