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14-540 (# 348)

Adams-Moore, Denise

From: Tim Pawol <twpawol@verizon.net>
Sent: Tuesday, September 12, 2017 12:11 PM
To: PW, ODPCcomment
Subject: Fee schedule rates

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This letter is in response to your request for comments as published in 47 Pa. Bulletin 4831 August 19, 2017. There are two significant concerns with the document as proposed.

First, the rule as written would permit the Department divide the Commonwealth into "areas" in contravention of existing statute. Current state law has divided the Commonwealth into various "classes" based on the population of the county. For example, Philadelphia is a county of the first class and Allegheny is a county of the first class. It is important to note that the classes are determined by the legislature and solely by the legislature. It appears that the Department, if it seeks to divide the Commonwealth, would need to amend the current legislation or to abandon the concept of dividing the Commonwealth.

Second, the current proposal should be amended to require the use of a nationally recognized market index in its review of rates. I suggest that the index be chosen and publicized well in advance of its usage so that there is no appearance favoritism.

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