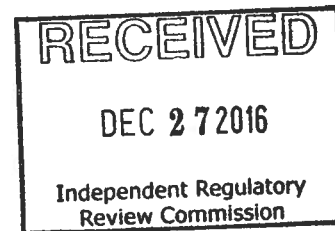


Kroh, Karen #3160

#14-540-181

From: Mochon, Julie
Sent: Tuesday, December 20, 2016 12:20 PM
To: Kroh, Karen
Subject: FW: Devereux Comments on Chapter 6100
Attachments: Devereux comments (b) Ch 6100.docx



From: Emily Frye [mailto:efrye@devereux.org]
Sent: Tuesday, December 20, 2016 11:48 AM
To: Mochon, Julie <jmochon@pa.gov>
Cc: par@par.net; PA Poconos Leadership <PA_Poconos_Leadership@ad.devereux.org>; Christopher Betts <CBETTS@devereux.org>
Subject: Devereux Comments on Chapter 6100

Dear Julie Mochon,

I am attaching Devereux Pocono Center's and Devereux Pennsylvania Adult Services' comments on the proposed Chapter 6100 regulations. We look forward to receiving your feedback.

Please let me know if you have any questions.

Thank you!

Emily Frye
Quality Management Director
Devereux Pocono Center
570-839-6169 (office)
570-213-1149 (cell)
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Devereux Advanced Behavioral Health – Unlocking Human Potential.
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Chapter 6100 Comments

Citation: 6100.46. Protective services

Discussion: The integrity of the investigatory process is paramount; at times the process becomes duplicative when multiple entities are involved.

Recommendation: Coordination of multiple investigatory entities would help to streamline the process. It is suggested that (b) take into account other outcomes of an investigation such as inconclusive or unconfirmed. In addition, the corrective actions, regardless of outcome, are critical in the protection of the individual.

Citation: 6100.143. Annual training

Discussion: The suggested training subjects may not address the needs of the clients or the organization.

Recommendation: Remove AWC and OHCDs from the regulations. Transportation Trip and Unlicensed home and community based providers should also be excluded from 6100.143 as written. Training list pertains to licensed providers and impedes the promotion of family support models of service delivery. A prescribed number of hours for training will not support appropriate training specific for the individual and does not afford the opportunity for families/participants and the unlicensed providers and Transportation trip providers that support them with the type and frequency of training that is needed for the individual. When there are established mandates to hours versus individuality, the service quality and the opportunity to support the values of ODP and Everyday Lives is lost. Also, the current unit rates will not support the increase in training requirements.

Citation: 6100.223. (19) Content of the PSP

Discussion: A back-up plan to identify a needed support as identified by the PSP team if the absence of the designated support person would place the individual at a health and safety risk.

Recommendation: Further clarification on how 'back-up' plan is defined.

Citation: 6100.262. Employment

Discussion: Is there a time limit for OVR to respond to the referral, as this could delay an individual's access to supports? This could potentially slow down referral process.

Recommendation: Documentation of OVR contact shall serve as vehicle for providers.

Citation: 6100.304. Written notice

Discussion: In a situation where the individual is a danger to the individual's self or others, at the particular support location, even with the provision of supplemental supports, can the 45-day notice requirement be waived? Will the provider be held to continuing services for the 45-day period if there is a health or safety risk to the individual or others?

Recommendation: Include exception for safety if it is allowed. For service providers such as transportation, homemaker and vendor services a PSP team meeting may not be necessary. The SC shall assist the individual to make such changes in such service provision.

Citation: 6100.443. (f) Access to the bedroom and the home

Discussion: Is this just for locked rooms and how do we document that access was granted.

Recommendation: State that "provider staff should request permission whenever possible when entering a bedroom in circumstances other than a health and safety emergency."

Citation: 6100.444. (b) Lease or ownership

Discussion: Landlords may establish reasonable limits for the furnishing and decorating of leased space as long as the limits are not discriminatory and do not otherwise deny rights granted to tenants under applicable laws and regulations.

Recommendation: Replace the paragraph above with the following; "Providers may establish reasonable limits for the furnishing and decorating of living units as long as the limits are not discriminatory and do not otherwise deny rights granted to individuals under

applicable laws and regulations.”

Citation: 6100.446. (2) Facility characteristics relating to size of facility

Discussion: With the Department's written approval, an intermediate care facility for individuals with an intellectual disability licensed in accordance with Chapter 6600 (relating to intermediate care facilities for individuals with an intellectual disability) with a licensed capacity of five, six, seven or eight individuals may convert to a residential facility funded in accordance with this chapter exceeding the program capacity of four.

Recommendation: Language should state for capacity of up to 8 and also include the specific criteria necessary for approval.

Citation: 6100.571. (b) Fee schedule rates

Discussion: The Department will refresh the market-based data used in subsection (a) to establish fee schedule rates at least every 3 years.

Recommendation: Replace 6100.571. (b) with the clause below;
“For Fiscal Year 2017-2018 the Department will apply the Medicare Home Health Market Basket Index to each fee schedule rate for each year from FY 2012-2013 through FY 2017-2018 to establish the FY 2017-2018 Fee Schedule Rates.”

Citation: 6100.641. Cost-based rate

Discussion: Payment methodology relative to fee schedule and cost report is unclear.

Recommendation: Clarification is needed relative to payment and rate structure.

Citation: 6100.655. Travel

Discussion:

Recommendation: Provide reference to Commonwealth established policies relative to meals, lodging and transportation.

Citation: 6100.686. Room and board rate

Discussion: If the individual receives income from employment, that reduces the monthly SSI amount, then is the provider able to continue to charge 72% of the maximum? If the individual is receiving less than the maximum SSI amount due to an overpayment for previous months, is the provider able to charge 72% of the benefit award, or 72% of the benefit received?

Recommendation: Offer further clarification.