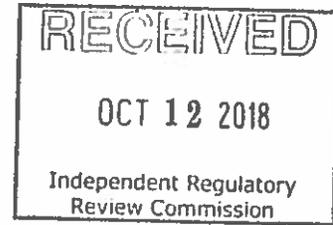




3160



Oct 13, 2018

Mr. David Sumner
Executive Director
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

Subject: IRRC Regulation #3160 Comments on DHS Regulation #14-540 "Home and Community Based Supports and Licensing"

Dear Mr. Sumner:

Please accept this input on the above named regulations on behalf of McGuire Memorial. McGuire Memorial is a private provider of a variety of services and supports to individuals with the most significant intellectual disabilities and autism in New Brighton, Pennsylvania.

The HCBS licensing regulations #14-540 were submitted to the IRRC for review by the Department of Human Services. McGuire Memorial is expressing support for the approval of these regulations. The final form of the regulations represent the most significant changes to Pennsylvania's intellectual service system. McGuire acknowledges as well as supports the efforts and process undertaken by the Department of Human Services and The Office of Developmental Disabilities. Their efforts in following the regulatory review process permitted the inclusive input of all stakeholders in the development of these proposed regulations. The current Chapter 5100 were developed and "imposed" on the system without the benefit of any input or discussion regarding potential ramifications. These regulations represent an improvement for the system over the current Chapter 51.

The most noticeable improvements include clarifications aligning commonality amongst the programs under these proposed regulations. The areas of shared goals and outcomes are Community Participations, Rights of the Individuals, Use of Restrictive Procedures, Prohibited Procedures and ensuring the needs of each individual is paramount.

We must raise a word of concern and caution in regard to the proposed regulations. The lack of clarity regarding the freezing of payment rates in interim years between the propose "rate refresh". We believe there needs to be a firm commitment of an annual market index added annually to the fee schedule rates. This provision must be included in the regulations. The absence of an annual inflation factor to the fee schedule rates based on a national market index could potentially serve as a potential rate cut to our services and thus potentially inhibiting the system's ability for adequate service provision. Should you have any questions, please feel free to contact me.

Sincerely,

Karen S. Scanlon, M.Ed.

Karen S. Scanlon, M.Ed
VP of Regulatory Compliance
McGuire Memorial
2119 Mercer Road
New Brighton, PA 150166
724-843-3400 ext. 1115
kscanlon@mcguirememorial.org