

Stephen Hoffman

3160

From: Marian Saulino <marians@viapa.org>
Sent: Wednesday, October 10, 2018 6:13 PM
To: IRRC
Cc: Ahrens, Kristin
Subject: IRRC Regulation #3160 and DHS Regulation #14-540, titled "HCBS and Licensing"
Attachments: PA SB Network Letter to IRRC .docx

Dear Director Wilmarth,

Attached please find a letter commenting in support of the Department of Human Services proposed Ch. 6100 Regulations published by the IRRC as Regulations #3160.

The letter is jointly submitted on behalf of both individual and organizational members of the Pennsylvania Supports Broker Network.

Thank you for your time and attention to this matter.

Respectfully submitted,

Marian

Marian Frattarola-Saulino, MSW
Co-Founder | Executive Director, Values Into Action
Board Chair, the Alliance for Citizen Directed Supports
Board Chair, the Collaborative for Citizen Directed Supports-New Jersey
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RECEIVED
2018 OCT 11 A 8:36

3160

October 8, 2018

Pennsylvania Supports Broker Network
c/o Temple University Institute on Disabilities
1755 N. 13th Street, Suite 411 S
Philadelphia PA 19122

RECEIVED
2018 OCT 11 A 8:37

Fiona Wilmarth, Director of Regulatory Review
Independent Regulatory Review Commission
333 Market Street 14th Floor
Harrisburg, Pennsylvania 17101

Re: IRRC Notice of Final Form Rule-Making (DEPARTMENT OF HUMAN SERVICES [55 PA. CODE CHS. 51, 2380, 2390, 6100, 6200, 6400 AND 6500] Home and Community-Based Services and Licensing)

Dear Director Wilmarth,

This letter is written in support of the IRRC Regulation # 3160 and DHS Regulation # 14-540 titled "Home and Community-Based Services and Licensing," regulations that will govern the services provided to 55,000 children and adults with intellectual disabilities (ID) and autism through the Office of Developmental Programs. We write specifically to highlight the importance of these for those who are using Participant Directed Services

The Pennsylvania Supports Broker Network represents over 120 Certified Supports Brokers who work with people and families who are directing their services and supports. Typically, family members act as the employer of their family member's staff. Supports Brokers are responsible for assisting the employer with all employer and compliance related tasks. Our support for the proposed regulations is based on the individual and collective experiences of Supports Brokers across the Commonwealth.

First, these regulations represent the work of many people, including members of the Pennsylvania Supports Broker Network over several years beginning in December 2014. A work group that included individuals with disabilities, family members, advocates, universities, county programs, and providers was formed by

ODP. The input of those using Participant Directed Services was considered throughout the process, and it is important to note the amount of stakeholder engagement and comments has been extraordinary and relevant.

The scope of individuals served in the programs governed by these regulations includes individuals with minimal and complex support needs, as well as those who use provider managed services and those who are self-directing. These regulations ensure consistent standards for all services in areas such as individual planning, the protection of individual rights, staff development and training, management of incidents, medication administration and, the use of restrictive procedures. These regulations ensure the health, safety and well-being of each person served, no matter where or by whom, and now include protections for those using Participant Directed Services.

The Pennsylvania Supports Broker Network embraces the Everyday Lives philosophy as it furthers the inherent right to self-determination for all people regardless of ability. ODP, in adopting this philosophy, supports practices that:

- Integrate people with disabilities in their communities,
- Provide opportunities for people to work and contribute to their communities,
- Enable people to develop and maintain relationships with family and friends and
- Ensure people can exercise their basic rights as citizens.

These regulations include standards that maintain a focus on these practices and therefore ensure outcomes that are desired by people with disabilities and their families, i.e. full participation in family and community life.

Supports Brokers realize the importance of fiscal accountability, and that regulations establish the foundation for this most important responsibility. These regulations reflect multiple meetings with providers including those who support people using Participant Directed Services. The regulations clarify claims documentation requirements to assure reliable reimbursement, and includes reference to update provider fees to assure stability in funding over time. The

regulations stabilize the program financially and assure that reimbursement practices support effective service delivery.

Supports Brokers engage people and families who often sit outside the traditional provider managed system. These regulations, more so than the current and previous regulations, are vital to the continued and sustained success of home and community based services, and to the self-directed component in particular.

In closing, we strongly support these regulations and sincerely believe they should be approved.

Respectfully submitted,

The following members of the **Pennsylvania Supports Broker Network:**

- Transition Consults Supports Brokerage
- Values Into Action Supports Brokerage
- Trish Lubberda, NcP, Certified Supports Broker
- Marian Frattarola-Saulino, CEO Values Into Action Supports Brokerage
- Pamela Zotynia, Family Member and Certified Supports Broker
- Robert Zotynia, Service User, Participant Directed Services