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14-540-(28)

Kroh, Karen

From: T Carasiti <tomteri@hotmail.com>
Sent: Tuesday, December 13, 2016 8:22 AM
To: Kroh, Karen
Subject: 6100s Question

Hi Karen,

We met at the meeting this past Wednesday night. Yesterday some of us from Vision for Equality had a phone conference to discuss 6100s to prepare our comments. In order to make a particular comment we first have an interpretation question: 6100.43 states a provider can get a regulation waiver except for what's listed in .43. Is the inclusion in that section of number 3 and 4 whereby regulations waiver is not allowed regarding individual rights or positive intervention, superseded by 6100.223 #14 where a PSP allows for exceptions necessary to mitigate risks. In other words, a provider can not get an exception to regulations regarding individual rights or positive intervention techniques but a PSP can state exception to those regs if it's to mitigate personal risk. Is that a correct interpretation?

Thanks.
Tom Carasiti

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