



# MENTAL HEALTH BULLETIN

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF PUBLIC WELFARE

DATE OF ISSUE

5/24/96

EFFECTIVE DATE

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NUMBER

OMH-96-02

SUBJECT

Non-Renewal of Licenses for Community-Based Mental Health Providers That Have Suspended Services

BY

  
Charles G. Currie  
Deputy Secretary for Mental Health

## SCOPE:

County MH/MR Administrators  
Community-Based Mental Health Providers

## PURPOSE:

To clarify Office of Mental Health policy on the requirements for licensure of community-based mental health services.

## BACKGROUND:

The Office of Mental Health, under the authority of Article X of the Public Welfare Code, licenses community-based mental health programs. The Office uses applicable regulations to license and approve mental health service programs (e.g., PA Code, Title 55, Chapter 5200 - Psychiatric Outpatient Clinics and PA Code). For those programs for which there are no codified Departmental regulations, applicable draft standards are utilized (e.g., Draft Chapter 5260 - Family Based Mental Health Services).

## STATEMENT:

The specific standards contained within codified regulations, as well as draft regulations clearly define respective provider responsibilities regarding such issues as: organizational structure, separation of programs, staff requirements, treatment planning, and location of services delivered. As an example, Department regulations require that in order for a provider to be licensed to provide Partial Hospitalization services to children and youth (cf., PA Code, Title 55, Chapter 5210), it must, among other standards: "operate a minimum of 3-1/2 days a week and shall have a minimum program P capacity of 10 patients".

COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:

**Area Offices**

**ACTION:**

It is not the intention of the Office of Mental health to continue to issue licenses to providers who are not actively providing services in keeping with Departmental regulations.

As a result, any provider which has suspended or discontinued services will be denied renewal of licensure. As a provisional license (i.e., the granting of a provisional certificate of compliance) may be given only ***if the facility is in substantial, but not complete, compliance with applicable statutes, ordinances and regulations*** (cf., PA Code, Title 55, Chapter 20. Licensure or Approval of Facilities and Agencies), the OMH will not issue provisional licenses to providers which have suspended or discontinued services.

The non-renewal of a certificate of compliance, as any other negative sanction so cited within PA Code, Title 55, Chapter 20 may be appealed by a provider under the terms set forth within DPW Manual, Chapter 9003 (Licensure/Approval Appeal Procedure).

Questions regarding this issue should be addressed to the Director of the respective OMH Bureau of Area Operations.

**REFERENCES:**

Mental Health Procedures Act of 1976, as amended 1978

PA Public Welfare Code, Act of 1967, as amended 1980

PA Code, Title 55, Chapter 5200. Psychiatric Outpatient Clinics

Draft Chapter 5260. Family Based Mental Health Services

PA Code, Title 55, Chapter 5210. Partial Hospitalization

PA Code, Title 55, Chapter 20. Licensure or Approval of Facilities and  
Agencies

DPW Manual, Chapter 9003. Licensure/Approval Appeal Procedure

**OMH BUREAUS OF AREA OPERATIONS**

**CENTRAL AREA:**

Department of Public Welfare  
Office of Mental Health, Central Area Office  
Harrisburg State Hospital, Beechmont Bldg. #32  
P.O. Box 2675  
Harrisburg, PA 17105-2675  
(717) 772-7490

**NORTHEAST AREA:**

Department of Public Welfare  
Office of Mental Health, Northeast Area Office  
Scranton State Office Building, Room 321  
100 Lackawanna Avenue  
Scranton, PA 18503-1973  
(717) 963-4335

**SOUTHEAST AREA:**

Department of Public Welfare  
Office of Mental Health, Southeast Area Office  
Philadelphia State Office Building, 11th Floor  
1400 Spring Garden Street  
Philadelphia, PA 19130-4064  
(215) 560-2708

**WESTERN AREA:**

Department of Public Welfare  
Office of Mental Health, Western Area Office  
1401 Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222-1210  
(412) 565-5434