

3160

October 10, 2018

Ms. Fiona Cormack, Director of Regulatory Review
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, Pennsylvania 17101
fcormack@irrc.state.pa.us



Dear Mrs. Cormack:

I am writing this letter as an endorsement of IRRC Regulation # 3160 and DHS Regulation # 14-540, titled "HCBS and Licensing." The landscape of Home and Community Based Services has changed in many ways over the last few years. As we have looked to become more efficient and effective in the provision of integrated community services we have often been constrained by guidelines in the form of the Chapter 51 regulations. Chapter 51 constricts a provider's discretion in finding the most effective way to achieve the desired outcome to improve quality of life and promote community integration.

I was privileged to be part of several stakeholder workgroups that were tasked with reviewing and making recommendation for the Chapter 6100 regulations. During the review and development process ODP actively engaged stakeholder involvement, accepted feedback, and applied that information for modifications to the proposed regulations through a series of edited drafts. And while not perfect, the version of the Chapter 6100 regulations under consideration characterize a true compromise among advocates, providers and the Department of Human Services. This give and take is unmistakable by virtue of the percentage (close to 50%) of suggested changes that were assimilated into this version of the Chapter 6100 Regulations.

Make no mistake, the proposed Chapter 6100 Regulations represent a vast improvement over the prevailing Chapter 51 Regulations and provide a solid basis for providers to cultivate, design and implement services to better meet the needs of those with disabilities, and their families. The Chapter 6100 Regulations:

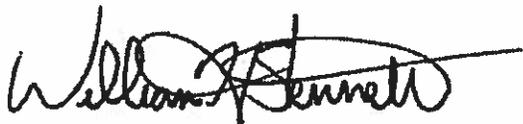
1. Provide greater clarity over terminology, explain obligations in more detail and consider how regulatory requirements apply to new circumstances.
2. Strive to accomplish a fair balancing of requirements and improve the standards with which licensed providers serve those with a disability across all Pennsylvania communities.
3. Seek to achieve the greatest positive impact for improved quality of life by more clearly defining enforcement priorities and powers.

The one area we were not able to have introduced in the regulations was the application of an annual market index to the fee schedule rates. While we remain strongly committed to this provision, we believe that ratifying the proposed regulations is more important. We will, however, continue to advocate for this provision to be included in regulation.

I wish to thank you for permitting me to testify today, and I also would like to thank and acknowledge the Department of Human Services and the Office of Developmental Programs for their transparency in providing information disclosure and dissemination, and access to their decision-making in the writing of these regulations. Special thanks to Karen Kroh, for without her leadership and expertise we would not be here today to seek endorsement of these new regulations.

In conclusion, I fully support and endorse the approval of the Chapter 6100 Regulations as proposed.

Most sincerely,

A handwritten signature in black ink, appearing to read "William H. Stennett". The signature is stylized with a large, sweeping initial "W" and a long horizontal line extending from the end of the name.

William H. Stennett