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

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July 23, 2009

The Honorable John M. Hall  
Secretary, Department of Aging  
Office of Long - Term Care Living  
Bureau of Policy and Strategic Planning  
Department of Public Welfare  
P.O. Box 2675  
Harrisburg, PA. 17105

INDEPENDENT REGULATORY  
REVIEW COMMISSION

RECEIVED  
09 JUL 27 PM 2:42  
BUR OF LTC PGMS  
REFER TO \_\_\_\_\_

Re: Proposed DPW Assisted Living Regulations

Dear Secretary Hall,

As the Administrator of a Continuing Care Retirement Community I am very concerned about the proposed Assisted Living Regulations and the cost related to implementing the regulations. This additional cost will impact our operational cost which will then lead to rate increases for our residents.

Saint Mary's Home of Erie is a member of PANPHA. The Association has submitted detailed suggestions to the proposed Assisted Living regulations and I support the comments presented.

In addition to PANPHA comments, the following are specific areas of concern;

**Projected Cost Increase:**

**\$2800.11 Licensure Fee:**

We are currently licensed for 164 personal care beds with an annual licensure fee of \$50.00. All the units meet the criteria for Assisted Living square footage.

I support an increase in the licensure fee however, the rate planned in not just.

The proposed fee:  $\$300 + \$75 \times 164 \text{ beds} = \$12,600.00$   
**an increase of \$12,595.00** which is too high a cost.

**\$12,600.00**

**§2800.64 (a) (2)** Not accepting a person with a Personal Care Education as Administrator of Assisted Living is unreasonable and creating additional cost.

education & training approximate - \$ 5,000.00

**\$5,000.00**

**§2800.171 Transportation**

Requires that a facility to provide or coordinate transportation and assistance to and from medical and *social appointments*.

We already coordinate services with various transportation providers; however this regulation appears that both the transportation and the assistance should be at the cost of the facility. Quite often the family member is able to provide transportation and assistance—and if this regulation is implemented the facility would be providing all transportation and assistance to their residents. This would impact not only nursing hours but also additional cost for more vehicle and drivers. Nursing hours would be impacted because the nursing staff on duty could not leave the facility and residents in order to accompany a resident which requires assistance. Additional nursing staff would need to be hired to accompany residents to appointments.

vehicle (wheelchair accessible)	<b>\$30,000.00 plus</b> maintenance cost & fuel
driver \$15.00/hr	<b>\$31,200.00/yr</b>
nurse aide \$9.94/hr	<b>\$20,675.00/yr</b>
(plan 2/3 trips per day @6 to 8 hrs/day)	<b>\$81,875.00</b>

**Total Cost Projected \$99,475.00**

Other areas of concern are:

- The proposed bundling of "Core Services. This will result in higher admission fee and the nonuser of services having to bear the responsibility of covering the cost of such services.
- The clarification of proposed hours for the administrator.
- The *direct* supervision of an LPN by an RN in the completion of the assessment and development of the support plan.
- Dual licensure should be permitted room by room.
- Informed consent of the resident is some time inappropriate when a safety/dangerous issue of other residents, staff and visitor is present.
- The training need of a certified nurse aide should be different than a person hired without any health care education. Saint Mary's employees direct care assistance who

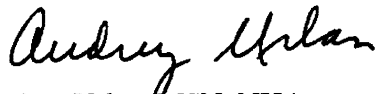
are certified nurse aides thus the current staff would not meet the proposed regulations.

- A written basis of denial for admission should not be required.
- The approval of the resident handbook by the Department seems unnecessary.
- The lack of equity in the allowance to terminate a resident contact. Both parties should be held to the same notification requirement and the appropriate time frame is 30 days.
- Resident possessions and furnishings should meet with safety in mind. Some desired items may not be appropriate and be permitted and the facility should have the right to inform the resident.
- The setting of a ratio for CPR/First Aid trained staff to resident does not seem practical, special during the sleep hours, when staffing is less

The proposed Assisted Living Regulations contain other areas of question but I only stated the regulations which will have a major impact on the operational cost of our Assisted Living/Personal Care Area thus effecting the cost of living at our facility. The current daily rate for personal care resident living in a 396 sq ft apartment at our facility is approximately \$122.00. The implementation of the proposed regulations will **increase the daily rate approximately \$5.66 per day or \$2,066.00 per year**; making the daily rate \$127.66 or \$46,595.90 per year thus possibly making it too costly and the resident would later require Medical Assistance support after their funds are exhausted.

I recommend strongly halting the implementation of the Assisted Living Regulations until the proposed regulations can be thoughtfully reviewed. If you have any questions about the information that I have stated, please call me at (814) 836-5305.

Receptive Submitted,



Audrey Urban MSN, NHA  
Administrator  
Saint Mary's at Asbury Ridge

cc Independent Regulatory Review Commission  
C/o Arthur Coccodrille, Chairman  
333 Market Street  
4<sup>th</sup> Floor  
Harrisburg, PA 17101

Senator *Jane M. Earl*  
200 West Eleventh Street  
Erie, PA 16501

Hon. John Hornaman  
2335 West 38th Street  
Erie, PA 16506