



October 9, 2018

Fiona Wilmarth, Director of Regulatory Review
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

RE: IRRC Regulation #3160 and DHS Regulation #14-540, titled "HCBS and Licensing"

Dear IRRC Commission Members:

Thank you for the opportunity to comment on the Office of Developmental Programs (ODP) Home and Community Based Services (HCBS) and Licensing regulations. The Arc of Pennsylvania is a statewide nonprofit organization that provides advocacy and resources for people with intellectual and developmental disabilities and their families. We have over 8,000 members and 33 local chapters. The Arc of Pennsylvania and its chapters are first and foremost, advocates. In addition, many of our local chapters also provide services. In this regard, our perspective is unique in that we are led by people with disabilities and their families, yet, we know the challenges and possibilities of providing services.

The Arc of Pennsylvania urges approval of these regulations. We sincerely appreciate ODP's extensive efforts to solicit stakeholder input and public comment in preparing these regulations. In fact, I had the pleasure of representing The Arc of Pennsylvania at each of the stakeholder meetings. In addition, The Arc of Pennsylvania, our members, and local chapters provided public input at every opportunity to do so.

The Arc of Pennsylvania supports these regulations. We urge the Commissioners of the Independent Review Commission to vote their approval. We support these regulations for the following reasons:

- 1) These regulations make Chapter 51 obsolete. Chapter 51 created hardships for both service users and providers. Chapter 6100 eliminates many of the concerns found in the existing Chapter 51 regulations.
- 2) These regulations support individuals with an intellectual disability and/or autism to live and participate in their community. The regulations emphasize greater independence and opportunities for people to live an Everyday Life.
- 3) These regulations strengthen community services and supports by promoting person centered approaches, while balancing the need for assuring an individual's health and safety.

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*Maureen Cronin
Executive Director*

*The Arc of Pennsylvania is
affiliated with The Arc of the
United States and 33 local
chapters of The Arc across PA.*

Achieve with us.

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- 4) These regulations govern the program, operational, and fiscal aspects of HCBS waiver and base-funded programs.
- 5) These regulations align licensing requirements in key areas of training, incident management, and rights.
- 6) These regulations are needed to continue the Commonwealth's eligibility for Federal financial participation in the HCBS waiver program.
- 7) These regulations address key service areas including, but not limited to: 1) An expansion of rights, 2) Children's services and permanency planning, 3) Allow for innovative projects, 4) An emphasis on communication and the use of technology, 5) They provide for "reserved capacity" which allows a person to return to their residential home after short term inpatient hospital stays. These are just a few of the key areas supported by The Arc.
- 8) All of the comments submitted by The Arc of Pennsylvania and our chapters and members were considered. Most were addressed within this current regulation package.
- 9) We understand that ODP intends to develop guidelines to provide greater direction for people and providers to help clarify areas of key interest.
- 10) These regulations include the provision for ODP to review data/factors that determine service rates, every three years.

In summary, we believe that these regulations prioritize the needs of individuals yet address the concerns of providers responsible for implementing the regulations. While not perfect, The Arc of PA recognizes the limitations of regulations in assuring health, safety and the quality of intellectual disability and autism services. Regulations are only one component in the assurance of providing quality services. The Arc of Pennsylvania looks forward to providing additional comments to ODP as they develop implementation guidelines. We look forward to continuing all Pennsylvania's efforts to improve the Everyday Lives of Pennsylvanians with disabilities.

Sincerely,

A handwritten signature in black ink, appearing to read "Maureen Cronin". The signature is fluid and cursive, with a long horizontal stroke at the end.

Maureen Cronin