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INDEPENDENT REGULATORY
REVISION

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September 11, 2008

Arthur Coccodrill, Chairman
Independent Regulatory Review Commissioner
333 Market Street, 14th Floor
Harrisburg, PA 17101

Re: Regulation # 14-514

Dear Mr. Coccodrill,

Thank you for the opportunity to submit comments, suggestions and observations on the proposed Assisted Living rulemaking. Beechwood Court is a 52 unit (64 bed) assisted living located in Uniontown Pennsylvania and licensed by the DPW under the 2600 personal care regulations. I am respectfully submitting the following comments for your consideration in developing final regulations.

2800.56. Administrator staffing

(a) "the requirement that the administrator shall be present in the residence an average of 40 hours or more per week."

This seems a little unrealistic. There are often legitimate administrative duties that require the administrator to be out of the building such as: continuing education, meetings with families, evaluations of potential residents etc. Regardless of their physical presence the administrator is always on call. This requirement would result in the need for two licensed administrators.

2800.60. Additional staffing based on the needs of the residents

(d) "the residence shall have a nurse on call at all times."

This statement needs some clarification. Is this requirement for an RN or LPN, Does this "nurse" have to be available to come to the residence. If so, does this require a 24 hour on-call nurse. Does the nurse have to be employed by the facility or could a home health nurse be the on-call. The requirement for an on-call nurse to be available to come in would require on-call pay.

2800.11 License Fee

Beechwood Court's current annual fee for license is \$30. Under the ALR the annual fee would be a minimum of \$6065.

2800.10 (d) Kitchen capacity.

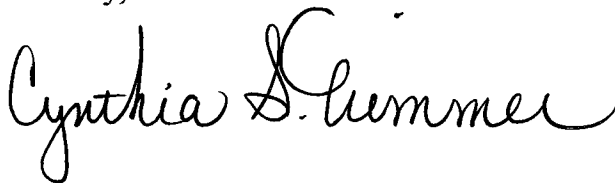
Beechwood Court currently provides a refrigerator, sink, and microwave in each unit. The requirement to provide a cook top in a common kitchen seems out of line. Even residents that appear to have the capacity to use the microwave currently have difficulty at times resulting in a fire alarm situation due to smoke. Beechwood Court had such an incident recently and the resident council is very concerned. They are interested in having microwaves removed from certain apartments. A cook top would probably result in fire alarms related to actual fires. The resident council is opposed to cook tops. We currently have a cook top in the secured dementia unit, however it was made inoperable to prevent fire risks. I think more thought should be given to allowing the resident to choose what type of kitchen if any that they want in their unit.

2800.227 (c)

"A licensed practical nurse under the supervision of a registered nurse must review and approve the support plan." This would require clarification. Is it a requirement to have a nurse on staff? Currently the support plans a BWC are done by a direct care staff person and the administrator/ LPN employed by the facility. This process is manageable with the annual requirement, a quarterly review requirement would require the addition of at least 1 FTE. In addition there is still the question of whether an RN would have to be hired. Even a contracted RN (if available) would still be cost prohibitive.

These are just a few of my many concerns. I appreciate the opportunity to comment on these proposed regulations and I thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Cynthia S. Trimmer". The signature is written in a cursive style with a large initial 'C' and a distinct 'S'.

Cynthia S. Trimmer, Administrator
Beechwood Court