



**From:** [Douglas Tweddale](#)  
**To:** [DH, LTCRegs](#)  
**Subject:** [External] Comments : Proposed Additions to Nursing Facility Regulations to PA. Code 201 and 211 CFR Part 483  
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Ms. Lori Gutierrez  
Deputy Director, Office of Policy

October 24, 2022

Comments : Proposed Additions to Nursing Facility Regulations to PA. Code 201 and 211 CFR Part 483

Dear Madam,

I am writing in opposition to the proposed changes to the current Code.

I was the CEO of Foulkeways for 28 years, and I now happily live here as a resident. During my tenure at Foulkeways, we pioneered a new way to deliver Skilled Care by tearing down our buildings, in order to create a new environment designed to promote a social, residential model of health care.

This project did away with the dehumanizing and sterile design of skilled care. In this, we created small neighborhoods and residents brought their own furniture and other belongings to personalize their rooms.

We created neighborhood nursing centers in place of the traditional central nursing station and rethought the provision of care.

We did this after talking to prospective residents. Our interviews revealed that everyone's greatest fear was entering institutional health care. This was a reaction to what all Skilled Care environments were in those days. They reacted to the effects this highly regulated and rule dominated care, with double loaded corridors and a central nurse's station, had upon their loved ones. I am pleased to say our redesign concepts have successfully addressed these fears and now Foulkeways residents and their family members enjoy the wonderful Skilled Care environment we have created.

Unfortunately, this new environment has been difficult for surveyors to understand, and we have had to "educate" all about the human benefits of this environment. Just one example of this was the design of our showers. We proposed to use the larger bathroom as an enlarged shower instead of a shower stall. Our reasoning was that with a larger space utilizing handrails and other residential features, the staff would have easier access to help a resident. Also with this redesign, some residents could safely independently shower. We ran into problems getting plans approved because this "did not meet regulations". Therefore, we were not preapproved for this new

shower design and told that we would have to build them fully then have them inspected.

We were so enthusiastic about the new design that we spent significant money on this new design without the guarantee that we would be approved. Fortunately, once we built the new bathrooms, the new design was enthusiastically accepted by state regulators, and became a wonderful feature of our redesigned residential bathrooms.

In 2017, Foulkways withdrew from the Medicare program in order to allow staff to primarily focus on resident care. The changes proposed by the Code would require us to reenter the Federal Regulations for no good reason. In fact, the extra paperwork required would significantly increase our costs without adding anything to resident care. More regulations and the extra burden of paperwork and billing is not what we need more of. In fact, more regulations do not improve the quality of life for our residents, it only detracts from it.

I am in opposition to the proposed additions to the Code. Please allow smaller, self funded facilities such as Foulkways the right to opt out of the extra burden of federal regulations.

Sincerely,  
Douglas A Tweddale

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