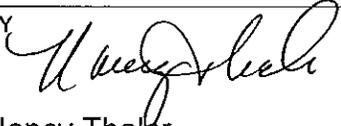




**OFFICE OF
DEVELOPMENTAL
PROGRAMS BULLETIN**

ISSUE DATE JUNE 20, 2016	EFFECTIVE DATE JUNE 20, 2016	NUMBER 00-16-05
SUBJECT REGULATIONS – USE OF APPROPRIATE TERMINOLOGY		BY  Nancy Thaler, Deputy Secretary for Developmental Programs

SCOPE:

- Individuals and Families
- Advocacy and Self-advocacy Organizations
- County Mental Health and Intellectual Disability Administrators
- Intellectual Disability Administrative Entity Administrators and Directors
- Home and Community-Based Service Providers
- Support Coordination Organizations and Agencies
- Community Homes for Individuals with an Intellectual Disability
- Family Living Homes
- Community Residential Rehabilitation Providers
- Vocational Facilities
- Adult Training Facilities
- Personal Care Homes
- Assisted Living Facilities
- Non-State Operated Intermediate Care Facilities with an Intellectual Disability
- State-Operated Facilities

PURPOSE:

The purpose of this bulletin is to announce the publication of amended regulations to include appropriate terminology. The rulemaking promotes respect, community integration and an array of opportunities for an individual with an intellectual disability, by using words that are positive and up-to-date.

BACKGROUND:

Under federal and state law, the terminology “intellectual disability” has replaced the archaic and offensive terminology “mental retardation.” Further, the affected individuals with an intellectual disability, friends and family members of affected individuals, providers of services and supports for individuals with an intellectual disability and county mental health/intellectual disability programs support the use of the up-to-date and appropriate terms “intellectual

<p>COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO: Office of Developmental Programs, Bureau of Policy and Quality RA-odpcomment@pa.gov, 717-265-7746 Visit the Office of Developmental Programs Web site at http://www.dhs.state.pa.us/dhsorganization/officeofdevelopmentalprograms/index.htm</p>

disability” and “integration” to replace the archaic terms of “the retarded,” “mentally retarded,” “retarded person,” “mental retardation” and “normalization.”

DISCUSSION:

On June 18, 2016 the Department of Human Services published amendments to the following twenty-four chapters of licensing, intellectual disability, mental health, county program and state center regulations to replace the inappropriate and outdated terminology with modernized language.

- Chapter 13. Use of Restraints in Treating Patients/Residents.
- Chapter 14. Abuse of Patients/Residents.
- Chapter 20. Licensure or Approval of Facilities and Agencies.
- Chapter 2380. Adult Training Facilities.
- Chapter 2390. Vocational Facilities.
- Chapter 2600. Personal Care Homes.
- Chapter 2800. Assisted Living Residences.
- Chapter 3800. Child Residential and Day Treatment Facilities.
- Chapter 4200. County Board and Program Administration.
- Chapter 4210. Description of Services and Service Areas.
- Chapter 4215. Annual Plan and Estimate of Expenditures.
- Chapter 4220. Reimbursement for Medications.
- Chapter 4230. Waiver of Service.
- Chapter 4300. County Mental Health and Intellectual Disability Fiscal Manual.
- Chapter 4305. Liability for Community Mental Health and Intellectual Disability Community Services.
- Chapter 4310. Client Liability-State MH/ID Facilities.
- Chapter 6201. County Intellectual Disability Services.
- Chapter 6210. Participation Requirements for the Intermediate Care Facilities for the Intellectual Disability Program.
- Chapter 6211. Allowable Costs Reimbursement for Non-state Operated Intermediate Care Facilities for Individuals with an Intellectual Disability.
- Chapter 6250. Commitment and Admission Procedures for Individuals with an Intellectual Disability.
- Chapter 6350. Family Resource Services.
- Chapter 6400. Community Homes for Individuals with an Intellectual Disability.
- Chapter 6500. Family Living Homes.
- Chapter 6600. Intermediate Care Facilities for Individuals with an Intellectual Disability.

This final rulemaking affects individuals with an intellectual disability and families of individuals who receive funded services and supports through the Office of Developmental Programs; state-operated facilities; providers of state and federally-funded intellectual disability services and supports; and facilities licensed by the Department.

This rulemaking was requested by and is very important to the intellectual disability self-advocacy and advocacy communities, families, providers, local government and others, as the

terms “the retarded,” “mentally retarded,” “retarded person,” “mental retardation” and “normalization” are offensive and archaic. A draft of the rulemaking was shared with and reviewed by external stakeholders that included self-advocacy, advocacy, provider and local government organizations. Stakeholders applauded the Department’s effort to update the language in the Department’s regulations.

The complete PDF file showing the Department’s edits can be accessed from IRRRC’s website at <http://www.irrc.state.pa.us/docs/3137/AGENCY/3137FO.pdf/>.

The regulatory amendments contained in the *Pennsylvania Bulletin* can be found at <http://www.pabulletin.com/secure/data/vol46/46-25/index.html>, June 18, 2016, Part II.