

Memo

To: Stanley Mrozowski, DPW/OMHSAS

From: Mark Amendola, Executive Director

Date: 11/22/2010

Re: RTF Draft Regulations Comments

It has been a long time in development and necessary that Residential Treatment Facilities in Pennsylvania have specific regulatory standards to operate their programs. Perseus House, Inc. has established a team that consists of clinical, administrative and medical staff that have reviewed and developed the following comments, in response to the draft regulations:

The most outstanding concern and number one issue that if not addressed at the statutory level will continue to force the closing of RTF providers in the Commonwealth and it is the concern of rate negotiation. Perseus House as with many other RTF providers has not had a rate increase going on 7 years, despite continued escalating operating costs.

It has been stated that the new regulations will be cost neutral and that the expenses associated with the will be approximately 10-15% and will be offset by reduced bed days. Our estimate, with the proposed staffing ratios combined with the travel expenses for family work, is that the increases will be anywhere from 30%-40% dependent on the current rate and the site.

If we assume the lower increase the state predicts none of this matters if the contracted counties do not permit the MCO's to increase the rate as part of their Health Choices contract. This is the current reality for providers. We contract with counties and MCO's all over the Commonwealth and with the exception of a few counties most refuse to negotiate a new rate. Providers cannot continue to operate at 2002 rates and expect to provide the high quality of service that counties have been accustomed to without continued closing of programs. This will ultimately have a negative impact on consumer choice for RTF's because there will be very limited choice.

GENERAL REQUIREMENTS

23, 11 (i) (2) (iii) an attempted suicide by a child – needs more clarification.

The bed limitation will have no impact on Perseus House as none of our sites have more than 12 beds however it will result in a reduction of 33 beds in Erie County.

CHILD RIGHTS

23.32 (m) – a child shall be free from excessive medication- needs more clarification.

FAMILY PARTICIPATION

23.44 assistance for coordination of transportation for family contacts- further clarification as to the level of “*coordination of transportation*” especially for clients that are placed outside of their home county. In researching independent transportation services many average \$1.30 per child per mile.

STAFFING

23.58 (b) In a facility with 12 clients that would be 3 direct care and 2 MH professionals on every waking hour shift. This would be one of the highest expense increases to have 5 staff for 12 clients 7 am to 10 pm.

23.60 Family advocacy- Given the scope of (b) in this section does it not create a conflict for an employed advocate of the agency. Should this not be an independent person that would perform the scope of (b)?

CHILD HEALTH

23.143 (a) health exam 3 days after admission- Starting 1-1-11 the JCAHO is going to allow health exams within 30 days of admission. We do not have on-staff physicians. We have a MOU with a local medical center that conduct H/P's on-site. This would be an additional cost to increase the amount of physician time.

MEDICATIONS

The main concern in this section is that we had all of our staff complete the state approved training for medications and now the regulations are more restrictive to licensed staff, which will again increase the gross wages line item.

PAYMENT FOR RTF SERVICES

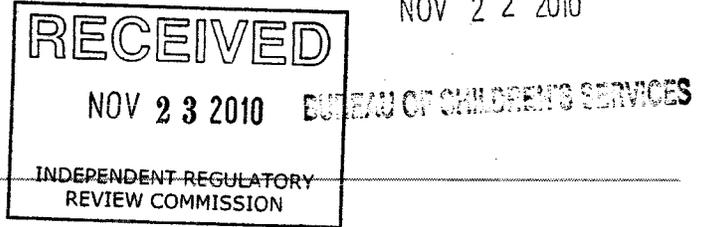
23.319 Dept. delegation of responsibility to behavioral health managed care organizations-if this can be interpreted that the MCO's will negotiate rates as OMAP did (which we truly were able to negotiate) prior to Health Choices this could address my concerns on page 1.

Erhard, E. Shaye

From: Mrozowski, Stanley
Sent: Monday, November 22, 2010 8:39 AM
To: Erhard, E. Shaye; Talley, Scott G.; Coover, Courtney
Subject: FW: RTF draft regs comments
Attachments: RTF draft regs. comments.docx

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From: Mark Amendola [<mailto:mamendola@perseushouse.org>]

Sent: Sunday, November 21, 2010 6:34 PM

To: Mrozowski, Stanley

Cc: Tom Antolik; Mark DiPlacido; Jerry Infantino; Susan Miller; Kelly Allen; John McGrath; Mario Mezzacapo; Sarah Shaw; Janel Pike; Della Parshall; Paula Laughlin; Lynnet Scully; pccyfsor@pccyfs.org; Lori Steele; Jack Fetter

Subject: RTF draft regs comments

Stan

Hope this finds well. I have attached our comments regarding the proposed RFT draft regulations. If this should go to one of you staff please let me know.

Thank you for the opportunity to have input in this process.

Mark

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