

14-538-35

Champa, Heidi

#3176

**From:** Eisenhauer, Dan <DEisenhauer@dauphinc.org>  
**Sent:** Tuesday, September 12, 2017 3:09 PM  
**To:** PW, OPCRegs  
**Subject:** OP Regulations comments  
**Attachments:** OP Regs Comments Dauphin co.docx

Hello:

I apologize but realized today that I did not send these comments yesterday.

Please use if you can and if not I understand.

Thanks,

Daniel E. Eisenhauer, Administrator  
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# DAUPHIN COUNTY P E N N S Y L V A N I A

Mental Health - Intellectual Disabilities Program

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September 7, 2017

Michelle Rosenberger  
Bureau of Policy, Planning and Program Development  
Office of Mental Health and Substance Abuse Services  
Commonwealth Towers, 11th Floor  
303 Walnut Street  
P. O. Box 2675  
Harrisburg, PA 17105-3675

Dear Ms. Rosenberger:

Thank you for the opportunity to comment on the proposed amendments to Chapters 1153 and 5200 relating to Outpatient Psychiatric Services and Psychiatric Outpatient Clinic. Dauphin County MH/ID Program commends OMHSAS and the stakeholders who contributed to these proposed changes. This effort offers a needed update on regulations to maintain clinical quality and accommodate progressive practices in service delivery, supervision, and management. Replacing outdated language is also supported.

Dauphin County highly supports the provisions of Mobile Mental Health Treatment in regulation, inclusion of clinical directors in the organization of Psychiatric Outpatient Clinics, and the use of approved tele psychiatry services in addressing clinical needs as well as clinical oversight. The proposed changes are extremely relevant to the high use of psychiatric outpatient services as a less restrictive, yet clinically flexible treatment option appropriate to ameliorating a wide number of mental illnesses and emotional disturbances in adults and children.

There are two comments/suggestions which should be addressed in these proposed regulatory changes:

1. Definition of adults as person 21 years of age and older (Page 4 and throughout). The age of majority in the Commonwealth of Pennsylvania is eighteen (18) years of age. By most standards, an 18 year old is an adult in Pennsylvania. It appear this definition may have been adopted because Pennsylvania partners with the federal government in funding services to persons with disabilities, benefits in which the federal government is also a financial participant, are also extended to persons with a disability up to 21 years of age. Persons with a mental illness or emotional disturbance at age 18 may have completed their secondary education and may have developmentally attained skills and supports to benefit from programming designed for persons 21 years of age and older. The goal in the proposed rulemaking should be consistent with Commonwealth law yet flexible to meet developmental challenges not consistent and met solely by a person's chronological age. Not all persons seeking and benefitting from psychiatric

outpatient services are disabled. The rationale for the definition is not apparent, is not recovery oriented and appears to be rigid. Persons 18 -21 have needed a determination on the "best fit" based upon multiple factors, not solely age.

2. Definition of children's services are for persons 14 years of age or younger (Page 18). The age of consent for mental health services is 14 years or older. Changing definitions in one Chapter in one service area will serve to confuse all parties: individuals, families and service providers. A service regulation should be consistent with other overarching regulations and laws. For both adults and children, there are transitional and developmental factors which should be considered in addition to chronological age in determining types of care and intervention methods. For all children's services, regardless of the child's age up to age 18, parental consent is recommended. Parent consent is required for person younger than 14 years. While there may be a need to set regulations for how services are organized in a clinic setting, including partial hospitalization services (Chapter 5210), chronological age is just one factor in determining clinical groups or groupings for treatment interventions. Furthermore, the clinical assessment and evaluation should address the most appropriate treatment services. Partial hospitalization services for persons older than age 14 and up to age 18 appears to have been omitted from the proposed changes in restating definitions of adults, children, including adolescents. It is confusing that services under chapter 5210 are being proposed for changes in Chapter 5200.

Aside from the two suggestions above, Dauphin County MH/ID Program generally supports the changes being proposed. We will welcome the opportunity to work with licensed providers to implement these changes in the near future.

Sincerely,



Daniel E. Eisenhauer  
Administrator

C: Rose M. Schultz MSW, Deputy MH Administrator