

**INDEPENDENT REGULATORY REVIEW COMMISSION
PUBLIC MEETING MINUTES**

10:00 A.M.

Thursday, October 21, 2021
14th Floor Conference Room
333 Market Street

I. CALL OF THE MEETING

The October 21, 2021 public meeting of the Independent Regulatory Review Commission (Commission) was called to order by Chairman Bedwick at 10:05 a.m. in the 14th Floor Conference Room, 333 Market Street, Harrisburg, PA.

Commissioners Present: George D. Bedwick, Chairman
 Murray Ufberg, Esq.
 Dennis A. Watson, Esq.

Telephone: John F. Mizner, Esq., Vice Chairman
 John J. Soroko, Esq.

II. APPROVAL OF THE SEPTEMBER 23, 2021 PUBLIC MEETING MINUTES

Chairman Bedwick asked for a motion for approval of the September 23, 2021 public meeting minutes, as submitted. Commissioner Watson made the motion and Commissioner Ufberg seconded, and the motion passed 5-0.

III. NEW BUSINESS

A. DEEMED APPROVED

1. No. 3289 Workers' Compensation Appeal Board #12-105: Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Appeal Board

B. ACTION ITEMS

1. No. 3294 Department of Drug and Alcohol Programs #74-4: Standards for Drug and Alcohol Recovery House Licensure

Laura Campbell, Regulatory Analyst, remarked that the regulation was previously disapproved at the July 15 meeting and the Department of Drug and Alcohol Programs (DDAP) resubmitted the regulation with revisions on October 1. She detailed that the regulation provides for licensure requirements for drug and alcohol recovery houses that receive funds or referrals from DDAP or federal and county agencies. Ms. Campbell added the regulation provides for licensees to develop and implement policies and procedures for operation. She stated that the Commission received 17 comments on the regulation, which addressed "overly burdensome

requirements," training requirements and the fiscal impact on licensees and residents. Ms. Campbell reported that the House and Senate standing committees approved the prior amended regulation on July 14 and will have 14 days to review the resubmitted regulation after receiving the Commission's order.

Jordan Lewis, Policy Director, and Dan Fellin, Chief Counsel, DDAP, were present to answer any questions.

Dr. Lewis explained DDAP made several alterations to the regulation in response to the Commission's August 24 disapproval order that raised concerns regarding statutory authority, fiscal impact, protection of public, and ambiguity of the language. She explained DDAP added definitions for clarity, as well as details related to license transfers and a notification process for violations. Dr. Lewis detailed that DDAP eliminated terms such as discharge, intake, admission and maximum capacity to avoid confusing recovery houses with treatment facilities. She added that DDAP eliminated a requirement for a biennial audit but included a requirement for recovery houses to maintain a record of expenditures and revenues.

Vice Chairman Mizner thanked DDAP for working with the Commission to create a better regulation.

Chairman Bedwick lauded DDAP for their work in addressing all the points that were made in the disapproval letter. He categorically reviewed comments on the regulation and suggested DDAP consider some suggestions. Chairman Bedwick also suggested that DDAP clarify the regulation's provisions for license transfer. He stated that he would vote to approve the regulation because "I think this is significantly better and meets that threshold of being in the public interest."

Commissioner Ufberg made a motion for approval. Commissioner Watson seconded, and the motion passed 5-0.

IV. OTHER BUSINESS

Approval of Vouchers

Commissioner Watson made motions to approve vouchers and expenses for the period September 2, 2021 through September 23, 2021. Commissioner Ufberg seconded, and the motions passed 5-0.

V. DATE AND PLACE OF SUBSEQUENT MEETING

Chairman Bedwick announced the next public meeting is scheduled for Thursday, November 18, 2021, at 10:00 a.m. in the 14th Floor Conference Room, 333 Market Street, Harrisburg.

VI. EXECUTIVE SESSION ANNOUNCEMENTS

Chairman Bedwick announced that no executive session would be held.

VII. ADJOURNMENT

Chairman Bedwick adjourned the meeting at 10:22 a.m.