



**From:** [Alfred Kuffler](#)  
**To:** [DH.LTCRegs](#)  
**Subject:** [External] DOH Proposed Nursing Facility Licensure Regulations  
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Att: Lon Guitierrez, Deputy Director, Office of Policy

Dear Sirs:

We write as residents of Foulkeways in Gwynedd, Pa. to offer comments in opposition to the proposed regulations that would make Foulkeways subject to the full panoply of Medicare regulations.

In 2017, just as we moved in Foulkeways made the decision to end its relationship with Medicare on the grounds that the burdens of the program well outweighed the benefits. Five years on, that analysis still prevails.

We are a very small (52 bed) skilled care facility. As such a small institution, no public interest will be served by requiring compliance with a massive regulatory program. Indeed Medicare itself allows institutions to opt out; imposition by the state in the guise of adapting as state law the Medicare regulations defeats the intent of the federal law allowing institutions to choose for themselves whether participation in the program suits their purposes.

Residents fund all operations of this facility. thus, any additional staffing these proposed regulations would require only adds to the monthly charges residents must pay. For those on a fixed income in this time of rising costs, no further financial burdens are required, and especially if they produce no benefits. In this vein, we are told that under the proposed regulations Foulkeways would have to hire at least one full time registered nurse to deal with the added paperwork burden. If we are to hire such assistance, we would much prefer that this additional medical staffer be devoted to care giving, not form filling.

But ultimately, the issue is about the quality of care. We understand that Foulkeways latest DOH survey found us deficiency free so the issue is clearly not failure to comply with existing law.

In closing we would like to add that quality of care, and the caring attention medical staffers here give to their patients formed the factor which caused us to choose Foulkeways as our final home. We had the benefit of the observations of a friend who had been a companion here for a long time resident as the woman progressed through independent living, assisted living, and finally skilled care during a long tenure here. This tradition has continued and we are loath to think that our expectations on this score can be upset by imposition of an unwanted overlay of regulation producing no benefit.

We do hope that after consideration, DOH will reach the conclusion that Foulkeways should be exempt from these proposed regulations.

Sincerely.

Linda and Alfred Kuffler  
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