

Kroh, Karen

3160 #14-450-26

From: Mochon, Julie
Sent: Friday, December 09, 2016 1:40 PM
To: Kroh, Karen
Subject: FW: ODP Funding and Licensing Regs-Comments from Quality Progressions
Attachments: Reg 6100Comments from Quality Progressions 11-16.docx

From: Joel Goldberg [<mailto:jgoldberg@qualityprogressions.org>]
Sent: Friday, December 09, 2016 1:32 PM
To: Mochon, Julie
Subject: ODP Funding and Licensing Regs-Comments from Quality Progressions

Ms. Mochon

Attached you will find comments regarding the proposed Chapter 6100 regulations from Quality Progressions.

Thank you for the opportunity to respond.

Have a great holiday season.

Joel Goldberg
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Comments from Quality Progressions

Note that as a member of ODP's 6100 workgroup we have seen many revisions and feel that many positive changes were made in response to previous feedback from stakeholders. We feel that these are an improvement and a step in the right direction. There is a consistent focus on person-centered outcomes based on personal preferences.

Section 6100.44-The introduction of Innovation projects is very positive, it will allow for ideas that might not fit cleanly in the definitions.

Section 6100.45(b6)-Clarification will be needed to understand how to measure "An analysis of the successful learning and application of training in relation to established core competencies".

Section 6100.54-Records retention for 4 years is a sensible timeframe

Section 6100.143 - Quality Progressions supports the change in training requirements for Supports Coordinators from 40 hours to 24.

Same section -c(1)-why do they list those specific outcomes, why not instead require training on The values of Everyday Lives and it's application. This is also true in **section 142 (b)1**

Section 6100.183 -I had concern with visitor's at any time, but feel **6100.184** protects other people in the house and the provider. I feel this is appropriately addressed.

Section 6100.223 -(17)- I don't know why that is there.-

Section 6100.223-(21) How do we include signatures in the PSP? General comment: Are the guidelines to the PSP following the waiver amendments going to assure more consistency among AE's in approving/authorizing PSP's? We often have very rigid and less Person Centered ISP's now because of the compliance driven philosophies of the AE's.

Section 6100.225- (6) and (7) and throughout that section. It is greatly appreciated that the timeframes were removed. This also involved removing them from the licensing tools which would have been a challenge for providers. Great change.

Section 6100.302-b(2) We agree with the requirement that transportation be arranged if included in the service for a person to visit potential new providers. To implement the everyday life value of choice, it is essential that the current provider participate and assist in making a transition smooth without adding additional barriers.

Section 6100.304 - states the PSP team will provide 30 day notice when the individual chooses another provider, so every time a person wants to change providers, notice has to be sent to the team, individual, managing entity, the provider, etc. This just says the PSP team, who will this fall on and how realistic is this given as SC's are supposed to respond to change in need within 7 days?

Section 6100.305-We agree that the current provider continuing support during the transition period is essential for assuring the person's needs are being met without lapses in service and a smooth transition.

Section 6100.343-We agree with the complete Positive Intervention section, but especially value the prohibition of restraints in this section.

Section 6100.401-(a)17-This would need clarification.

(d)-Notification to the individual and family when an incident is discovered and notification of the conclusion of an investigation is the current practice. We get next to no requests for incident reports from families but are afraid the floodgates would open with this requirement. Many of the reports SCO's complete the family is the target and giving them a copy of the report would be a problem, but also provider reports of allegations that are not found to be confirmed would be a concern. Providers would then hesitate to put all confidential information into these reports. To require families to get a copy of all reports would be an unreasonable risk due to the fact that we report all allegations regardless if there is any fact to support it. The standard for what is reportable needs to be modified. Also, will there be the ability to print a report that eliminates information that should be redacted or will that become a challenging work around.

Section 6100.443- (f)- Access to an individual's bedroom only in a life-safety emergency, how about in the situation of an ongoing concern of health and safety such as in cases of hoarding or illegal activities. Can the PSP team address this and recommend exceptions?

Section 6100.446-(c) – We recommend removing this. We recommend the prohibition of new programs licensed under the 2380's and 2390's as of 7/1/17. People should be expected to participate and convene in community settings with the supports as needed which promotes everyday lives.

Section 6100.446 (c) (2)-We strongly support this concept. We would change it to No additional individuals funded through any funding source, including private pay, may be served in any program licensed under the 2380's or 2390's as of 7/1/17.

Section 6100.571-(b)-Refreshing rates every 3 years is reasonable, but there should be a guaranteed rate the other years when rates are not refreshed. Flat rates are unreasonable and a hardship to providers due to increased annual costs.

Section 6100.670(a) - Start- up costs for new locations and conducting business in a new geographic area is positive and will assist in assuring there are meaningful options available in more locations. The amount for the start-up costs has to be reasonable.

Section 6100.803 (1) – note training requirements for the 1st year (i-v) for a Supports Coordinator, these trainings are in addition to the provider required orientation training in section 143 as well as all mandated SC trainings that had been or will be offered by ODP in that year. This would surely demand a Supports Coordinator in their first year to have more than 24 hours of training; will consideration be in the rate setting for the expense of additional non billing time for new staff.

Section 6100.803 (2)-Has the standard for incident reporting changed. Incidents reported to SC's will only be reportable if directly observed or if SC is directly involved in an incident. Does that mean that only incidents reaching the standard of protective services would be reported upon discovery from another source? We support if that interpretation is true.

Section 6100.803 (3) and (4) –While Supports Coordination will no longer have to do the 6 month review for residential it looks like we are being required to document the continued need every 6 months...where and how? Is a service note acceptable or are we doing something more in the plan? Section (4) goes through enhanced staffing, just wondering if we are doing away with the checklist altogether and if this will be the criteria we follow...it is similar to what is being done now...again my questions are around the method to which we answer these questions.

Thank you again for the opportunity to review and comment on this document.

Sincerely,

Joel Goldberg

CEO

12/9/16