



Barber National Institute
Making dreams come true.

3160

#14-540- (114)

Dr. Gertrude A. Barber Center, Inc
100 Barber Place
Erie, Pennsylvania 16507-1863
814.453.7661
www.BarberInstitute.org

RECEIVED

DEC 21 2016

Julie Mochon,
Department of Human Services
Office of Developmental Programs
625 Forster Street, Room 501
Harrisburg, PA 17120

Independent Regulatory
Review Commission

RECEIVED

DEC 19 2016

Office of
Developmental Programs

December 15, 2016

Subject: Proposed Regulations -. PA Bulletin, Doc. No. 16-1934

I welcome the opportunity to comment on the regulations proposed in PA Bulletin, Doc. No. 16-1934.

I respectfully submit the attached comments for your consideration.

If additional information is required, I can be reached via phone (814) 878-4091 or email tpaterniti@barberinstitute.org.

Respectfully,

Thomas E. Paterniti
Operational Improvement Manager

cc Jennifer L. Kennedy

Barber National Institute

<u>Citation</u>	<u>Caption</u>	<u>Discussion</u>	<u>Recommendation</u> (specific recommendation; revised regulation language)	<u>Name</u>
(code, example 2380.33) 6100.45 (b)(1)	(example, Program Specialist) Quality Management	(basis for discussion and impact if known) The provider shall conduct a review of performance data in the following areas...: progress in meeting the desired outcomes of the person centered support plans (PSP)". Analysis of individual progress across a large organization would require an enormous amount of hands on review. Preparing these metrics would be costly and cumbersome.	Remove the requirement for analysis of individual outcomes based on the PSP.	Barber National Institute/Thomas Paterniti
2380.33(3) 2390.33(3)	Program Specialist	This entry states that the Program Specialist shall be responsible for providing and supervising activities for the individuals". On a day to day basis the PS does not directly provide or supervise activities. The PS facilitates through program staff.	Change verbiage to : supporting activities provided for the individual.	Barber National Institute/Thomas Paterniti
6100.183(a)	Additional rights of the individual	An individual has the right to receive scheduled and unscheduled visitors...at any time. This language may not be practical and may infringe on the rights of other individuals.	Remove "at any time"	Barber National Institute/Thomas Paterniti
6100.261	Access to the community	Providing ongoing opportunities and support to participate in community activities of the individual's choice and maintain appropriate staffing levels could be a challenge.	Include language "within reason".	Barber National Institute/Thomas Paterniti
6100.441(c)	Request for and approval of changes	The program capacity may not be exceeded. As written this would not allow the use of "excess" capacity for respite. Excess being defined as occupancy capacity vs. program approved capacity	Include language addressing excess capacity.	Barber National Institute/Thomas Paterniti
6100.483	Title of a residential building	The title of a debt free building owned by an enrolled provider shall remain with the enrolled provider.	Remove "debt free". It is understood that any encumbrance by a financial institution would need to be satisfied.	Barber National Institute/Thomas Paterniti
6100.466(c) 2380.126(c) 2390.196 (c)	Medication records	Medication refusal shall be reported to the prescriber within 24 hours. This requirement is cumbersome and could lead to misreporting of medication refusals by staff.	Remove the requirement to notify prescribers within 24 hours of any medication refusal.	Barber National Institute/Thomas Paterniti