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Shaye Erhard
Office of Mental Health and Substance Abuse Services
Pennsylvania Department of Public Welfare
233 Beechmont Building, DGS Complex
P.O. Box 2675
Harrisburg, PA 17105-2675
Via Electronic Mail

RE: Regulation No. 14-522

Dear Shaye Erhard,

On behalf of the Drug and Alcohol Service Providers Organization of Pennsylvania, we are writing to express concern regarding the Proposed Rulemaking for Residential Treatment Facilities, Regulation No. 14-522.

Our programs have had difficulty discerning whether or not these regulations apply to them. Yet in prior dealings with the Department, regulatory changes usually include a clearly articulated statement of purpose, goals to be achieved, projected number of individuals in need of treatment, number of programs affected, estimated costs of compliance, etc. This proposed regulation leaves many of these questions unanswered.

Does this regulation affect licensed drug and alcohol addiction treatment programs including licensed drug and alcohol programs serving the child welfare system and impose additional requirements upon them? How do we ensure that licensed mental health facilities treating young people with a drug and alcohol diagnosis in conjunction with a diagnosed mental illness or serious emotional or behavioral disorder have a license from the Division of Drug and Alcohol Program Licensure, Department of Health and the requisite training and preparation to provide treatment for drug and alcohol problems? Are the proposed regulations consistent with the statutory authority by Act 63 of 1972?

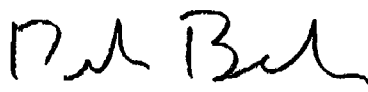
Some additional questions occur. How many programs will be affected by this regulation? What are the projected costs of compliance? What is the estimated increased cost to the families and to the public trust to place children in these facilities? How many facilities are there now with the capacity to provide treatment for these children? How will this regulation affect that capacity?

The regulation is ambiguous, creates the potential for statutory conflict, fails to fully involve the regulated community, will increase costs to families and the public trust and may decrease availability of a critically needed service.

If this regulation does affect licensed drug and alcohol addiction treatment programs in any way, time must be permitted to allow addiction treatment programs to participate in the development of the regulation. If on the other hand, the proposed regulation has no impact on licensed drug and alcohol addiction treatment programs, then the regulation should clearly state this fact.

For the reasons stated above, we respectfully ask that the regulations be withdrawn.

Sincerely,



Deb Beck
President/DASPOP

11/22/10

cc: Independent Regulatory Review Commission
DASPOP