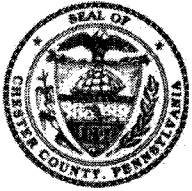


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THE COUNTY OF CHESTER



COMMISSIONERS:
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November 22, 2010

Mr. Stanley Mrozowski
Department of Public Welfare/OMHSAS
223 Beechmont Building
DGS Annex Complex
P.O. Box 2675
Harrisburg, PA 17105-2675

RECEIVED
IRRC
2010 NOV 22 P 4: 06

RE: Proposed Regulations for Residential Treatment Facilities
(Regulation 14-522)

Dear Stan:

I am writing to provide comment on the proposed regulations regarding Residential Treatment Facilities (RTFs). My comments are limited to the impact on drug and alcohol and are as follows:

A primary concern is that the applicability of these regulations to licensed drug and alcohol treatment providers is unclear. The proposed regulations indicate that they apply to facilities that "serve children less than 21 years of age with a diagnosed mental illness, or serious emotional or behavioral disorder, or a drug and alcohol diagnosis in conjunction with a diagnosed mental illness or serious emotional or behavioral disorder."

With the inclusion of a drug and alcohol diagnosis in §23.2 *Applicability*, the scope of the proposed regulations and requirements would appear to include residential drug and alcohol treatment programs licensed by the PA Department of Health serving youth under age 21, but this is unclear.

If there is applicability, I am very concerned as it is unclear what impact analysis, if any, has been done relevant to drug and alcohol, and I am not aware that drug and alcohol stakeholders were involved in their development.

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Ms. Stanley Mrozowski
November 22, 2010

Based on these concerns and the confusion regarding applicability, I offer the following specific questions and comments:

- What is the specific applicability to facilities licensed by the PA Department of Health to provide residential drug and alcohol treatment who are serving youth under age 21 (including Child Welfare/Juvenile Justice involved youth)? Clarification should also be provided on the proposed requirements impact on drug and alcohol licensed residential treatment provider's ability to continue to participate in the Medical Assistance program, as well as to serve Child Welfare/Juvenile Justice system youth.
- If there is applicability, I have significant concern about the impact of these proposed regulations and requirements. If there is applicability, what is the impact on the drug and alcohol system, including the number of facilities impacted; the cost for drug and alcohol treatment providers and the drug and alcohol system as a whole; and the impact on system capacity? Also, if there is applicability, has there been a crosswalk with Department of Health regulations to identify and address any conflicts?
- If there is applicability, input by the drug and alcohol field would be essential and I am not aware of the involvement of the major drug and alcohol field groups in their development.
- Given the above concerns, if there is applicability I would recommend that these regulations be put on hold until their impact on the drug and alcohol field can be made clear and the drug and alcohol field can have meaningful input into the final regulations.

Thank you for your consideration of my comments. Please don't hesitate to contact me if you would like clarification on any of the above concerns.

Sincerely,



Kim P. Bowman

KPB/bew

cc: Independent Regulatory Review Commission