



# IMAGINE DIFFERENT COALITION

WE BELIEVE ALL CHILDREN SHOULD GROW UP IN FAMILIES, AND WITH THE RIGHT SUPPORTS THIS CAN HAPPEN FOR ALL CHILDREN WITH DISABILITIES

## COALITION CO-CHAIRS

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3160

October 14, 2018

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



Subject Reference IRRC Regulation # 3160 and DHS Regulation # 14-540, titled "HCBS and Licensing"

Dear Ms. Wilmarth:

The Imagine Different Coalition would like to express our appreciation for the opportunity to provide comments on Final Form Regulation #14-540: Home and Community-Based Supports and Licensing. We are a group of parents, advocates, and professionals from across the state that has come together because of a common concern about children with disabilities growing up in congregate care facilities. We are committed to ensuring that children grow up instead in well-supported and loving families. Our comments reflect issues in the regulations as they relate to children.

We previously submitted extensive comments regarding, but not limited to:

1. Parent/guardian engagement and decision-making
2. Permanency planning
3. Facility use by children
4. Preadmission determinations and planning prior to out-of-home placement
5. Coordination and data sharing with other state agencies
6. Supports coordination training, monitoring, and reviews
7. Training and oversight protections within Lifesharing

We appreciate the extensive stakeholder input that led to these regulation changes. We acknowledge and commend ODP for its responsiveness to our concerns through the addition of regulations for children's services in § 6100.56, 6400.25 and 6500.26. We are supportive of these additions in addressing some of our concerns and providing an important foundation. While we would have preferred more coverage and specific content that addresses our issues listed above, we recognize that the regulations establish minimum standards. We are specifically concerned that the requirement to "include desired outcomes related to strengthening or securing a permanent caregiving relationship for the child" in the individual plan may be unclear or ambiguous. We understand that ODP will provide greater direction in the implementation process. We believe and trust that our concerns may be addressed through clarification, interpretation, and explicit guidelines. In particular, we request such direction specifically assures the person-centered support planning process includes permanency planning for children including the following key elements:

1. Clearly establish family living as the preferred permanency goal for minor children to facilitate growth and development
2. Recognize the potential harmful effects of long-term congregate care of children and seek to avoid or limit its use to the shortest possible time
3. Provide training in permanency planning for supports coordinators
4. Provide instruments and tools to guide permanency planning

We applaud the Department's commitment to continuously improving children's services and intent to seek future stakeholder input regarding children's issues. The Imagine Different Coalition stands ready and willing to collaborate with the Department through continued input and technical assistance from the broad experience of our members. We recognize that children represent a smaller proportion than adults of individuals affected by the regulations, however, we feel their needs differ significantly enough that they warrant a voice in stakeholder input that provides a unique child focus. We would welcome the opportunity to continue to contribute to efforts to better serve children and families so as to enable children to grow up in loving and well-supported families.

Sincerely,

*Liz Healey*

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Co-chair

*Kate Maus*

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Co-chair