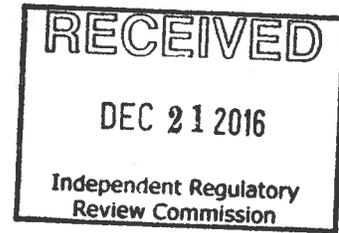


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#14-540 — (122)

**Kroh, Karen**

**From:** Mochon, Julie  
**Sent:** Tuesday, December 20, 2016 8:33 AM  
**To:** Kroh, Karen  
**Subject:** FW: Comments regarding 6100 Regulations  
**Attachments:** Comments Regarding 6100 Regulations.pdf  
**Importance:** High




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**From:** Sam Primak [mailto:sprimak@arcofdc.org]  
**Sent:** Monday, December 19, 2016 11:19 AM  
**To:** Mochon, Julie  
**Subject:** Comments regarding 6100 Regulations  
**Importance:** High

Good morning,

Attached are my comments regarding the proposed rulemaking for Chapter 6100 Regulations.

Thank you,

Sam Primak  
 Director of Advancement  
 The Arc of Dauphin County  
 Harsco Center

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December 19, 2016

**To:** Julie Mochon, Policy Specialist  
PA Office of Developmental Programs

**From:** Sam Primak, Director of Advancement  
The Arc of Dauphin County

**Ref:** Comments regarding potential Regulation 6100 Rulemaking

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1. I am in favor of the Department of Human Services tackling the reduction of licensing duplication across the various chapters of regulation and establishing greater consistency between the HCBS provisions and the four licensing chapters.
2. Regulation 6100.806 section 10, with regard to vendor goods and services, requires Respite Camps to comply with Medication Administration requirements specified in 6100.461 – 6100.470. Regulation 6100.462 (medication administration) provides the provision for a staff person or others to provide medication administration for an individual who is unable to self-administer provided they complete medication administration training that meets regulation 6100.469 (Department-approved medication administration course, including the course renewal requirements).

The Arc of Dauphin County upholds the need to have qualified staff to safely administer medications for individuals who are unable to administer their own medication. However, you cannot mandate training in medication administration from a department-approved administration course, and at the same time, deny the provider and its staff in respite camp settings or non-licensed settings access to the mandated and required training. The current approved medication administration training course approved by the Department of Human Services, through partnership with Temple University, is only available to licensed providers and their staff and is not accessible to non-licensed and vendor Respite Camp providers and their staff. The approved Department medication training course needs to be expanded to include training of non-licensed provider staff in order for compliance with regulation 6100.461-6100.470 and 6100.806(10) to be possible.

Often and regular medication training needs to be available to ensure compliance with the regulations since staff turnover in the human services field is high. The Arc also recommends that train-the-trainer certification be continued. This will lessen the burden on Temple University or whomever the Department partners with for the training, and will expedite the training and reduce costs on providers.

3. Regulation 6100.142 (orientation program)

Section (a). The qualifier for the orientation program is that orientation will be completed, "prior to working alone with individuals, and within 30 days of hire or starting to provide support to an individual."

Section (a) 1&2. I contend that staff members who are not providing direct service or working alone with individuals (management, program, administrative, fiscal, dietary, housekeeping, maintenance, and ancillary staff) should be removed from the following orientation training (section (b) 1):

- Application of person-centered practices
- Facilitating community integration
- Honoring choice
- Supporting individuals in maintaining relationships

I agree that all staff should receive training listed in section (b) 2-5 (mandated reporter; prevention, detection, and reporting of abuse or suspected abuse; individual rights; recognizing and reporting abuse; job related knowledge and skills).

4. Regulations 6100.143 (Annual training and orientation). The 24 hours of annual training is carried over from the Chapter 51 regulations for licensed waiver programs, however in this regulation it is expanded to include non-licensed, vendor, AWC, and OHCDs services. Though it may be appropriate for the larger licensed providers, it is not for the vendor, AWC and OHCDs and I suggest that they be removed from the 24 hour training requirement that will place an undue hardship on providers.
5. 6100.183 (Rights of individuals in residential facilities) - section (g) is problematic. The Arc values the right to privacy and would not want to see that taken away. Closing ones door, and the requirement to knock before entering upholds this right. A locked door could pose a health and safety risk by restricting access.
6. 6100.342 Section (2). I believe this is a mistake and should read "Functional Assessment" to be consistent with service definitions. The definition of dangerous behaviors (regulation 6100.341C) can apply to many behaviors that would not meet the threshold of needing a functional analysis. Individuals could be served through obtaining a functional assessment with the resulting information listed in regulation 6100.342, section 3-7 (outcome, description of positive intervention, target date to achieve the outcome, communication needs, and health conditions requiring special attention) identified in the PSP.
7. 6100.343 (Prohibition of Restraints). There needs to be exclusion for doctor prescribed mechanical restraints not addressed in section 5, subsection (i, ii). Examples would be a helmet with fasteners for a consumer with self-injurious head banging, a seatbelt to maintain person in wheel chair and many others. Doctor prescribed mechanical restraints for a health and safety issue should not be included in this regulation as a prohibited restraint.