

1501 Foulkeways
Gwynedd, PA 19436

August 29, 2021

Lori Gutierrez
Deputy Director, Office of Policy
625 Forster Street, Room 814
Health and Welfare Building
Harrisburg, PA 17120

Re: Proposed DOH Regulations

Dear Ms. Gutierrez:

I am writing to express my strong opposition to proposed changes in DOH Nursing Facility Licensure Regulations that would replace parts of current PA regulations with sections from Federal Requirements for Long Term Care Facilities. My opposition specifically relates to the impact of these changes on long-term care facilities that do not participate in the Medicare program.

In essence, the proposed revisions make all long-term care facilities in PA subject to Medicare's Requirements for Participation in Medicare, whether or not the facility receives any Medicare funding. There is no provision for any exceptions. This places an unfair and seemingly punitive burden on resident-funded programs, which must devote considerable staff and financial resources to compliance with regulations from which neither the facility nor the patients receive monetary or other benefit.

Gwynedd House is the nursing facility within Foulkeways at Gwynedd. It was Medicare Certified for a number of years, during which the quality of care was repeatedly demonstrated through receipt of numerous awards and outstanding performance on Medicare surveys. The facility withdrew from the Medicare program several years ago in order to allow staff more time for patient care. Since then, the quality of care has continued at an excellent level. There is clearly no need to impose burdensome regulations on the facility in order to assure safe, high quality patient care.

I want to add a personal note to illustrate the level of care provided in Gwynedd House. I am a resident of Foulkeways at Gwynedd. Though I live in an independent apartment, I am very familiar with Gwynedd House, both because I have

relationships with many of the Gwynedd House patients and because I have been a patient there on three occasions while recovering from surgeries. The care I received from Gwynedd House staff far exceeded any expectations I might have had! Staff clearly regarded me as a person, not just "a patient", with lots of attention to my individual preferences and needs. Even at the busiest times for staff, I felt cared about, not just cared for. I was particularly impressed with the smooth coordination among the various members of the treatment team – hospital discharge planning, physical and occupational therapy and pharmacy at Foulkeways, outpatient surgical follow-up, etc. No amount of regulatory oversight could possibly have improved the care I received.

Gwynedd House staff performance in helping patients cope with the COVID-19 crisis is also noteworthy. The necessary social isolation and curtailment of usual activities have been difficult for patients, but staff from all disciplines have found ways to provide invaluable support and stimulation for the patients. Unhindered by rigid requirements such as the exact number of patient care hours on every shift, they have been able to use staff resources creatively and flexibly in meeting the needs of patients, not regulatory requirements.

Gwynedd House withdrew from the Medicare program for valid reasons, which are still applicable. It would be tragic to see this outstanding program diminished by being forced into compliance with unnecessary regulations. It is urgent that there be a provision in the regulations to permit exceptions for programs that do not participate in Medicare.

Thank you for your consideration.

A handwritten signature in cursive script that reads "Penelope A. Purnell".

Penelope A. Purnell, MSW