



**Stephen Hoffman**

**From:** Angela <biesecker@aol.com>  
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## PUBLIC COMMENTS Independent Regulatory Commission NURSING HOME COMPLIANCE

1. The Public wants and expects written regulations that provide the LEVEL of care required for the person in a Nursing Home-168 hours a week-

1a. The state must adhere to the Medicaid regulations under CMS for oversight responsibilities to beneficiaries of Medicaid and Medicare.

2. The Public wants and expects full transparency of the ownership of Nursing Homes,

2a. Owners of Nursing Homes should be required to provide only licensed and Qualified Staff including Licensed Social Workers, BSN and Licensed Nurses at a 4.1 hours per day in every facility who are also required to be mandated reporters of abuse, neglect and health and safety.

3. The State of PA must adhere to the assurances of the Federal Funding and that includes Quality management and accountability must be a priority for individuals in Nursing Homes.

3a. The public wants transparency, monthly reports posted online, that the State, County, has visit reports, accountability reports, for every Medicaid funded Nursing home.

3b. The state must be responsible for the people in Nursing Homes under the Federal and State Regulations of Medicare and Medicaid.

4. What is the Quality Management and oversight of the Office of the Attorney General? The OAG Must investigate the abuse and neglect of people in nursing homes and hold the nursing care and assisted living providers to the standards of Medicare and Medicaid Quality Management.

5. PA Attorneys General has criminalized FINAL RULE, under 1915c, prosecuting family members, direct care staff for caring for the aged and disabled in the family home. The Public demands and expects Civil Rights of the disabled and aged will be enforced by PA Attorneys General.

6. The Public wants and expects full transparency of the written process to determine credible allegation of fraud, timesheets oversight, incident reports, for Medicaid funded home and community based services.

7. The Public wants and expects a Handbook be issued by the State Medicaid Agency, Administrative Department, Financial Audits, Bureau of Program Integrity, Dept. of Aging, Program Office of Long

Term Living, Dept of Labor, that details the every service definition, billable versus non billable, transportation, the written process for transportation reimbursement, define adequate staffing, define program violations, define corrective action process, define support staff responsibilities, define all incident reporting, define who is the provider, define who submits claims, define oversight and monitoring, define grievance process, define notice and fair hearing.

8. Under 62 PS 1407 the state has criminalized family members who are unpaid and natural supports who have timesheet errors and over housekeeping without Notice and Remediation. Family members have been denied due process of Medicaid and Medicare rules. Please define what "Adequate care" is in PA for families and Nursing homes.

9. Please provide the guidance and regulations for families who take care of their loved ones that meet the ICF/IDD level of care for the disabled and Protections for the family taking care of individuals.

10. States must meet the requirements of HCBS and provide more care in home for the elderly and the disabled including all the assurances including the Right to Fair Hearing for services that were identified but not provided.

11. Nursing homes should be a source for people who want to remain in their homes with Qualified Staff for HCBS Waivers, Medicaid and Medicare. Moreover, all assurances of the waivers and the rules and regs must be transferred to the people/families, power of attorneys, surrogates, guardians and common law employees.

12. People who prefer to receive services in a nursing home, family home or an institution must receive Notice, Remediation and Corrective Action through the Counties in where the individual resides for any and all Program Violations.

Thank you