

**INDEPENDENT REGULATORY REVIEW COMMISSION  
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held May 17, 2012

Silvan B. Lutkewitte, III, Chairman  
George D. Bedwick, Vice Chairman  
John F. Mizner, Esq.  
Lawrence J. Tabas, Esq.

Regulation No. 14-524 (#2880)  
Department of Public Welfare  
Participation Review Process for Medical  
Assistance Nursing Facilities

On October 22, 2010, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Public Welfare (Department). This rulemaking amends 55 Pa. Code Chapters 1187 and 1189. The proposed regulation was published in the November 6, 2010 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on April 16, 2012.

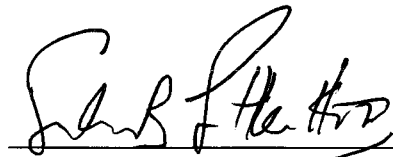
This final-form rulemaking implements Act 16 of 2007, which requires the Department to promulgate regulations to establish a process and criteria for reviewing and responding to requests by nursing facilities to enroll in the Medical Assistance (MA) Program or increase certified MA bed complements in a manner that is consistent with applicable Federal and State laws.

We have determined this regulation is consistent with the statutory authority of the Department (62 P.S. § 443.1(8)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

**BY ORDER OF THE COMMISSION:**

This regulation is approved.



  
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Silvan B. Lutkewitte, III, Chairman