

2712

L35

RECEIVED

July 22, 2009

JUL 31 REC'D

Bill White
Office of Long Term Living
P.O. Box 2675
Harrisburg, PA 17105

INDEPENDENT REGULATORY
REVIEW COMMISSION

Re: Proposed Assisted Living Residence Regulatory Package

Dear Department of Long-Term Living:

I am the CEO of Chandler Hall Health Services, a Quaker not-for-profit senior campus that provides residential and community services from infancy (childcare) through death (hospice). We operate the largest personal care facility in Bucks County. As a member of the stakeholder group that discussed regulations, I remain discouraged about the proposed regulations.

I do not believe that the proposed regulations for Assisted Living Residences advance the public interest or the legislative intent. The impact of the regulations will result in only a few providers having the financial resources to apply for licensure. The consumers will have another housing and service option that is not affordable. The costs associated with the regulations do not directly translate to services and systems that will enhance the health and quality living of current and future residents. The required additional staff and staff education requirements also ignore the very "real" problem of a labor shortage in long-term care.

These proposed regulations ignore free market principles and regulate to the highest possible standards, instead of the minimum standards – thus leading to redundant and excessive requirements. The regulations also appear to weigh in the favor of a younger, disabled population instead of balancing the needs of elders (the default consumer base for assisted living) with the needs of the disabled.

My most significant concerns are noted below:

1. Core Services – the services are onerous and the infrastructure and subsequent fixed costs to provide (or arrange for the supplemental services) will unnecessarily increase the costs and spread the costs across all residents, whether or not the services are needed.

2. Physical Plant Requirements - the proposed square footage for existing facilities is "almost" reasonable, but the proposed square footage for new construction is excessive.
3. Discharge of Residents – the right of providers is overlooked in this regulation, as noted in the legislation
4. Dual License – a less restrictive method needs to be supported; specifically a "by the door" licensure
5. Regulations that ignore the statute that are of concern include transfer and discharge, use of outside providers, and kitchen capacity.

In summary, I hope that these "final" regulations are not final. In a budget period with fewer dollars for all state services, I suspect that the proposed Medicaid funding to support Assisted Living is more of a dream than a reality. The critical need for a public funding source to help PA residents who need the care proposed only compounds the necessity to re-look at the proposed, onerous regulations.

Sincerely,

Lynette M. Killen
CEO, Chandler Hall Health Services

Respectfully Submitted,

Lynette M. Killen
CEO, Chandler Hall Health Services