

14-535-3



The leader in care and services for ventilator patients

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BUREAU OF POLICY

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September 11, 2013

Marilyn Yocum  
Department of Public Welfare  
Office of Long-Term Living  
Bureau of Policy and Regulatory Management  
P. O. Box 8025  
Harrisburg, PA 17805-8025

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IRRC

Re: Regulation No. 14-535 (Supplemental Ventilator Care  
Payment for Medical Assistance Nursing Facilities)

Dear Ms Yocum:

The undersigned is the licensed Administrator of the Fox Subacute Center ("Fox") located in Warrington, Bucks County, PA which is a 60 bed skilled care nursing facility that provides nursing care and rehabilitation to patients who are ventilator dependent as a result of severe pulmonary diseases or other complex medical conditions. Fox has served this unique population for more than twenty-five years and considers itself the leading provider of ventilator care and services in the Delaware Valley. At this time, approximately 87.24% of our residents are paid for by Pennsylvania Medical Assistance ("MA").

Everyone at Fox was quite pleased to read your recent announcement of the proposed regulation above referenced. It has become increasingly difficult to continue to provide quality service to our residents while suffering decreases in our MA reimbursement each and every year. It is particularly hard when the percentage of MA patients in our facility increases each year.

While Fox is certainly grateful for the opportunity to earn this additional daily reimbursement, we do feel that the criteria for qualification for the additional payment excludes from consideration patients who suffer virtually all the same problems as a ventilator patient with the exception of needing the actual machine to help them breathe. These patients, sometimes before being placed on a ventilator and sometimes after being taken off the ventilator, still require a trach collar (an additional airway placed in the throat) to breathe, still require the same amount of assistance with activities of daily living as a ventilator patient, still require the same amount of physician treatment and nursing services as a ventilator patient, and still require the same amount of therapy and care from a respiratory therapist as a ventilator patient. From the nursing home's point of view, a trach collar patient is identical to a ventilator patient with respect to time and effort of physician and nursing care, types and quantities of medical supplies, the need for ancillary services and the dollar cost of those goods and

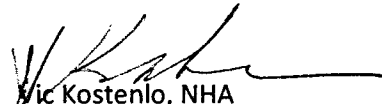
<b>MANAGEMENT, INC.</b> 251 Stenton Avenue Plymouth Meeting, PA 19462 610 828.2272	<b>AT CLARA BURKE</b> 251 Stenton Avenue Plymouth Meeting, PA 19462 610 828.2272	<b>AT WARRINGTON</b> 2644 Bristol Road Warrington, PA 18976 215 343.2700	<b>AT MECHANICSBURG</b> 120 S. Filbert Street Mechanicsburg, PA 17055 717 458.0930
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services. That being so, there would appear to be no logical reason to exclude a trach collar patient from qualification for the new additional payment you have proposed.

Accordingly, please accept this letter as a formal request for inclusion for qualification in the new ventilator supplemental payment program, those patients who are using trach collars for assistance in breathing.

Thank you for your consideration of this request. It is greatly appreciated.

  
Vic Kostenlo, NHA  
Administrator

VC/wd