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Benedetto, Lisa M.

From: O'Brien, Ruth
Sent: Friday, February 06, 2009 1:52 PM
To: Benedetto, Lisa M.
Subject: FW: Suggested Amendment to Policy Statement - Assisted Living Regulations

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

From: Stephanie.Pastula@pha.phila.gov [mailto:Stephanie.Pastula@pha.phila.gov]
Sent: Wednesday, February 04, 2009 4:40 PM
To: Weidman-Jones, Gail; O'Brien, Ruth
Subject: Suggested Amendment to Policy Statement - Assisted Living Regulations

Good Afternoon Gail, Ruth -

I understand that DPW is still accepting feedback on the published draft Assisted Living regulations.

Attached is a suggested revision to the statement of policy that precedes the Assisted Living regulations. We understand that there is some language built in to ensure that any conflicts with Federal housing regulations would be avoided, but we would like to suggest this additional bit of language to further clarify the intent of the regulations.

We'd be more than happy to arrange a meeting or conference call to further discuss our idea. Please let me know if you have any questions or would like to discuss further.

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2/6/2009

Proposed Amendment to the Assisted Living Regulations Statement of Policy

The Philadelphia Housing Authority suggests a revision to the Department of Public Welfare's Statement of Policy, which precedes the proposed Assisted Living Regulations, to confirm the following points:

- Assisted Living requirements will not conflict with affordable housing requirements
- It is the intent of DPW that the Assisted Living regulations allow for the co-location of Assisted Living and affordable housing residences.

DPW has stated in the past that § 2800.18 of the regulations ensures Assisted Living services may be provided in affordable housing developments.

§ 2800.18 states, "A residence shall comply with applicable Federal, State and local laws, ordinances and regulations." An affirmative statement in the Statement of Policy, recognizing the Commonwealth's intent, will clarify any ambiguity.

Language to insert in the preamble of the Assisted Living regulations:

Use in Conjunction with Affordable Housing Programs

It is the intent of the Department that assisted living residences may also be subsidized, affordable housing developments, in order to ensure that Pennsylvania's low-income citizens have access to assisted living services. Affordable housing subsidies include, but are not limited to, the following: low-income housing tax credits, housing choice/section 8 vouchers, public housing operating subsidy, and other local, State, or Federal methods of housing financial assistance.

§ 2800.18 of the regulations states, "[a] residence shall comply with applicable Federal, State and local laws, ordinances and regulations", confirming that subsidized, affordable housing developments must comply with applicable Federal, State and local requirements in the event of conflict with the requirements herein (55 PA Code Chapter 2800 Assisted Living Residences).